

# Refugees in Europe, 1919-1959

A Forty Years'  
Crisis?

Edited by Matthew Frank & Jessica Reinisch

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## List of Abbreviations

AFSC	American Friends Service Committee
ANFANOMA	Association Nationale des Français d'Afrique du Nord, d'Outre-Mer et de leurs Amis
ARA	American Relief Administration
CRB	Committee for Relief in Belgium
DP	Displaced Person
FDR	Franklin Delano Roosevelt
FLN	National Liberation Front (Front de Libération Nationale)
ICEM	Intergovernmental Committee for European Migration
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
IGCR	Intergovernmental Committee on Refugees
ILO	International Labour Organization
IOM	International Organization for Migration
IRO	International Refugee Organization
LNHCR	League of Nations High Commissioner for Refugees
MCP	Malayan Communist Party
MERRA	Middle East Relief and Refugee Administration
OAS	Secret Army Organization (Organisation de l'armée secrete)
OFRRO	Office of Foreign Relief and Rehabilitation Operations
RIIA	Royal Institute of International Affairs
RSC	Refugee Settlement Commission
SHAEF	Supreme Headquarters Allied Expeditionary Force
UNHCR	United Nations High Commissioner for Refugees
UNRRA	United Nations Relief and Rehabilitation Administration
UNRWA	United Nations Relief and Works Agency
WCC	World Council of Churches
WRB	War Refugee Board
WRY	World Refugee Year

## Notes on Contributors

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**Peter Gatrell** is Professor of Economic History at the University of Manchester, where he is co-director of the Centre for the Cultural History of Modern War and affiliated to the Humanitarian and Conflict Response Institute. He is the author of a trilogy of books on refugee history, including *A Whole Empire Walking: Refugees in Russia during World War 1* (Indiana University Press, 1999) and *The Making of the Modern Refugee* (Oxford University Press, 2013), as well as books on Russian economic and social history. His edited book on the European refugee crisis during the First World War, entitled *Europe on the Move*, will appear in summer 2017. He has directed several collaborative research projects and is one of the general editors of the encyclopaedia, '1914-1918 online'. In 2011 he was elected a fellow of the Academy of Social Sciences. He is currently writing a history of Europe since 1945 seen through the lens of migration, to be published by Penguin Books and Basic Books.



**Tony Kushner** is Professor in the Parkes Institute for the Study of Jewish/non-Jewish Relations and the History Department at the University of Southampton. His most recent book is *The Battle of Britishness: Migrant Journeys since 1685* (Manchester University Press, 2012). He is currently working on a study of the construction of ethnicity in the British armed forces and two books relating to the Holocaust, entitled *Journeys from the Abyss: The Holocaust and Forced Migration* and, with Dr Aimee Bunting, *Co-Presents to the Holocaust*. He is co-editor of the journal *Patterns of Prejudice* and deputy editor of *Jewish Culture and History*.

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**Barbara Metzger** is Senior Research Associate at the Centre of International Studies at the University of Cambridge. Her research has focused on emerging human rights concepts during the interwar years, transnationalism and the UN human rights regime. Currently, she is conducting research into the legacies of the Second World War. She holds a PhD from the University of Cambridge, with a thesis entitled 'The League of Nations and Human Rights: From Practice to Theory' and has published several articles in the field.

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*Occupied Germany* (Oxford University Press, 2013, available as a free eBook); *The Disentanglements of Populations: Migration, Expulsion and Displacement in postwar Europe, 1944-1949* (Palgrave, 2011, edited with Elizabeth White); and *Post-War Reconstruction in Europe: International Perspectives, 1945-1949* (Oxford University Press, 2011, edited with Mark Mazower and David Feldman). She was awarded a Wellcome Investigator Award for her project 'The Reluctant Internationalists', and is working on a history of UNRRA. She is the director of the Centre for the Study of Internationalism at Birkbeck, and co-editor of *Contemporary European History*.

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# ‘The Story Stays the Same’? Refugees in Europe from the ‘Forty Years’ Crisis’ to the Present

Jessica Reinisch and Matthew Frank

In the time it has taken us to put this book together, refugees have forced themselves back into European consciousness. In the last three years, barely a day has gone by without our screens and newspapers being filled with pictures of refugees and migrants seeking sanctuary in Europe, and with the accompanying talk of ‘crisis’. The largest numbers of refugees are coming from Syria. Estimates from summer 2016 suggest that to date at least 11 million Syrians have left their homes since the beginning of the civil war in March 2011. The Office of the United Nations High Commissioner for Refugees (UNHCR), the international refugee agency, has registered 4.8 million Syrian refugees, while another 6.6 million are internally displaced within the country. The vast majority of those who left Syria sought refuge in neighbouring countries. Turkey has taken in 2.5 million; tiny Lebanon 1.1 million. Just over one million Syrians have to date applied for asylum in Europe.<sup>1</sup> They are joined by people leaving Afghanistan, Iraq and Pakistan, among other places. Though still only a fraction of the record estimate of currently over 65.3 million displaced people globally,<sup>2</sup> the growing number of arrivals at European borders has put refugees and migrants back on the political agenda.<sup>3</sup>

European governments on the whole have responded slowly and warily. Far-right protest parties standing on anti-immigration platforms have significantly increased their share of the votes across the continent since 2014. A series of EU conferences on ‘burden sharing’ have come and gone, largely without any noteworthy results. However, these intergovernmental discussions and the wider public debate on refugees revealed deep divisions between and within European countries about how to respond to the ‘migrant crisis’, the political consequences of which have been profound and are ongoing. While we were putting the final touches to the manuscript, yet another diplomatic conference came to an end, and with it yet another attempt to put the ‘solution’ of current refugee crises on the political agenda. On 19 September 2016, the UN General Assembly and the outgoing UN secretary general Ban Ki-moon hosted a high-level Summit for Refugees and Migrants at the UN Headquarters in New York.<sup>4</sup> The following day, the outgoing

US president Barack Obama convened a Leaders' Summit on Refugees, which focused on specific international pledges on and commitments to refugees.<sup>5</sup> The meetings began to fade into historical oblivion even before the assembled guests had left New York. The summits failed to generate any clear or binding commitments; they merely launched two years of further negotiations. Accompanying publicity stunts, like the display in London's Parliament Square of 2,500 life jackets worn by those who had attempted to cross the seas to Europe, were quickly forgotten.

Forgettable, too, was the accompanying hype about 'watershed moments'. Ban Ki-moon reportedly hailed the meeting as 'historic' and a 'breakthrough'.<sup>6</sup> The summit was a 'unique opportunity for creating a more responsible, predictable system for responding to large movements of refugees and migrants', gushed the New York-based *International Business Times*.<sup>7</sup> UNHCR press releases were just as upbeat. In the run-up to the meetings, a UNHCR spokesperson declared that there was 'huge momentum towards trying to make the 19th of September a really meaningful summit that will be a game changer for refugee protection and for migrants who are on the move'. Concretely, the summit was on target 'to adopt key commitments to enhance protection'.<sup>8</sup> On the day, Volker Türk, UNHCR's Assistant High Commissioner for Protection, thought the talks were 'the beginning of an exciting process' and had helpfully produced 'a response framework that consolidates the nuts and bolts of what is needed if a country is faced with a large-scale [refugee] situation'.<sup>9</sup> After a month of reflection, Türk added that 'at a time when borders are being fortified to keep refugees out and when refugees are accused wrongly of being terrorists, it is nothing short of a miracle that the United Nations unanimously adopted the New York Declaration which affirms and strengthens the protection of refugees'. Facing criticism over the absence of concrete commitments and boldness, Türk argued that 'in the real and imperfect world in which we struggle to advance the rights of refugees', the declaration provided 'a strong endorsement of the basic principles of refugee protection' and offered 'the possibility for further progress in the coming two years'.<sup>10</sup> 'We're not disappointed in any way,' agreed Leonard Doyle, chief spokesman of the International Organization for Migration (IOM).<sup>11</sup>

By contrast, plenty of NGOs and refugee activists were highly critical of the lack of any concrete agreements or outcomes of the New York summits. David Miliband, president of the International Rescue Committee, noted that 'any refugee reading the conclusions of Monday's summit is bound to say "what is going to change?" and the answer they would have to be given is "very little"'.<sup>12</sup> Salil Shetty, Amnesty International's secretary general, thought that 'we already know the U.N. summit is doomed to abject failure', and 'the Obama summit looks unlikely to pick up the pieces'.<sup>13</sup> Amnesty's Advisor on Refugee and Migrants' Rights, Charlotte Philips, was just as scathing. 'Faced with the worst refugee crisis in seventy years,' she declared, 'world leaders have failed to bear the weight of responsibility.' They had 'delayed any chance of a deal until 2018, procrastinating over crucial decisions even as refugees drown at sea and languish in camps with no hopes for the future'.<sup>14</sup> Perhaps the only memorable moment of the summit concerned the public announcement that the celebrity couple Angelina Jolie (who is a UNHCR 'Special Envoy') and Brad Pitt had split up, which overshadowed the meeting's final hours and aftermath.

If nothing else, the summits in New York remind us just how strangely cyclical and ahistorical the debate about refugees in Europe has become, where, on the surface at least, nothing ever seems to change. We are by now familiar with timeless images of bedraggled men, women and children, carrying a few bags of possessions, cramming into whatever transport is available, tired, hungry and sick from the disasters they left behind and the long journeys they endured, sleeping rough on the way, herded into reception centres or camps, receiving blankets or food from a handful of volunteers, and causing fear and panic wherever they arrive. Just as commonplace is the accompanying imagery of statesmen and stateswomen in suits, watched over by the world's media as they sign non-binding gestures of goodwill. It is no coincidence that matters of international refugee policy are usually championed, as they were at the two New York summits, by lame duck politicians, who have little political capital to lose and a last wish to make inroads on an entrenched humanitarian problem they have failed to confront during their tenure of office.

Just as familiar is the polarized, binary nature of public debate about migration and potential solutions to refugee crises. Recent arguments advanced by the north-western European governments against taking in more refugees and migrants do not sound substantially different from those put forward by their predecessors seventy or eighty years ago, nor do those of their opponents. It is a long-established dance, and everyone knows the moves. While one side talks about the dangers of 'uncontrolled migration' and the primacy of national interests,<sup>15</sup> the other points to moral duties and humanitarian responsibilities, and condemns responses that are 'too slow, too low and too narrow'.<sup>16</sup> While one side paints pictures of anonymous masses breaking through European borders,<sup>17</sup> the other makes reference to the plight of innocent victims – such as Omran Daqneesh, the young Syrian boy injured in an airstrike on Aleppo on 17 August 2016, who became known as 'the boy in the ambulance';<sup>18</sup> or Alan Kurdi, the three-year-old Syrian boy of Kurdish descent who washed up dead on a Turkish beach in September 2015.<sup>19</sup> While one side tries to narrow and limit the pool of legitimate candidates for inclusion in the category of people on the move who qualify for international protection, the other attempts to broaden it.

The contributors to this book highlight the familiarity of these features in their own case studies drawn from 'the forty years' crisis' of Europe's encounters with refugees during the interwar and immediate post-war decades of the twentieth century. The chapters also identify significant history and assumptions shared by both sides of this polarized debate. Importantly, this common ground goes far beyond shared pat phrases about 'great global challenges' that have to be dealt with 'as an international community' in the form of a 'truly global response to the mass movement of people across the world' – vacuous language that is difficult to take offence at, but that offers nothing.<sup>20</sup> Ultimately, both sides often reinforce the distinction between so-called 'legitimate' political refugees and 'illegitimate' economic migrants, even if some rightly point out that the lines between these categories can be blurred in practice. The International Refugee Organization (IRO), founded in 1946, was the first to make explicit reference in its legal statute to 'genuine' and 'bona fide refugees and displaced persons', thereby making clear that there were others who were neither 'genuine' nor 'bona fide'.<sup>21</sup> The distinction was then enshrined in law by the 1951 Convention Relating

to the Status of Refugees, which remains, along with the 1967 amending Protocol, the fundamental legal document that defines who a refugee is (and is not) and the kind of legal and political protection refugees are entitled to.<sup>22</sup> It defined a refugee as a person outside of his or her country of birth because of ‘a well-founded fear of persecution’, to whom the host state is obliged to provide asylum. Persecution as the main pillar of the refugee status was adopted in 1951 by Western states to privilege those migrants who were fleeing communist regimes. That such a specific historical moment as 1951 produced a framework of refugee protection which has long outlived the context of its creation has had important lasting consequences. The most significant legacy concerns its separation of political ‘push’ factors from economic ‘pull’ factors – which have become more blurred since the end of the Cold War than ever before. Every political refugee is seeking a better life, and every economic migrant is fleeing a number of explicit or implicit threats or disasters. Whether any particular country grants them asylum is often more a result of its political priorities than the ‘genuineness’ of the asylum seekers.<sup>23</sup> As a result, UNHCR, the UN agency created as guardian of the 1951 Convention, is a peculiar and desperate kind of anachronism, charged with protecting ‘refugees’ as defined in 1951, in a world where this definition has become impossible to sustain, let alone enforce, in practice. The organization’s lack of institutional or financial autonomy and methods of sanction further add to its predicament.<sup>24</sup>

It is therefore both significant and deceptive that many people on both sides of today’s debate about refugees and migrants agree that the 1951 Convention and 1967 Protocol have to stay, in spite of their obsolete priorities and unintended consequences, because without them we would be a lot worse off. Even British prime minister Theresa May, known for her tough stance against immigration, declared at New York that the Convention and Protocol ‘must remain the bedrock of our response’, even if ‘the context in which they must be applied has dramatically changed.’<sup>25</sup> To date, although there have been a series of local and national attempts to ‘reinterpret’ or simply disregard key provisions of the Convention and Protocol, there have been surprisingly few calls from countries to free themselves from the shackles and obligations of these treaties altogether.<sup>26</sup> Even the United States is, at the point of writing, still formally bound by this legislation, despite the desire of the Trump administration to undermine and disregard it in practice. Perhaps this zero-sum game of refugee policy is one of the most enduring features of modern refugee crises. Although governments perpetually resist the external imposition of obligations for refugees and migrants, they consider it to be even more dangerous to be out of the loop altogether.

## 2

The striking similarities and familiar iconography of refugee crises throughout time have presented public commentators and historians with a peculiar conundrum, which this book necessarily grapples with: what, if anything, can we learn from previous refugee crises? What can history tell us about current population movements? In recent coverage, commentators have revelled in the apparent timelessness of refugee crises – concerning the plight of refugees as much as the processes that make people

flee their homes and turn them into refugees in the first place. As a result, they see themselves powerless in the face of seemingly unstoppable and ever-repeating history. As a post on Ghost Boat, a blog that investigates the disappearance of 243 migrants on a boat in the Mediterranean Sea in June 2014, put it: 'Everything changes, but nothing changes at all. Refugees and migrants keep searching for an escape, and Europe keeps closing the doors. But underneath it all, the story stays the same.'<sup>27</sup>

Journalists, politicians and other contemporary observers have also gone in search of historical yardsticks, often in the explicit hope that they can help them to identify, justify and encourage particular kinds of responses in the present. One supposed historical 'precedent' – the so-called Kindertransport (children's transport) – has given comfort and encouragement to those arguing for greater compassion and more generous policies towards refugees arriving in Europe today. The term refers to the rescue efforts which brought around 10,000 mostly Jewish children from central Europe to the UK in late 1938 and 1939.<sup>28</sup> In recent British parliamentary debates, these rescue efforts have been regularly evoked as evidence of Britain's 'proud tradition' of support for 'those fleeing persecution and seeking sanctuary',<sup>29</sup> often in conjunction with the argument that the UK should take responsibility for more new arrivals. The Kindertransport has also become a 'teachable moment' in the British history curriculum.<sup>30</sup>

Earlier this year, this 'precedent' was directly invoked in support of a proposal by Labour peer Lord Alfred Dubs, himself a former Kindertransport survivor, to allow unaccompanied child refugees already in Europe to come to Britain. Dubs' Amendment 87 to the Immigration Bill proposed that the UK was to take in 3,000 of them. Although Dubs himself said he did not want to overstate the similarities between his own experiences as a child refugee and those of current unaccompanied children in Europe, he did not shy away from identifying a clear historical precedent for political purposes: 'It was important, politically, to remember that Britain had set a strong humanitarian example in 1938, which undoubtedly saved the lives of many people who would otherwise have ended up in the gas chambers,' he explained in a recent *Guardian* interview.<sup>31</sup> Other child survivors from the Kindertransport, such as Aryeh Neier, co-founder of monitoring group Human Rights Watch, also lent their name to Dubs' initiative. 'During the Second World War, Britain did more than lead the way,' Neier argued. 'It accepted far more refugees than any other country. The British saw the danger. They saved my life, the life of my sister and the life of my family.'<sup>32</sup>

Evoking history here becomes a bargaining tool, an attempt to give moral weight to a contemporary project. As Labour MP Keir Starmer put it, 'Lord Dubs arrived in this country in 1939 as an unaccompanied child under the Kindertransport system, so he speaks with particular authority.'<sup>33</sup> However, the chapters in this book show that a strong moral case alone does not make for good history. The Kindertransport has been cemented as a 'beacon' in British consciousness largely as a result of selective memory; the reality was more complex and far less flattering. The Kindertransport was a rescue operation organized by a number of private, philanthropic and religious organizations, not an official state programme. Under pressure from these groups, Neville Chamberlain's Conservative government temporarily waived immigration visa requirements for a limited number of unaccompanied children from central Europe. The organizations had to fund the operation and find sponsors and homes



for the children themselves; they stopped when their money ran out, and when the outbreak of war made their task impossible. Those children who were granted entry were admitted on the condition that their sponsors would bear all expenses of their accommodation, living and education, and guaranteed their emigration from Britain as soon as they could return to their families. Parents were not allowed to accompany the children. Many of those children later wrote about personal experiences of British anti-Semitism. In 1940, around 1,000 of these children were interned by the British authorities as so-called ‘enemy aliens’.<sup>34</sup>

As Lyndsey Stonebridge recently argued, ‘We’re on shaky ground indeed if we think we simply need to retrieve a lost humanitarian impulse.’<sup>35</sup> As a number of chapters in this book spell out, no European country in a position to offer shelter has reason to be proud of its history of rescue. Countries such as Britain and the United States did much to prevent immigration by turning desperate people away. In 1938, at a conference in the French spa town of Evian, delegations from thirty-two participating nations – Britain among them – failed to come to any agreement about accepting the Jewish refugees fleeing the Third Reich. Delegates were sympathetic to their plight, they said, and urged others to find a long-term solution, but were unwilling to ease their own immigration restrictions. The outbreak of war then made any joint agreement even more unlikely. Throughout this time, most European borders remained tightly shut, and millions of people were turned away, often to certain death. Comparisons of 1938 with today might be justified, but are hardly a cause for celebration; for millions, much worse was to come. Nor was this wishful memory enough to win the argument in 2016, as Lord Dubs’ amendment was initially defeated by a House of Commons vote. Eventually, an amended version was passed, but this no longer specified a number of unaccompanied children to be resettled in the UK, and instead provided for long consultations with local authorities who were to determine the final number. With limited funding available, few councils were keen to start a process of welcoming these children. By September 2016 still no child had arrived in the UK under the scheme.<sup>36</sup>

The Kindertransport is only one of the several popular ‘feel good’ historical precedents for the current migrants and refugee crisis. In recent years, commentators and refugee activists have identified and utilized other examples of past refugees receiving warm welcomes in the UK or other Western countries, such as the refugees leaving Hungary in the wake of the uprising of 1956; those fleeing the war in Vietnam in the course of the 1970s; the Ugandan Asians leaving after the Ugandan president Idi Amin expelled all Asians from the country in 1972; and the Bosnian refugees escaping the civil war following the breakup of Yugoslavia in the early 1990s. The numbers of refugees taken in by various host countries, and the contexts in which their resettlements were agreed, varied widely in each of those cases, as did the strength of claims for a successful and emulatable ‘precedent’. Stripping historical yardsticks of their context renders them misleading and ultimately meaningless.

In recent months, notably less upbeat historical precedents have gained currency, as examples from history are increasingly paraded not as an inspiration but as a cautionary tale. Comparisons with the 1930s abound and reflect the general gloom of 2016 – the year that saw a failed coup in Turkey, a worsening war in Syria, a British referendum vote to exit the European Union, the election of the anti-establishment, anti-liberal

Donald Trump as president of the United States, and accompanying economic turmoil. 'We think that the current macroeconomic environment has a number of significant similarities with the 1930s,' a *Bloomberg* piece maintained in June 2016, 'and the experiences then are particularly relevant for today.'<sup>37</sup> A *Forbes* contributor agreed that there were a number of 'scary similarities between now and the 1930s', particularly as far as economic and geopolitical factors were concerned.<sup>38</sup> An even bleaker reference to history was made by the president of the European Council and former Polish prime minister, Donald Tusk, in a speech at the European Policy Centre in August. Tusk referred to the 1930s as a great warning to liberals in the present about the spread of the 'anti-liberal virus' and the impending 'disintegration of Europe, in a liberal and ideological sense'. 'We remember from the past,' Tusk went on,

that in the most dramatic moment of our history, in the 1930s, the advocates of a liberal order gave up virtually without a fight, even though they had all the cards in their hands. Ordinary people turned their backs on them, seeing how weak and hesitant they were. People didn't turn away from freedom because they were fed up with it. No, they simply lost faith that the freedom camp was able to put a stop to evil, however they understood it. They no longer believed that the moderate centre was a guarantee of security. And I am sure you remember who took their place.<sup>39</sup>

Refugees are playing a central role in these comparisons with the 1930s. For example, in October the *Washington Post* declared that Russian president Vladimir Putin was 'bringing back the 1930s,' and the migrant crisis was a crucial part of this. Europe has been 'politically destabilized and socially convulsed by the arrival of a million Syrian migrants seeking asylum,' the argument went, with the consequence of 'undermining the West's confident sense of itself,' and thereby directly playing into Putin's hand. As a result, it concluded, in 'many worrisome ways, the 1930s are being reprised. In Europe, Russia is playing the role of Germany in fomenting anti-democratic factions. In inward-turning, distracted America, the role of Charles Lindbergh is played by a presidential candidate smitten by Putin and too ignorant to know the pedigree of his slogan "America First".'<sup>40</sup> In another *Washington Post* article, Ishaan Tharoor juxtaposed British tabloid coverage of the flight of tens of thousands of stateless people and Jews in the 1930s with more recent discussions about the influx of Muslim refugees. 'It's important to recognize that this is hardly the first time the West has warily eyed masses of refugees,' Tharoor explained. 'The xenophobia of the present carries direct echoes of a very different moment: The years before World War II, when tens of thousands of German Jews were compelled to flee Nazi Germany.'<sup>41</sup> Daniel Victor in the *New York Times* identified similar historical parallels, and concluded that although the groups of today's Syrians and the Jews of the 1930s were not identical, there was a clear 'moral connection' and crucial 'lessons to be drawn.'<sup>42</sup>

So it is clear that commentators regularly invoke history to explain current developments. They also frequently look to historians to provide answers and make explicit links between past and present, and the migrant crisis is no exception. During our preparations in 2012 for a special issue on 'Refugees and the Nation-State in Europe,' we were asked whether it was 'possible for historians to suffer from refugee fatigue'<sup>43</sup> – notably, that question has not come up again since. But what do historians have to offer

in the current search for historical yardsticks that can explain the present? History matters; that seems a truism. And indeed, a number of the historical comparisons currently circulating seem very apt: the 1930s was the last time that globalization was in retreat, and refugee crises were an important part of those developments, as they are now. However, the process of using history to explain what is going on today is a complicated and often very unsatisfactory one; it is a road full of potholes and diversions. Examples from history can suggest alternatives (both better and worse) to the status quo. But every historical precedent has a particular context, without which it becomes ambiguous and inaccurate. Historians have to identify both the particular and the ways in which the particular can be transcended. As Jane Caplan has argued in a blog post about the election of Donald Trump:

Anyone who studies modern history always has at least one corner of one eye trained on the present; and there are moments when the encounter between present and past suddenly forces itself to the centre of our field of vision. The moment of Trump is one of these. But this eruption does not mean simply that we should paste bits of the past onto the present and see if they fit. The point is how the history we already know can be used to make sense of the present.<sup>44</sup>

The migrant crisis and unravelling of familiar national and international structures is all around us. Nonetheless, the contributors in this book deliberately shy away from a facile reading of the present into the past, and instead set out to identify and understand broader patterns and dynamics of the refugee crises of the early and mid-twentieth century. Some of those patterns and dynamics will undoubtedly be useful for understanding our present world.

### 3

History matters, perhaps, but do academic historians? Traditionally, historians have made only a scant contribution to the wider field of refugee and forced migration studies that emerged in the 1980s. Historians of Europe have been particularly absent. Reasons include the fact that the main sites of displacement and reception have for some time now been outside of Europe. There has also been an overwhelming presentism within the field of refugee studies, which tends to focus on current policy and practice at the expense of understanding past migrations. These factors help explain why, despite its origins in Europe and the centrality of the continent to the early history of refugees, the labels ‘Europe(an)’ and ‘refugees’ had largely become uncoupled by the 1980s. But they also point to the reasons why academic historians have not played a more prominent role in narrating the bigger picture of how and why refugees become a matter of international politics over the course of the twentieth century – of how, in other words, we got to where we are now. Tellingly, in a 2007 overview of sixty years of scholarship that led to the emergence of the field of refugee studies, only a handful of historians were included among the dozens of scholars surveyed.<sup>45</sup> Until quite recently, the flagship academic journals in refugee studies – a diverse field that traverses

international relations, political science, law, sociology and anthropology, as well as other disciplines – contained very few articles on 'historical issues', and almost none by historians.<sup>46</sup> Efforts to remedy the liminal role of historians in the field of refugee studies often seem half-hearted and ineffective, and those appealing for the inclusion of more history sometimes are guilty of the same sins of omission that they level at others.<sup>47</sup> The 2014 *Oxford Handbook of Refugee and Forced Migration Studies* includes a chapter by a historian who makes a convincing case for 'meaningful engagement' between historians and the 'wider refugee and forced migration studies community' – who, he says, need to 'start taking history seriously'.<sup>48</sup> But the fact that it is one of only two contributions from historians in a collected work of over fifty scholars goes to show how much distance there is still to cover to make this 'ahistorical field' less 'averse to history'.<sup>49</sup>

From the other side of the disciplinary divide, the impression given by historians is that they have mostly ignored refugee movements and failed to integrate them into 'mainstream history', in contrast to other previously marginalized groups.<sup>50</sup> But if you knew where to look, you could always find historians writing about refugees in some contexts. More often than not, this work is positioned within and speaks to nation-state-bounded historiographies. For example, the work undertaken since the 1980s by historians of Germany on the impact of migration on German history and the integration of successive waves of refugees in the post-war decades is extensive.<sup>51</sup> Other national historiographies have similarly shed light on the roles played by refugees and refugee crises during key chapters of national history.<sup>52</sup> In fact, historians of Europe have long been writing about refugees, refugees crises and related displacements, even before the fractures created by the end of the Cold War reawakened scholarly and popular interest in the 'dark side' of the nation-state and democracy in Europe.

Even if this literature undeniably existed before 1989 and 1991, the events of the late 1990s and beyond did much to revive historians' interest in population movements more generally and on a broader scale. In the search for continuity and antecedents for the violence and displacement following the collapse of Yugoslavia and the Soviet Union and the return of hyper-nationalism and the clamour for statehood, historians frequently returned to the years before the Cold War froze borders, ethnicities and national identities, and found a (distorted) mirror image in the 1940s. As scholarly research on the 1940s blossomed in the last decade of the twentieth century and the first of the twenty first, so, too, did research and publications on the vast displacement of population that accompanied the end of the Second World War. A particular focus of many of these studies was the so-called Displaced Persons (DP) problem in Europe and the interaction of national and international initiatives to protect and 'rehabilitate' these populations, whose numbers ran into several millions.

Our own interests originally came from a similar source. As historians of mid-twentieth-century Europe who were both working on projects on the immediate aftermath of the Second World War in central Europe – the epicentre of mid-century displacement and the DP crisis – we were both struck at the time, now almost a decade ago, on the one hand, by the growing body of research on displacement, particularly on the lives and post-1945 experiences of some groups of DPs, and, on the other, by the lack of a common framework for understanding the phenomenon

of mass displacement in twentieth-century Europe. Much of this work was original and exciting, tapping into new archival material, not only from the former Eastern bloc but also from international institutions whose archives had been underutilized or had had restricted access. But in spite of growing academic interest in both world wars and post-war periods, there was still no consistent historiography that placed the many different kinds of refugees, migrants and uprooted people within a common framework, or situated the often conflicting national and international priorities in the management of the refugee threat within their wider historical context; it was mostly episodic or nationally bounded or concerned with a specific group of displaced people or sites of displacement. The last attempt at a grand narrative – Michael Marrus's influential *The Unwanted* – was by this point, in 2009, over two decades old. Although it remained (and remains) an important entry point to many themes central to the study of refugees in twentieth-century Europe – and perhaps more importantly a highly accessible and readable one – its focus rested primarily with the experience of Jewish refugees in the 1930s and 1940s.<sup>53</sup> The last major academic conference of historians on refugees, and the essay collection emerging from one, also dated back to the mid-1980s.<sup>54</sup> We felt that an international symposium that brought together the latest research on attempts to manage the many different refugee groups in twentieth-century Europe, with particular reference to the initiatives and work conducted by the United Nations, its precursor organizations and other international bodies, was long overdue.

The resulting conference in London in September 2010 coincided with the fiftieth anniversary of the United Nations' first-ever 'World Refugee Year' (WRY) of 1959–60, an initiative designed to raise funds for the cash-strapped UNHCR and heighten awareness of international efforts in support of refugees.<sup>55</sup> We considered WRY to be a fitting marker from which to survey the turbulent and crucial middle decades of Europe's twentieth century, which had seen many millions of people on the move. As well as having the aim of drawing a line under the post-war European refugee problem by resettling the remaining core of the wartime displaced still languishing in refugee camps, WRY also signalled that refugees were no longer strictly a European problem, nor a temporary one that could be dealt with by various piecemeal, largely technical and ad hoc, solutions. In reassessing the development of national, and increasingly international, responses to the problem of refugees, and examining the parameters, consequences and implications of policies, from the First World War until the late 1950s, the conference examined the role that European refugee crises played in the creation of the new international architecture after 1919 and the following four decades. Much of the debate centred on the question of when, why and how focus shifted from the identification of an apparently European refugee problem to a global one during what we termed the 'forty years' crisis.

Since that conference took place, there has been a steady growth of research and publications on the history of refugees from multiple perspectives, a number of which were first tested out as works-in-progress at the London conference. Refugee-related articles have begun to appear with greater frequency in Anglophone general history journals,<sup>56</sup> as well as in refugee studies publications.<sup>57</sup> Recent interest from publishers and journals suggests that the ongoing 'migrant crisis' in Europe will act as a spur to

further academic inquiry into the origins, course and significance of refugee crises past and present, in the same way that the Kosovo crisis in the late 1990s revived interest in earlier cases.<sup>58</sup> But although it is certainly easier today to make the case that the history of refugees matters, the fragmentation of the causes, experiences and consequences of migration and displacement still limits our understanding of why and how it does.<sup>59</sup>

This is where we hope this book will make a positive contribution. By presenting research on a range of different contexts of refugee policy and groups of refugees in one book, we hope to shed light on the common assumptions and frameworks that underpinned the history of refugees and refugee policy throughout the period under consideration. In commissioning the case studies for this book, we decided to retain the idea of a 'forty years' crisis' as a tool for conceptualizing the succession of refugee crises of European origin during the tumultuous half century of military and diplomatic conflict from the end of the First World War to the late 1950s. Our debt here obviously is to E. H. Carr's *The Twenty Years' Crisis*, first published in 1939. We have borrowed his central conceit as a way of presenting the two post-war eras as a single 'crisis' of the established order, and through it to explore the continuities and disjunctures across the period, and to challenge established historiographical certainties and master narratives.<sup>60</sup> Although Carr in his writings did not concern himself with the 'refugee problem', as it was then becoming known, his abiding interest in the nation-state and the difficulty of maintaining an international equilibrium in a system of proliferating and competing nation-states is a fitting one for the study of the international history of refugees.<sup>61</sup> As the authors in this book make abundantly clear, the rise of the nation-state is central to understanding the creation of refugees as an international problem from the early twentieth century onwards. Indeed, Carr understood acutely what the Versailles order meant for the nationalities of central and eastern Europe, many of whom would become minorities in the new state system, and thereby refugees-in-waiting. As a member of the British delegation at what he later called the 'fiasco' of the Paris Peace Conference in 1919, he had been partly responsible for shaping the legal mechanisms to safeguard threatened populations in the new 'immature' states of east-central Europe – the so-called 'Minorities Treaties', which first Poland, and then thirteen other states, were obliged to sign as a condition of international acceptance of statehood and/or territorial expansion.<sup>62</sup> As we know from the discussions at Paris in 1919, it was largely a fear that these new minorities would become refugees that led to the massive expansion of international minority rights, and the minorities rights regime became one of the principal preventative mechanisms for managing the refugee problem internationally for at least the first decade and a half afterwards.<sup>63</sup> That this innovation failed, as had the other 'utopian' innovations of Paris, served in the eyes of Carr as proof of the bankruptcy and short-sightedness of the liberal order, in this as in so many other areas, and further convinced him of the fallacy of the principle of national self-determination in contemporary Europe.<sup>64</sup> As he wrote in his short 1945 study *Nationalism and After*, the vast displacement of populations accompanying the tracing of European frontiers was 'the most explicit exaltation of the nation over the individual as an end in itself, the mass sacrifice of human beings to the idol of nationalism.'<sup>65</sup>

We are by no means unique in employing Carr's device of a single 'crisis' in order to impose a periodization on a set of related international developments.<sup>66</sup> Nor are we blind to the limitations of such an approach. We had always considered the idea of a 'forty years' crisis' as a useful tool for opening up discussion about periodization and causation, and it is for this reason that we have asked the contributors to this book to reflect on the utility and limitations of this frame for understanding the development of national and international responses to refugees in the twentieth century. As Zara Steiner, one of the leading practitioners of diplomatic and international history of the last fifty years, argues in her chapter, the idea of a 'forty years' crisis' certainly has its merits, but it also imposes a somewhat counter-intuitive periodization on the first half of the twentieth century. Steiner instead offers an alternative chronology that reaches back to the late nineteenth century and the pogroms in Russia, the collapse of the Ottoman Empire and mass immigration to the New World. The 'refugee problem' formed not so much an overarching crisis as a succession of distinct crises, each shaped by their own dynamic. It is, in Steiner's view, a history that is as cyclical as it is linear. 'There is no Whig history of the refugee problem,' she argues, as much as current writers and consumers of 'feel good' refugee history are trying to argue otherwise.

Other contributors to this book have also tested the temporal and geographical parameters we have laid out. Jared Manasek's chapter looks to the mid-nineteenth-century displacements in the Ottoman Empire for origins of twentieth-century patterns and helpfully cautions that 'no single line of historical development can be drawn between the imperial and post-imperial refugee'. Glen Peterson, meanwhile, warns of the limitations of studying the 'forty years' crisis' solely from a European perspective and offers instead an 'alternative history of the international refugee regime' that foregrounds the colonial origins of international law and the global history of population displacement. Seen from the perspective of the United States, the very idea of a 'forty years' crisis,' Carl Bon Tempo argues persuasively, is a 'misnomer,' given that American isolationism and restrictive immigration policy 'put ... [it] on the side-lines' for the first two decades.

What, then, for the purposes of discussion, was the 'crisis'? It was above all a crisis of a European-dominated international order of nation-states, in the face of successive refugee crises, which were both the direct consequence of that system and a challenge to it to deal with populations that were 'forced ... into the gaps between nation-states,' as one scholar has elsewhere put it.<sup>67</sup> The nature of refugee crises, and national and international responses to them, changed fundamentally in the period between the end of the First World War, which inaugurated a series of new international structures and policies, and the late 1950s when Europe's home-grown refugee problems were supposedly 'solved'. By 1960, focus had shifted from the identification of an apparently European refugee problem to a global one. The authors identify a series of key events and tipping points in this narrative, such as the appointment of Fridtjof Nansen as head of the first international refugee agency in 1921, as well as his death in 1930; the 1933 Refugee Convention; James McDonald's widely publicized resignation as High Commissioner for Refugees Coming from Germany in 1935; the Evian conference of 1938; the outbreak of the Second World War in 1939; a number of the wartime meetings of the wartime



Allies, such as the Bermuda Conference in 1943; the 1951 Refugee Convention; or World Refugee Year itself in 1959–60.

The continuities of the parameters of national and international refugee policies, and the basic pillars and assumptions upon which they rested, are striking. What Peter Gatrell in his chapter calls the 'threads' that connect countries, ideas and personnel run through the seemingly disparate and ad hoc responses to successive mid-century refugee crises. While global in its reach and responsibilities, the institutions and practices of the international refugee regime nevertheless remained predominantly European in origin. Gatrell and Tony Kushner both identify long-standing assumptions that underpinned the period, such as that refugees were invariably a threat and nuisance to their hosts and had limited rights that could be dispensed with, if necessary. Or as Manasek points out, already in the mid-nineteenth century it was clear to French lawmakers that 'refugees were people whose presence came at a cost to the host'. Occasionally, the chapters offer glimpses into another world, for example the Ottoman government's hope that incoming refugees could help to strengthen border security and agricultural industry (Manasek), or the realization by a number of governments in 1945 that refugees could be of significant economic benefit (Reinisch), as they had been in Greece in the 1920s (Frank). However, here, too, not all refugees were equal. While governments could see the usefulness of young, healthy and white refugees, few of them wanted those of other skin colours, let alone those who were old or sick, who soon made up that immovable 'hard core' that, eventually, campaigns such as WRY attempted to dislodge.

As the chapters in this book show, the story of the 'forty years' crisis' can be told in very different ways: as one of upheaval, disintegration and suffering, or as one of newly emerging national and international solutions and possibilities; as a 'top-down' history of nations, institutions and policies (Metzger on interwar rights; Frank on group resettlement; Reinisch on UNRRA), or as a 'bottom-up' history of refugees, relief workers and refugee advocates (Kushner on refugee history); as a story of a specific population groups (Levene on Jews) or of states and their increasing involvement and entanglement with developments in Europe (Bon Tempo on the United States); or of who was not a refugee, as much as who was (Eldridge on France and Algeria). This book's principal aim is to put these different perspectives into the same frame and encourage the identification of linkages. At its core for the period under study, it remains, however, a story centred on and defined by Europe and the experience of European states and populations. 'Quite simply', as Bon Tempo writes in his chapter, 'there would not have been an American refugee regime without the European refugee problems of the mid-twentieth century'. The 'forty years' crisis' provides further evidence, then, of how 'European history was written into the world' and onto the international institutions that helped construct and maintain the idea of an interconnected world in a post-European age.<sup>68</sup>

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## Notes

- 1 UNHCR stated that 1,151,865 Syrian asylum applications were filed in Europe between April 2011 and August 2016. <http://data.unhcr.org/syrianrefugees/regional.php> [last visited 19 September 2016]. Other figures listed on <http://www.unocha.org/syria> [last visited 19 September 2016].
- 2 UNHCR reported on 20 June 2016 that wars and persecution had driven more people from their homes than at any time since UNHCR records began: <http://www.unhcr.org/uk/news/latest/2016/6/5763b65a4/global-forced-displacement-hits-record-high.html> [last visited 19 September 2016]. The report, *Global Trends – Forced Displacement in 2015*, listed 65.3 million people forcibly displaced worldwide, of whom 21.3 million were registered as ‘refugees’, a further 3.2 million were still in the process of seeking asylum (and therefore not yet legally recognized as ‘refugees’) and 40.8 million were displaced within their own countries.
- 3 Frontex, the European border and coast guard agency, reported on 3 October 2016 that the illegal border-crossings between border crossing points in the last quarter of 2015 reached 978,300, the highest level on record: <http://frontex.europa.eu/news/fran-quarterly-number-of-illegal-border-crossings-at-record-high-in-q4-tRfbnB> [last visited 5 October 2016].
- 4 For details of the UN General Assembly Summit, see the UN website, <http://refugeesmigrants.un.org/summit> [last visited 22 September 2016].
- 5 For details of Obama’s Leaders’ Summit on Refugees see the US State Department’s website, <http://www.state.gov/p/io/c71574.htm> [last visited 19 September 2016].
- 6 ‘World Leaders at UN Approve Plan for Refugee Crisis,’ *New York Times*, 19 September 2016: [http://www.nytimes.com/aponline/2016/09/19/world/ap-un-united-nations-refugee-summit.html?\\_r=0](http://www.nytimes.com/aponline/2016/09/19/world/ap-un-united-nations-refugee-summit.html?_r=0) [last visited 22 September 2016].
- 7 Elsa Buchanan, ‘Drowned teen girl’s body bag a visceral reminder of lives lost ahead of UN Refugee Summit,’ *International Business Times*, 19 September 2016, <http://www.ibtimes.co.uk/drowned-teen-girls-body-bag-visceral-reminder-lives-lost-ahead-un-refugee-summit-1582068> [last visited 22 September 2016].
- 8 UNHCR briefing quoting Melissa Fleming, UNHCR spokesperson, 6 September 2016, <http://www.unhcr.org/en-us/news/latest/2016/9/57ceb07e4/un-summit-milestone-refugee-migrant-protection.html> [last visited 22 September 2016].
- 9 Julian Borger and Patrick Kingsley, ‘Swift Response to refugee crisis rests on Obama summit after UN talks fail,’ *Guardian*, 19 September 2016: <https://www.theguardian.com/world/2016/sep/18/refugee-crisis-rests-on-obama-summit-un-talks-fail> [last visited 19 September 2016].
- 10 Volker Türk, Assistant High Commissioner for Protection, ‘The New York Declaration: Once-in-a-lifetime opportunity to enhance refugee protection’, 12 October 2016: <http://www.unhcr.org/admin/dipstatements/57fe577b4/new-york-declaration-once-lifetime-opportunity-enhance-refugee-protection.html> [last visited 14 October 2016].
- 11 Julian Borger and Patrick Kingsley, ‘Swift Response to refugee crisis rests on Obama summit after UN talks fail,’ *Guardian*, 19 September 2016: <https://www.theguardian.com/world/2016/sep/18/refugee-crisis-rests-on-obama-summit-un-talks-fail> [last visited 19 September 2016].
- 12 David Miliband quoted in *ibid.*
- 13 CBN News, 19 September 2016, <http://www1.cbn.com/cbnnews/world/2016/sepember/first-ever-un-summit-on-refugees-takes-place-in-new-york> [last visited 19 September 2016].

- 14 Amnesty International, 'UN Refugee Summit talks end in abject failure', 3 August 2016 [sic, piece gives account of 19 September 2016 summit], <https://www.amnesty.org/en/latest/news/2016/08/un-refugee-summit-talks-end-in-abject-failure/> [last visited 22 September 2016].
- 15 BBC news quoting Theresa May's speech at UN Summit, 19 September 2016: <http://www.bbc.co.uk/news/uk-politics-37405598> [last visited 22 September 2016].
- 16 As proclaimed by former archbishop of Canterbury, Dr Rowan Williams, for example, quoted by Paul Waugh, *The Huffington Post*, 19 September 2016: [http://www.huffingtonpost.co.uk/2016/09/19/the-waugh-zone-september-\\_26\\_n\\_12080354.html](http://www.huffingtonpost.co.uk/2016/09/19/the-waugh-zone-september-_26_n_12080354.html) [last visited 22 September 2016].
- 17 A notorious example is the poster, entitled 'Breaking Point: the EU has failed us all', released by the UK Independence Party in June 2016 in advance of the UK's referendum on EU membership. It received wide media coverage, for example, see Media Mole in the *New Statesman* on 16 June 2016: <http://www.newstatesman.com/2016/06/nigel-farage-s-anti-eu-poster-depicting-migrants-resembles-nazi-propaganda> [last visited 19 September 2016]; Oliver Wright's commentary in the *Independent* on 19 June 2016: <http://www.independent.co.uk/news/uk/politics/eu-referendum-poster-nigel-farage-polls-michael-gove-a7089946.html> [last visited 19 September 2016]; Ben Riley-Smith's commentary in the *Daily Telegraph*, 19 June 2016: <http://www.telegraph.co.uk/news/2016/06/19/eu-referendum-campaigning-resumes-as-jeremy-corbyn-and-michael-g2/> [last visited 19 September 2016].
- 18 See for example Elle Hunt, 'Boy in the ambulance: shocking image emerges of Syrian child pulled from Aleppo rubble', *Guardian*, 18 August 2016: <https://www.theguardian.com/world/2016/aug/18/boy-in-the-ambulance-image-emerges-syrian-child-aleppo-rubble> [last visited 22 September 2016].
- 19 See for example Joel Gunter, 'Alan Kurdi death: A Syrian Kurdish family forced to flee', BBC news, 4 September 2015: <http://www.bbc.co.uk/news/world-europe-34141716> [last visited 22 September 2016].
- 20 Theresa May's speech to the UN General Assembly, 20 September 2016: <https://www.gov.uk/government/speeches/theresa-mays-speech-to-the-un-general-assembly> [last visited 22 September 2016].
- 21 Constitution of the International Refugee Organization, adopted by the United Nations at Flushing Meadow on 15 December 1946, entry into force on 20 August 1948. Text reproduced in UNHCR, *Collection of International Instruments and Legal Texts Concerning Refugees and Others of Concern to UNHRC*, I: *International Instruments* (Geneva: UNHCR, 2007), 53–65: <http://www.unhcr.org/455c71de2.pdf> [last visited 1 November 2016]. See also Jessica Reinisch's chapter in this book.
- 22 Full text of both Convention and Protocol can be found here: <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf> [last visited 14 October 2016].
- 23 This passage borrows from Jessica Reinisch, "Forever temporary": Migrants in Calais, Then and Now, *Political Quarterly*, 86, 4 (2015), 515–22.
- 24 For a historical perspective on UNHCR, its 'unpromising beginning' and its subsequent struggle to find a global role, see Gil Loescher, *The UNHCR and World Politics* (Oxford: Oxford University Press, 2001).
- 25 Theresa May's speech to the UN General Assembly, 20 September 2016: <https://www.gov.uk/government/speeches/theresa-mays-speech-to-the-un-general-assembly> [last visited 22 September 2016].
- 26 See states party to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, as of April 2015: <http://www.unhcr.org/uk/protection/basic/>

- 3b73b0d63/states-parties-1951-convention-its-1967-protocol.html [last visited 1 October 2016].
- 27 Ghost Boat, 22 June 2016: <https://medium.com/ghostboat/everything-changes-but-nothing-changes-at-all-b52f7c9f36b#.73z187c65> [last visited 10 November 2016]. The Missing Migrants Project (an initiative of the International Organization for Migration, IOM) estimates that 11,327 migrants had died in the Mediterranean en route to Europe from 2014 to mid-November 2016: <https://missingmigrants.iom.int/> [last visited 16 November 2016].
- 28 The following passage draws on Jessica Reinisch's 'History matters ... but which one? Every refugee crisis has a context', first published on as a History & Policy paper on 29 September 2015: <http://www.historyandpolicy.org/policy-papers/papers/history-matters-but-which-one-every-refugee-crisis-has-a-context> [last visited 15 November 2016].
- 29 Yvette Cooper, Home Affairs and Justice debate on 28 May 2015: <https://hansard.parliament.uk/Commons/2015-05-28/debates/15052828000003/HomeAffairsAndJustice?highlight=Kindertransport#contribution-15052828000320>. Similar references to the Kindertransport were made on 4 and 9 May 2016, 25 April 2016, 21 March 2016, 9 and 10 February 2016, 5, 21, 25 and 27 January 2016, 8 and 22 December 2015, 6–9 September 2015, 22 July 2015, 3, 24 and 29 June 2015, 24 June 2015; see <https://hansard.parliament.uk/> [last visited 15 October 2016].
- 30 See for example the National Archives' teaching sources on the Kindertransport and links to the curriculum, <http://www.nationalarchives.gov.uk/education/resources/kindertransport/#teachers-notes> [last visited 1 November 2016].
- 31 Amelia Gentleman, 'It is a disgrace to Europe': former child refugee Lord Dubs on the Calais camp', *Guardian*, 5 September 2016: <https://www.theguardian.com/uk-news/2016/sep/05/disgrace-to-europe-former-child-refugee-lord-dubs-calais-camp> [last visited 10 November 2016].
- 32 Aryeh Neier quoted in Will Worley, 'Kindertransport survivor calls for British government to do more to help refugees', *Independent*, 23 April 2016: <http://www.independent.co.uk/news/people/kindertransport-survivor-calls-for-british-government-to-do-more-to-help-refugees-a6998071.html> [last visited 1 November 2016].
- 33 Keir Starmer MP during debate about the Immigration Bill, 25 April 2016: <https://hansard.parliament.uk/Commons/2016-04-25/debates/16042535000002/ImmigrationBill?highlight=Kindertransport%20Dubs#contribution-16042535000104> [last visited 10 November 2016].
- 34 See the United States Holocaust Memorial Museum 'Holocaust Encyclopedia': <https://www.ushmm.org/wlc/en/article.php?ModuleId=10005260> [last visited 1 November 2016]. There is by now a sizeable literature of personal memoirs and academic studies on the Kindertransport. For context, see Louise London, *Whitehall and the Jews, 1933-1948: British Immigration Policy, Jewish Refugees and the Holocaust* (Cambridge: Cambridge University Press, 2001). Recent academic works include Andrea Hammel and Bea Lewkowicz (eds), *The Kindertransport to Britain 1938/39: New Perspectives* (Amsterdam: Rodopi, 2012); Vera Fast, *Children's Exodus: A History of the Kindertransport* (London: I. B. Tauris, 2011); Judith Tydor Baumel-Schwartz, *Never Look Back: The Jewish Refugee Children in Great Britain, 1938-1945* (West Lafayette: Purdue University Press, 2012).
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## Refugees: The Timeless Problem

Zara Steiner

Smash open an ant hill and the ants will scatter irretrievably. Two world wars, systematic deportations and the monstrosities of ethnic cleaning have uprooted millions of people. Across the planet, men, women and children are in turbulent motion. Call them refugees, displaced persons, migrants, stateless, they share a common destiny. Classical categories no longer apply. Camps, barbed wire, the bureaucracy of border controls, the erection of walls and forced repatriation are almost absurdly ineffective in the face of fear, economic need and despair. This is the age of the 'unhoused'. The ancient Greek word was *atopos*: nowhere at home can signify a curse, or in some cases, a blessing.

This book considers refugees in Europe in the four decades following the end of the First World War. However, as starting and closing dates for the European refugee crisis, 1919 and 1959 are highly problematic. There is nothing new about the condition of the refugee, only semantic changes as the causes of displacement alter. The story of the exile – the expelled forced to wander, and their reception outside the city gates – is one of the basic myths of Western civilization. *The Odyssey* underlines every aspect of the history of the twentieth-century refugee. Even the mass expulsion of unwanted groups has a long history – the Jews from Spain in 1492; the Huguenots (French Protestants) who fled France after the Revocation of the Edict of Nantes in 1685. With the development of modern states came an even clearer distinction between insider and outsider. The French Revolution established new dividing lines between citizens and émigrés/exiles/refugees. Only the citizen could claim natural and inalienable rights as defined in 1789. And from the seventeenth century onwards, as Paul W. Schroeder has so brilliantly shown, for purposes of convenience and security, states began to recognize certain rules and conventions that naturally affected the status of the expelled.<sup>1</sup> The nineteenth-century conception of nationalism brought new distinctions between those groups living together in territorial units with defined borders. They might or might not share common histories, languages and ethnic origins – real or imaginary.

It was perhaps fortunate that along with the development of the nation-state and the strengthening of the concept of nationalism, which often resulted in violent attacks on the 'other,' the industrialization of western Europe and the United States encouraged the flow of immigrants from East to West and from Europe to the United States. Such



movements admittedly stimulated and spread the nativist, anti-immigrant and anti-Semitic sentiments, which, in part, had caused the outflow in the first place. Even using the dictionary definition of the term ‘refugee’ before 1951, that is, ‘a person forced to leave his country for elsewhere because of religious or political persecution,’ we can move the date of the modern European refugee crisis backwards, possibly to the movement of Jews from Tsarist Russia to western Europe to escape the pogroms of the late nineteenth century, pogroms that were of a different character than those of earlier periods; or to the refugees leaving during the Balkan crises at the very start of the twentieth century. Or we might begin with the flow of Russian refugees after 1917, a forced emigration that played a significant role in the popular imagination and which became so important for the young League of Nations. Some choose an alternative date, 1922, which witnessed the huge movement of people coming out of the collapsed Ottoman Empire. Entire populations were menaced or forced to migrate because of political, religious or ethnic ties. These migrations, including the forced exchange of populations, were closer to the plight and condition of the ‘typical refugee’ of today.

As a closing date, 1959 is even more problematic. It is true that by this time there were relatively small numbers of refugees living in collective centres, or, in any case, in non-permanent abodes, in western Europe. Most had come from eastern Europe but many were ethnic Germans. The number is estimated as less than 10,000 and their cases were handled on an individual basis, with local integration offered as the chief solution. By 1960, the ‘Year of the Refugee,’ the United Nations High Commissioner for Refugees (UNHCR) had set the coming year as a target to get rid of all the residual refugee accommodation centres, seen by many as the prelude to winding down the UNHCR itself. The argument made was that the crisis was over or else had taken on another definition, that of non-European refugees trying to get into Europe. We now know that this was just the close of one chapter in the European refugee story and, as I shall argue, the prelude to another, even within Europe. European countries, however, could not escape from the causes and consequences of the waves of refugees coming from Africa and Asia however much they would have liked to close their doors.

To speak of a beginning and end of the European refugee crisis would suggest a linear development, which neither was nor is the case. Rather, a series of catastrophic events (for some), either arising from changes in Europe or in the international environment, called for some form of action. Some groups and states worked out new responses and initiated experimental techniques in handling these later refugees. Others merely adopted old solutions, even when knowing of their limited value, in dealing with earlier crises. Worse still, there were times when there was no response at all. Neither individuals nor governments necessarily learn from experience. New institutions may be created but they do not generally develop greater competencies than the ones they replace. Changes in the nature of the refugee crisis have required different definitions and pose challenges for which no solutions have been found. The 1951 effort to create a general definition of the refugee was built on the experiences of the Second World War and the immediate post-war era, but it soon proved inadequate. Different from the protective measures included in the minorities treaties after the Great War, the treaty makers made the individual the centre of their concern, and not minorities, though this was still a state-bounded convention. The adopted definition is as follows:

a person who, owing to a 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 habitual residence as a result of such events is unable, or owing to such fear, unwilling to return to it.<sup>2</sup>

Such a definition allows the state, and not, as in the case of the earlier minorities treaties, an international organization (the League of Nations), to retain a high level of subjectivity when deciding whether any asylum seeker really has a well-founded fear of persecution or not. Perhaps more pertinent to those who suffer forced migration today, the definition does not take into account the complex, sometimes complimentary, or even contradictory, reasons why a person or family decides to leave his country of birth or residence. For some, fear, but also the hope of economic betterment, schooling for children, welfare provisions, physical safety, or any combination of these factors and others, may contribute to the sense of having been forced to leave. And, of course, the definition adopted in 1951 declared refugees only as those coming from Europe, and/or those who actually managed to cross a national border in order to escape from the 'well-founded fear' of persecution. This is part of the reason why there has been such a proliferation of descriptions, 'internally displaced persons' or 'climate refugees' of those who leave. Nor does the 1951 Convention, nor indeed any of the texts before 1959, refer to the fact that refugee populations, as the 1969 Charter on Refugees adopted by the African Union later recognized, can be very destabilizing, and threatening both to the countries from which they leave and those they enter. The arming of refugee camps, unacceptable competition for resources, religious fanaticism among the refugees or their hosts have led to seditious and violent actions.

The limitations of these earlier conventions resulted in the search for new additions even before the ink was dry. The above-mentioned Charter of the African Union enlarged the definition of 'refugee' to include anyone leaving his or her country owing to external aggression, occupation, foreign domination or 'events seriously disturbing public order in either part or the whole of his country of origin or nationality'.<sup>3</sup> In 1984, a group of Latin American governments adopted a declaration which tried to give greater objectivity to the 1951 definition of refugee.<sup>4</sup> The term should include persons who flee their countries because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or any other circumstances which have disturbed the public order. Today, any new definition would have to take in actions which would further erode the distinctions made between refugees and internally displaced persons (IDPs) or environmental refugees. Admittedly, the prohibition of 'forcible return' found in the 1951 Convention has become part of international law. This means that even states not privy to the 1951 act are obliged under customary law to respect the principle of non-refoulement. The sanctions which require states to uphold this principle tend to be pragmatic. It is assumed that governments exist (not always true) or have a minimum level of competence and have an interest in being respected by other states. They have to accept the rules and conventions which all the other actors have sanctioned, even if

such states are run by a corrupt or incompetent government or one which is incapable of helping their own people. This is a contemporary problem, barely glimpsed in the post-war world of 1919 and not really understood in 1951.

What the chapters in this book demonstrate is the erratic nature of the refugee problem in Europe, its reappearance when reformers thought it would vanish, and the various forms this reappearance has taken. It follows from this account that the multiple attempts to deal with a question which has both internal and external consequences hardly charts a consistent line of development. No Whig history of refugee law is possible. The following examples illustrate only some of the chief crises and suggested solutions of the past. We know, for instance, when faced with the refugee problems created by the Russian Revolution and the Great War, the efforts of a few active individuals, like the Norwegian explorer, Fridtjof Nansen, could make all the difference. Operating under the League umbrella, and it was a very small umbrella, Nansen not only raised the funds but also negotiated the exit and the placing of hundreds of thousands of displaced persons during the 1920s. The settlement of the White Russians (though there were many reasons why France, in particular, was willing to accept large numbers) proved possible, but Nansen was less successful when it came to the Armenians and considered his failure to raise the necessary money to rescue them one of the greatest failures of his humanitarian crusade. The Nansen protection system, and the Nansen certificates, then passports, still in use, provided stateless refugees with a form of identification. In one important, but, alas, exceptional case, the coverage of the Nansen system was extended. In 1935, about 7,000 refugees were forced to leave the Saar. France, which acted as the host country, was able to enlarge the terms of eligibility beyond that of national affiliation. Provision was made to extend the Nansen protection system for people who potentially found themselves outside their home country, not as a consequence of war, but because of a political system that violated human rights.

Though there is still an intense debate about the minorities treaties and protection system adopted in 1919, it is fair to say that this was a step forward in extending the responsibilities of the international regime. Much has been written about the limitations of the system, its restriction to a special category of states and operating within narrowly drawn limits. The appeals process was cumbersome and the whole system favoured the state rather than those appealing against the violation of their rights. Yet it provided the basis for some form of legal protection for minority rights within the nation-state. The peacemakers, in creating states based on the principles of self-determination, realized that they had created new national minorities requiring protection against forms of discrimination by the ruling majority. The minorities treaties, most of which were concluded with the eastern European states or with the new Middle Eastern nations, did not apply to any of the victor powers. The treaties guaranteed not only the political and judicial rights of minorities but also provided legal protection for the free exercise of religious, linguistic, educational and cultural practices. The Polish treaty, a response to the recent pogroms in Poland, became the model for all the other treaties. David Vital has pointed out that this was the first time that the interests of the Jews as Jews were considered, both as individuals and as a collective.<sup>5</sup> This remarkable recognition of the peculiarities and vulnerabilities of the Jews was and remained unique.

The system had some successes but also failures. Most of the states in eastern Europe abandoned democratic practices and were ruled by authoritarian governments which pursued centralizing policies and adopted legislative programmes discriminating against their national minorities. Even where democratic practices continued, as in Czechoslovakia, the hopes of the peacemakers that assimilation and the growth of toleration would ease the problems of the multinational state, proved illusory. The dominant nationalities ensured their continued political supremacy and discriminatory legislation was the rule rather than the exception. The sovereign state, the cornerstone of the League of Nations, proved to be both the begetter and the gravedigger of hopes to extend the fabric of internationalism. Paradoxically, during the 1920s, the Germans became the main spokesmen for minority rights. A majority of the petitions reaching the Minorities Commission came from the German minority living in Poland under the terms of the Treaty of Versailles.

It should be remembered, that during the 1920s, relatively large numbers of refugees were resettled with the help of the League of Nations. Some of the host countries were able to deal with the traumas of forced repatriation and managed to rehouse their newcomers. The Greeks, with financial help from the League of Nations, were host to almost 1.4 million refugees including old men, women and children. The chief blow to the permanent settlement of the refugee question came from the introduction of the US Immigration Act in 1924, which restricted entry to the United States and was aimed at cutting the numbers of immigrants from southern and eastern Europe as well as prohibiting the immigration of some groups entirely. As the United States was the favoured destination for most Europeans needing or wanting to leave their countries of birth, this became a major problem as the world depression deepened and spread. By the time of Nansen's death in 1930, nonetheless, it was thought that the Nansen Office, limited in its number of employees and always short of funds, could handle the refugees who remained in Europe and that the major European refugee problem was coming to its end.

History is never so simple. The spreading world depression and the arrival of Adolf Hitler in 1933 instituted a new chapter in the saga of the European refugee question. The former restricted the willingness of states to accept any new refugees; the latter resulted in four major waves of Jewish refugees coming out of Germany and the expanded Third Reich. After an initial flight following Hitler's accession to power, mainly to neighbouring European countries and with a clear intention to return to Germany when conditions improved, some 20,000–25,000 German Jews left the Reich in each succeeding year until the late 1930s. By the summer of 1935, two-thirds of those who left had been resettled, some 27,000 went to Palestine and 6,000 to the United States. While anxious to be rid of their 'parasites,' the Nazis not only imposed a heavy 'flight tax' on those who left but also did not want to release the foreign exchange needed to fulfil many foreign visa requirements. Neither the enactment of the Nuremberg Laws nor the new Reich Citizenship Law in 1935, both aimed at isolating and impoverishing the Jews, led to a massive increase in emigration. On the contrary, many Jews, like some Germans, believed that the new laws, by drawing a clear line between Jews and Germans, would halt the frequent acts of violence within the Reich. Some Jews who had left actually returned. Among those who had fled, many stayed in Europe, still hoping that conditions in Germany would improve and that they could go back. It was

due to *Anschluss* and *Kristallnacht* in 1938 that the relatively ordered expulsion of Jews gave way to a flood of refugees searching for places of safety and refuge.

No means were found, as happened with the White Russians and later with the Spanish Loyalists, to deal with the Jewish refugee problem. In 1930, a new and autonomous Nansen International Office for Refugees was created with a minute administrative budget. The Assembly of the League decided at the same time that it would be closed down at the end of 1938 on the assumption that that refugee problem was a temporary one for which solutions could be found. However, the advent of the Nazis raised the possibility that a new stream of refugees could be expected. Before Germany left the League in October 1933, an agreement was reached that a separate organization, only indirectly connected with the League, would be created for the German refugees. To underline its separate existence, it was located in Lausanne and an American, James G. McDonald, was made the new High Commissioner for Refugees. McDonald proved to be far more active than his appointees had hoped. Without League backing, he found himself at a serious disadvantage in finding places of refuge; many countries, because of the Depression, were raising new barriers to immigration. The High Commissioner's office did manage to resettle almost two-thirds of the refugees leaving Germany between 1933 and 1935, but McDonald knew that the problem would become increasingly difficult. His efforts to rouse the international community to take action in Berlin proved fruitless. No government would consider such collective action. It was not believed that any country should interfere in the domestic affairs of another sovereign state, least of all in such a powerful country as Germany. McDonald's plea in his resignation letter that the German refugee office should be brought, at least, directly under League control proved more acceptable, but the next appointees as High Commissioner were either weak or felt unable to do anything concrete for the relief of the Jews.

This tragic story included many missed opportunities. It is only necessary to look at the proceedings of the Evian Conference (6–15 July 1938) called by President Franklin D. Roosevelt, and attended by representatives from thirty-two governments and thirty-nine private charitable organizations, to recall the multitude of reasons given, even by governments which had previously received refugees, including Jews, for their inability to accept the thousands pouring out of the Greater Reich. Traditional and heightened anti-Semitism (little surprise that the Nazis hailed the Evian proceedings as absolving them from any particular blame for the persecution of the Jews), fear of confronting a powerful nation clearly on the rise, the large number of natives unemployed, the apprehension that their governments would have to take on the burden of relief and sustenance for the penniless Jews determined the outcome. With one or two exceptions, no state could find room for the 'unwanted' within its own borders. Nor were the efforts to raise the funds that might have paid the Nazis for assisting the emigration of their unwanted Jews successful. Even Jewish organizations in the United States, the most active groups in assisting the refugees, were reluctant to pay the sums demanded by the Reich authorities, a blackmail, which continued even after war was declared. In 1941, the Romanian government put a price on their 70,000 Jews – \$1,300 for each refugee. As the Reich Jews became more and more desperate and private organizations, mainly but not exclusively Jewish, brought increasing pressure on their governments, some of

the latter agreed to take more Jewish refugees, especially children, into their countries. The change in British policy was dramatic, partly in compensation for the severe cut in Jewish immigration to Palestine as a result of the White Paper of 17 May 1939. At the time of the Evian Conference, some 8,000 refugees had been admitted; by the outbreak of war, some 40,000 Jewish refugees from Germany and Austria as well as 7,000 from former Czechoslovakia had entered the country. Most were expected to move on to the United States, but the war intervened and the majority were given residence in the UK. The United States became the main place of refuge; the months between March 1938 and September 1939 marked the high point in US immigration policy with about 20,000 Germans admitted monthly under the quota system. Most were Jews or Germans of Jewish descent. This expanded entry created its own problems; opinion polls recorded an increase in anti-Semitic sentiment in both the United States and Britain. In 1933, according to German records, there were approximately 525,000 Jews in Germany; by the start of the war the number had dropped to well under half. At the start of 1938, 180,000 Jews lived in Austria; by July 1939, 97,000 had fled. Compared to recent refugee flows, the number seems almost small. Western governments did not confront Hitler because of the Jews. Apart from Germany, the refugee problem was never given a high priority in the capitals of the West. Few statesmen believed that the abuse of human rights was the concern of the international community. Hitler had turned back the international clock; the League's refugee regime could not respond to his challenge.

The rest is history. The descent into barbarism and the implosion of European civilization has left a permanent scar on Europe's post-war history, tarnishing prewar claims to moral superiority. The old Europe, which as the late Tony Judt, quoting Tadeusz Borowski, has reminded us, was 'an incredible, almost comical, melting pot of people and nationalities, sizzling dangerously in the very heart of Europe,' vanished.<sup>6</sup> This old patchwork quilt, though periodically rent with massacres, pogroms and floods of refugees, was torn to shreds. In post-1945 Europe, thanks to the war, boundary adjustments, expulsions and genocide, hermetic national enclaves emerged, where any surviving minorities were too insignificant to challenge or disturb the prevailing political and cultural mainstream. Only a few countries, among them the Soviet Union and Yugoslavia, stood aside from this new seemingly collection of uni-national states.

Once again, despite the Shoah – and few had anticipated, even in 1941, the horrors that were to come – there were renewed hopes that the latest streams of refugees and displaced persons (an important distinction in terms of refugee policy) could be assisted and repatriated in the countries from which they had originally come. We are talking about thirty million people (the number much disputed): ethnic Germans sent out from the Baltic, from Poland and Czechoslovakia; Jews released from the concentration camps; people displaced by the bombings and the destruction of war; and those fleeing from the triumphant Red Army. During the years after the defeat of Nazi Germany, Europe was 'choked with refugees.' The Allies, led by the Americans, who alone had the material means to deal with this avalanche, looked to the Intergovernmental Committee on Refugees (IGCR), one of the few bodies created at the time of the Evian Conference and still functioning when war broke out, the newly formed United Nations Relief and Rehabilitation Administration (UNRRA), with Soviet as well as other Allied representatives, and finally the International Refugee Organization (IRO),



to repatriate the displaced. Some 5.25 million people were resettled or repatriated, but one can only despair at the innocence of the organizers who thought their task would be a limited one. Many refugees did not want to be repatriated; the forced return of Russians to the Soviet Union, admittedly in return for the far fewer number of Western prisoners of war, troubled the conscience of many Western statesmen for many years to come, as Harold Macmillan's memoirs clearly show.<sup>7</sup> Others could not be repatriated because their homelands no longer existed, and some had neither the mental nor physical strength to deal with the repatriation process. Until the creation of the state of Israel in 1948, thousands of Jews were kept in detention centres waiting to leave. The so-called 'hard-core refugees' remained in the camps. Even the establishment of the state of Israel did not solve the problem of the Jewish refugees and the 'right of return' would lead, in time, to the creation of camps for the displaced Arabs, which would last not for months or two years as was thought at the time, but to half a century or more.

The next stage of the refugee regime building began with the Universal Declaration of Human Rights in 1948, the creation of the UNHCR in 1950 and the adoption of the 1951 Refugee Convention. These positive steps were limited in their coverage, Euro-centric and still left the state the determining factor in their administration. To be sure, references were now to the rights of individuals and the self-determination of people and not of national groups. Some rights, above all, the right of non-refoulement, applied to every individual, though not the right of asylum. An expansion of the refugee regime soon became necessary. In the 1960s and 1970s, as a result of war and the decolonization process, refugees were on the move in Africa. In 1964, they numbered about 400,000; by 1970, there were several million displaced men, women and children. At first, this barely affected the states of Europe. The British took no part in the settlement of Hindus and Muslims after the partition of India despite its bloody denouement. It did admit the Asians dispatched by Idi Amin from Uganda in 1972 and the emigrant question made its appearance on the British political agenda. For the most part, however, the chief response of European states, even when the Cold War spread into East Asia, was to keep these flows of new refugees away from their national boundaries.

The Cold War itself did not bring massive streams of refugees. The problem of displacement changed. The hermetically sealed states of eastern Europe would not let their dissidents go. At first, even after the introduction of the Marshall Plan, there was some movement, first into Czechoslovakia and then into West Germany, but as the divisions hardened, so did the views of Eastern bloc governments. The erection of the Berlin Wall in 1961 was intended to keep would-be émigrés in. Refugees caused the construction of the Wall – in 1989, they would cause its destruction. During the Cold War period, another change took place. The refugee, instead of being an unwanted burden on the state and a threat to its stability, became an anti-communist hero: a return to the status of many of the nineteenth-century exiles. In a sense, the treatment of the 200,000 displaced Hungarians in 1956 confirmed the new definition of the exiled. Not only were they made eligible for United Nations support but almost all were in permanent residence within two years. More money, much but not all of it American, was given for Hungarian relief than for the United Nations Refugee Fund. The change of emphasis in the early Cold War era to the focus on refugees fleeing communism demonstrated the politically determined nature of the refugee regime. The normative international

environment shaped national conceptions of identity and interest. The shift in the lines between West and East caused a repositioning of the state, both in the way refugees were regarded and the status they received. Historical experience has shown that refugees can help to determine their own fate; many made vital and outstanding contributions to their countries of refuge. The condition of being a refugee does not preclude something more than survival. Nevertheless, for the most part, refugees have been considered a burden and even a threat to the governments and inhabitants of other countries. For a brief time, and for very specific political or economic reasons, those escaping or leaving countries with communist regimes were given an unusually warm welcome.

The individual has become the bearer of human rights. There could and can be, however, no institutional barriers to the creation of new refugees. The ending of the Cold War and the collapse of the Soviet Union put into question some of the basic assumptions of the 1951 Convention. Large-scale refugee movements within and into Europe have become a reality. During the wars of Yugoslav succession of the 1990s, relatively large numbers of people were uprooted and sought refuge elsewhere. Ethnic cleansing in Kosovo led to the largest single refugee movement since the end of the Second World War. This time, however, unlike the practices of the 1930s, the intervention, albeit reluctantly, of the United States and the European Union (EU), the latter partly to avoid an influx of refugees into their own countries, resulted in action within the region. Increasingly, the response of the European states, often implemented by UNHCR, has been to address the causes of the displacement as well as to provide assistance in the countries or regions where they have occurred. This was particularly true of the swelling refugee problems in Africa. Here the problems were compounded by the absence of effective states, by governments in the hands of unscrupulous leaders and elites and/or continuing and bloody civil wars. During the 1990s the United Nations was repeatedly called on to provide humanitarian relief but also to act as mediators or peacekeepers. In Africa, most conflicts were within states and not between them. The actual incidence of IDPs soared, but the crossing of an international border was no longer a realistic alternative for most of the 'unhoused'. They were more likely to be the objects of the abuse of human rights by their fellow countrymen than as 'refugees' as defined and covered by the Convention of 1951.

Refugee flows continue today in large numbers and European states grapple with the age-old problems in their new and more complex forms. There are bound to be 'others' and the 'unwanted' as long as sovereign states, however defined, exist. Even the specifically European origins of these problems may lead to new crises. The linguistic differences in Belgium, the ever-explosive tensions between Serbs and Croats, between Turks and Greeks, tensions between the national minority groups in Russia and in the small countries bordering on its peripheries, each could produce new dispossessions and expulsions and even flights. The continued arrival of refugees, internally displaced persons, asylum seekers, despite the efforts to maintain these distinctions, has eroded such categories. The greatest pressures at the moment come not from within Europe but from the Middle East, Africa and East Asia, where colour, cultural differences, religious hatreds, human traffickers and terrorists endlessly complicate both the reasons for flight and the difficulties of reception. Strangely enough, one of the remaining and intractable problems has been the refugee camps established in Haiti as a result of a



natural disaster there in 2010. Even as it was adopted, the Convention of 1951 was already out of date, and the subsequent protocols have failed to address the changing refugee agenda. Problems and solutions combine elements of both old and new, the tried and the untried. Efforts to extend protection in the countries or regions of refugee origin, however laudable, have the 'potential to return the refugee to a situation in which her basic rights fail to be protected'.<sup>8</sup>

Has progress been made in the handling of these repeated crises? The answer must be 'yes' and 'no'. 'Final solutions,' and, alas, the term must be used, still rest with the governments of the sovereign states. We have UNHCR, underpinned by a series of conventions, all of which were highly contested when passed and resulted from hard-won compromises. Its work is backed by relatively large staffs, compared to those of the 1920s, of technical experts. Activities are supplemented, complemented and contested, by other organizations and individuals also seeking to alleviate the suffering of 'refugees' or 'internally displaced persons'. As in the interwar period, work is dependent on the financial support of governments, activists and private individuals, whose contributions may be centred on a particular problem, region, group and for a specific period of time. Our screens and papers are filled with pictures and reports of the latest refugee crisis, natural and man-made, and of conditions in the camps. The amounts of aid and assistance given would have astounded the early pioneers of international action. Progress has been made, for humanitarian, political and/or economic reasons. The members of the EU have set up mechanisms for dealing with the inflow of refugees. Some of these mechanisms are already being abandoned or modified, and there is still no single refugee regime. The debates on EU refugee policy have been intense and the tensions between national, political and humanitarian impulses that characterized the interwar period still exist today. Member states, nonetheless, have accepted some limitations on their rights to deal with refugees or IDPs from within the EU. The right of movement across boundaries, from member state to member state, is now guaranteed as is the principle of non-refoulement. The externalization of the European refugee problem, however, has shown the limits of progress beyond the borders of the EU. Traditional means, reminiscent of the pre-1939 period, have been resurrected, border controls introduced or reintroduced, quota systems adopted and failed asylum seekers – whether legal or illegal entrants, displaced persons, political refugees or economic migrants – are sent back, wherever this is possible, to their countries of origin. Many are held pending deportation in camps of one kind or another. The decisions are made by the people employed by the receiving state according to national laws though appeals to the court in The Hague may override some of these decisions. Techniques used in the 1930s and again in the 1990s are in use as member states assert their rights to control the inflow of non-EU refugees on grounds of security, economic necessity or the absence of the required qualifications. The new camps, some hardly better than the French camps for the Spanish Loyalists in the 1930s and 1940s, are intended not only to block entrance but also to facilitate the return of refugees to their homelands. Efforts have been made to look at the root causes of forced migration (McDonald did not labour in vain) and to provide some forms of protection in the countries or regions of origin. Practices vary according to the local situation but also to the political agendas of the receiving states. Camps differ from country to country; some asylum

seekers are welcomed by their neighbours but others are feared, hated as competitors for scarce resources and even attacked by their fellow countrymen. No single solution can be applied to the very different conditions of internally displaced persons. The creation of 'safe areas' in Kosovo in 1999 was a holding operation intended to cover the period of turbulence until resettlement within the original home territories could take place. Such hopes as they provided have proved illusory as have assumptions of the growth of toleration between ethnic groups. Safe havens in northern Iraq in 1991 and the creation of humanitarian zones elsewhere highlighted the blurring of lines between humanitarian and political responses. The UNHCR continues to grapple with the problem of who is a refugee and who is a migrant. The reasons for migration might be the violation of human rights, lack of economic opportunities or just hopes for a better life. Flight, as it has been for many decades, might be a necessity or an exercise of free will. The boatloads of migrants turning up on the shores of the southern member state in the EU, themselves under severe economic pressure, show only too well that there is no end in sight to the refugee problem.

The refugee crisis has long outlasted the period discussed in this book. Paradoxically, on a planet more and more unified by multinational and transnational enterprises and increasingly knit by the electronic abolition of frontiers through the internet, the refugee status and the problems it generates look set to persist. In the midst of economic and mass media globalism, fierce ethnic enmities, religious intolerance and ideological nationalism flourish. In consequence, distinctions between the migrant and the refugee, and the immigrant and the displaced person have largely lost their meaning. Internally generated despotism and racism create shanty towns and ghettos for the unwelcome. Most agree that new psychological understanding, better legal safeguards and a more coherent international regime are urgently needed. At present, the outlook is bleak. Under Nazism, Jews were compelled to wear a yellow star. Today for millions of women and men looking at the night sky, the stars have turned yellow.

## Notes

- 1 Paul W. Schroeder, *The Transformation of European Politics, 1763-1848* (Oxford: Oxford University Press, 1994).
- 2 Convention Relating to the Status of Refugees, 28 July 1951: <http://www.unhcr.org/4ec262df9.html> [accessed 25 August 2016].
- 3 Convention Governing the Specific Aspects of Refugee Problems in Africa ('OAU Convention'), 10 September 1969: <http://www.unhcr.org/refworld/docid/3ae6b36018.html> [accessed 25 August 2016].
- 4 Cartagena Declaration on Refugees, 22 November 1984: <http://www.unhcr.org/refworld/docid/3ae6b36ec.html> [accessed 25 August 2016].
- 5 David Vital, *A People Apart: The Jews in Europe 1789-1939* (Oxford: Oxford University Press, 1999).
- 6 Tony Judt, *Postwar: A History of Europe since 1945* (London: Heinemann, 2005), 9.
- 7 Harold Macmillan, *The Blast of War, 1939-45* (London: Macmillan, 1967).
- 8 Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge: Cambridge University Press, 2008), 185.



## The Forty Years' Crisis: Making the Connections

Peter Gatrell

The relationship between history and refugees is an uncomfortable one. In his contribution to this book, Tony Kushner points out that the extensive literature in refugee studies lacks a historical perspective; he adds that refugees remain outside of the historiographical mainstream. Over two decades ago, Liisa Malkki demonstrated that refugees are represented in humanitarian discourse primarily as de-historicized figures and 'speechless emissaries'. In her reading, history is leached out of displacement. Zara Steiner argues that it is difficult to establish a linear connection between successive refugee crises: there is no easily identifiable beginning or end, and no clear thread linking one episode to the next. Each response to a new 'crisis' shows little awareness of what happened in the past. These authors adopt a different take on the subject, but they concur that history and refugees make for uneasy bedfellows.<sup>1</sup>

My own work has attempted to make the case for refugee history, but the aim of this chapter is more modest.<sup>2</sup> I hope to show to what extent and how politicians, international civil servants, relief workers and humanitarian campaigners invoked history in order to frame their response to refugee crises. The argument is developed in relation to a specific case study, namely the United Nations campaign in 1959–60 on behalf of the world's refugees. This campaign, known as World Refugee Year (WRY), targeted non-European as well as European sites of displacement. These crises could have been presented purely as current trouble spots, but history figured in the campaign both as a way of stimulating public interest and support and also as a means whereby participating governments could justify the stance they adopted and what they hoped to achieve. However, governments and campaign supporters alike appealed to history in a selective manner. A closer examination of WRY allows us to trace in what ways the past figured in contemporary policy making and in public aspirations for solving the 'refugee problem' towards the end of the 'forty years' crisis'.

My case study raises a number of general questions. Does history help to inform the issues posed by mass population displacement, or is it more of a smokescreen? The past may indeed be used as a call to action, but it can also justify inaction. For example, governments are never shy of boasting about their readiness to respond to disasters or advertising their 'traditional' hospitality towards 'genuine' refugees, but this is usually a cloak to mask policies designed to deter the mass entry of people seeking asylum

and to allay concerns expressed by voters that their country might ‘capsize’ under the weight of extra numbers. Here, history serves the purpose of salving the conscience of politicians, but politicians are wont to muddy the waters and it requires considerable effort to challenge their smug indifference. As will become clear, the campaign for a ‘refugee year’ did mount such a challenge, albeit with modest results in terms of government policies.<sup>3</sup>

Refugee crises involve other actors and interests. Here, too, there is some uncertainty as to where history belongs. Non-governmental organizations (NGOs) and intergovernmental organizations usually display little curiosity in the past, including their own history, because attention is consumed on each new emergency. Action here and now, rather than historically informed reflection, is the name of the game. NGOs advertise their past achievements in order to affirm their credibility when governments go looking for operational partners, or to enhance their profile vis-à-vis rival organizations that compete for donations from the public. How are supporters to be galvanized and how might their commitment be sustained? History has a part to play in pointing to a legacy of humanitarian ‘action’ in meeting the needs of displaced persons.<sup>4</sup>

The narrative of action requires a visual accompaniment. Much has been written about the dissemination of powerful images of mass suffering as a means of generating and reinforcing a compassionate sensibility. Deeply embedded allusions to the past are built in to these images, ensuring that culturally recognizable references are familiar to the viewer from whom a sympathetic response is awaited. For the most part, as Malkki recognized, these images of suffering are devoid of political background and historical explanation. The world of suffering humanity is one in which history is absent, save for a superficial implication that these are recurrent disasters, connecting past and present in a cycle of distress. As we shall see, WRY did not avoid that pitfall, because the UN repeated the mantra that the campaign was ‘non-political’, but a close reading of the iconography of displacement reveals a determination on the part of some campaigners to bring history and also politics to the fore.<sup>5</sup>

## World Refugee Year

These reflections are developed in relation to an episode that is now largely forgotten – another amnesia to which I return at the end of this chapter – but which at the time sparked considerable public debate about the plight of refugees. In 1959–60, the United Nations launched WRY. This campaign originated in the UK with an appeal ‘to save the world’s refugees’, drafted by a group of socially conscious young Conservatives, including future government ministers Timothy Raison and Christopher Chataway. They bemoaned the failure of governments to find a permanent solution to the prolonged suffering of refugees in Europe, the Middle East and the Far East. With official backing from the British government, the initiative was formally adopted by the United Nations, albeit in the face of objections from the Soviet bloc, on the grounds that the root cause of most of the world’s refugee problems was located in the actions of Western powers (see below). The United Nations hoped with the assistance of NGOs to assist these refugees either to resettle or to ‘integrate’ locally. Nothing on this scale

had been undertaken hitherto. The office of the UN High Commissioner for Refugees (UNHCR), operating on a shoestring budget since its formation in 1951, also saw an opportunity to boost its profile on the international stage and to secure additional funds from governments and the general public to support its mandate. By the time WRY came to an end in June 1960, it had raised a total of \$92 million (approximately \$600 million in today's prices) from governments and public donations, including \$57 million from individual contributions. Close to one hundred countries took part, each with a national committee, and so too did around eighty NGOs whose work was coordinated by a small office in Geneva.<sup>6</sup>

Coming at the end of the 'forty years' crisis, WRY invites us to think about forms of domestic and international action in which history was never far from the surface. As Zara Steiner argues, there was no straightforward connection between successive refugee crises but instead a series of ad hoc responses by governments. Nevertheless, there are threads connecting successive refugee crises before, during and after the two world wars: the insistence on the part of states that immigration policy was a fundamental aspect of state sovereignty; the widespread view that refugees had only limited rights that could easily be overridden; and a widespread contempt for refugees, many of whom were deemed 'bogus' or a threat of some kind. Steiner is correct that refugees from the Soviet bloc were generally portrayed as heroic 'escapees' (as in the US Escapee Program, launched in 1952), but by the later 1950s refugees from Hungary and Yugoslavia were being described as 'economic migrants' with a dubious claim to refugee status.<sup>7</sup> Western governments coupled this stance with pronouncements that refugees from communism included fifth-columnists, echoing remarks made about Russian refugees in the 1920s. So there are connections and continuities even as governments and NGOs lurched from one crisis to the next.

To be sure, significant changes took place in international refugee law after 1945, particularly when the 1951 UN Refugee Convention enshrined the concept of protection for individuals who suffered persecution. The post-war refugee regime imposed a strict chronological and geographical demarcation, because signatory states feared that an open-ended definition of the refugee would write a blank cheque that their successors would be obliged to honour. States retained control over immigration policy, including control over claims to asylum, and this underscored the fact that the post-war system provided for a selective rather than systematic approach to the 'refugee problem'. It also kept the UNHCR at arm's length. To all intents and purposes, Convention refugees were supplicants with only a thin veneer of rights.<sup>8</sup> Other displaced populations came under the aegis of regional or local refugee regimes in which the writ of UNHCR did not run. In these instances, improvised responses were fashioned by the governments most directly affected, often drawing upon the resources of national and international NGOs.<sup>9</sup>

This mixed regime provided part of the context for WRY, which directed public attention to enduring situations of population displacement and canvassed the means to improve the lives of hundreds of thousands of refugees. Its initial proponents, Raison and Chataway, did not hesitate to connect different refugee crises. They identified four groups of refugees where international action was urgently needed: first, the so-called 'hard core' of refugees and Displaced Persons (DPs) who had been forcibly conscripted

by the Nazi war machine and who remained in Germany and Austria, fifteen years after the end of the Second World War, having refused to repatriate and having been refused permission to resettle, usually because of a question mark over their health or 'character'. In 1959 around 32,000 registered DPs were still housed in camps and a further 100,000 lived outside camps as 'unsettled' refugees. The wretched condition of this so-called 'hard core' was largely hidden from public gaze, but they remained the responsibility of UNHCR under its mandate.<sup>10</sup> The second group comprised Palestinian refugees who fled to the West Bank (under Jordanian administration), the Gaza strip, Lebanon and Syria after the 1948 war that culminated in the creation of the state of Israel. Their numbers had climbed to around 915,000 in the late 1950s. The United Nations had accepted responsibility for them by creating the United Nations Relief and Works Agency (UNRWA), but ten years after their exodus no long-term solution seemed likely. The third group was made up of around 700,000 Chinese refugees who fled to the British colony of Hong Kong following the establishment of the People's Republic of China in 1949. Here, too, a decade had passed with little sign of progress, and their numbers continued to grow. UNHCR had no mandate to intervene here.

World Refugee Year derived its inspiration from a general sense that history had been unkind to these refugees. Cold War politics constituted a key element, particularly in the United States where some journalists and State Department officials were keen to hammer the point harder than their British counterparts.<sup>11</sup> Of course, antagonism between Western governments and the Soviet Union stretched back to 1917–21, when revolution in Russia, civil war and Allied intervention culminated in a mass exodus of Russian opponents of the Bolsheviks. Those who made their way to the Far East subsequently became trapped by revolution in China in 1949.<sup>12</sup> They too were earmarked for support during WRY. The United Nations hoped to assist these elderly survivors to emigrate, with the help of the Intergovernmental Committee for European Migration (ICEM) and the fresh funds made available by WRY.

At the same time, the campaign's supporters acknowledged that responsibility for this state of affairs could not be laid entirely at the Soviet bloc's door. Public opinion in the West included a strong sense of the need to atone for its past action, or rather inaction. Here the issue was not about the forcible repatriation of DPs to the Soviet Union – this only became a cause célèbre later on – but about the fact that those who refused to return to their homes had in effect been abandoned by governments in the First World. Granted, many of them had been resettled in the West, although the recruitment of able-bodied workers was widely criticized, not just in the Soviet bloc, as a kind of slave market or an attempt to 'skim the cream'. In any case, the selective admission of former DPs left sick and handicapped relatives to an abject fate in squalid camps in Germany and Austria. Thus to alleviate their situation was simultaneously to draw attention to the fact that the 'free world' had treated them callously. It was widely believed by advocates of WRY that surviving DPs had become apathetic and alienated human beings whose psychological condition was a function of the injury inflicted on them, not by Hitler, but by the free world after 1945.<sup>13</sup>

Something similar emerged in the case of the Russian refugees in China. Here, too, Soviet repatriation officers had been hard at work at the end of the Second World War, appealing to their 'patriotism and nostalgia', and indeed several thousand refugees had

taken up the offer of Soviet passports. The determined anti-communist, Pastor Karl Stumpf, who worked with refugees in Hong Kong, ascribed this to 'confusion' brought about by the wartime alliance with the USSR and by cynical Soviet propaganda designed to reassure them of a warm welcome.<sup>14</sup> He lobbied hard on behalf of those who remained in China. By the late 1950s there was little enthusiasm on the part of the British government to admitting any of these 'hopeless White Russian cases', the more so as any publicity would likely draw unwelcome attention to the plight of Chinese refugees in Hong Kong. Yet, as Stumpf recognized, their very age and their adherence to Russian Orthodox Christianity turned them into a 'deserving' case that should prick the West's conscience. Pictures of elderly and dignified men and women making their way down the steps of aeroplanes were calculated to reassure WRY's supporters that past neglect could now be translated into current rescue.<sup>15</sup>

Relief workers in Hong Kong portrayed Chinese refugees as victims of communism and official abandonment alike. Having entered the colony to escape the People's Republic of China, they became the direct responsibility of the British authorities, who regarded them as immigrants looking to improve their economic prospects and in so doing added to an already overcrowded population. This mealy-mouthed stance did not go down well with local relief agencies, which counted on the UNHCR to use its 'good offices' to support them, but to little avail.<sup>16</sup>

It was not so easy to locate Palestinian refugees in the framework of the Cold War, but this did not stop some vocal advocates from advertising the historic and current challenge from communist 'subversion'. Edgar Chandler, a senior official in the World Council of Churches (WCC) wrote 'the fact is surely obvious that the communist penetration of the Near East is serious, and Moscow has never in history had the indirect influence it now enjoys there.' In his view, Palestinian refugee camps served 'as hotbeds of Communism' and it behoved Western governments to address the needs of Palestinian youth through education and vocational training. Henry Labouisse, outgoing director of UNRWA, likewise argued that 'in many cases the attitude of the refugees is influenced by the work of unscrupulous agitators and troublemakers.'<sup>17</sup> In this interpretation, what mattered was the ongoing challenge from communist subversion whose antecedents could ultimately be traced back to 1917. It is revealing that at this stage very little attention was devoted to the history of 1948 – the *Nakba* was not yet the defining moment that it would later become in Palestinian politics and historiography.<sup>18</sup>

There were, of course, other histories to take into account. Non-mandate refugees included ethnic Germans who had been expelled from Czechoslovakia and Poland under the terms of the agreement that the Allied powers reached at Potsdam; and Germans who crossed from East Germany to the West. Elfan Rees, the outspoken authority on refugee affairs in the World Council of Churches and chairman of the executive group of the international committee for WRY, called the decision by the Allies to expel the *Volksdeutsche* a 'massive crime against humanity', and urged that something now be done to provide for their needs.<sup>19</sup> Others excluded from the provisions of the Refugee Convention included 420,000 Karelian refugees who fled to Finland from the Soviet Union in 1940 and in 1944 and some 175,000 members of the Turkish minority in Bulgaria who found asylum in Turkey after having been expelled from Bulgaria. Hungarian refugees crept in to the orbit of UNHCR thanks to some



clever footwork on the part of the high commissioner. Much greater in number were refugees in India and Pakistan, as well as others in Korea, Vietnam and Tibet. The WRY team in Geneva issued short publicity newsletters that supplied a brief historical background to these sites of displacement.<sup>20</sup>

WRY coincided with a particularly troubled time in the history of Algeria, where the refugee crisis resulting from the war between the French state and the FLN freedom fighters was difficult to ignore, although the French government did its best to limit what they saw as damaging publicity. France issued a 'solemn' declaration in June 1959 announcing that it 'assumed entire responsibility for its citizens amongst whom there is a large number of women, children and old people whom the rebellion had forced across the border.' This was a pre-emptive strike against any attempt to link WRY to a crisis that France regarded as its internal business. However, the small publicity machine in Geneva drew attention to the magnitude of Algerian suffering, as did several international NGOs, and the UNHCR high commissioner offered his 'good offices' to assist displaced Algerians who had sought sanctuary in Morocco and Tunisia.<sup>21</sup>

Other histories found little or no resonance during WRY. No one mentioned the fate of refugees from the civil war in Spain (1936–9), doubtless because the exiles were assumed to be making the best they could of life in France or Mexico, and maybe because no one in the First World wanted to ruffle France's feathers. France, in particular, had no wish to draw attention to the harsh conditions that Spanish refugees endured in French concentration camps in the late 1930s that were subsequently used by the Vichy regime to incarcerate French Jews.<sup>22</sup> The mass displacement that accompanied the civil war in Greece (1944–9) warranted barely a mention, and the same is true of the consequences of the population exchange between Greece and Turkey in 1923, although both governments hoped that some residual funds might be found to improve the conditions of these 'national' refugees as well as newcomers who arrived from Bulgaria.<sup>23</sup> WRY ignored the Holocaust, save for occasional references to the 'rescue' efforts of Western powers.<sup>24</sup> Armenian refugees, so much the focus of international attention during the 1920s, were virtually absent from WRY, presumably because they were assumed to have successfully resettled in the West – and it would have been inopportune to mention the fact that some had resettled in Soviet Armenia.<sup>25</sup> In these instances, amnesia was the order of the day.

The 'plan to save the world's refugees' did not extend to supporting the ongoing relief efforts on behalf of displaced persons in the Indian subcontinent. This omission was consistent with the response of most countries to the events of Partition. More than ten years on, and having invested heavily in relief and rehabilitation measures for at least fifteen million refugees, the governments of India and Pakistan bemoaned the fact that they had largely been left to address the consequences of mass displacement on their own. Other countries deemed the refugee crisis to be fundamentally a domestic issue of helping 'national refugees' to resettle. Bar the involvement of several foreign NGOs, this was a history of international neglect, as India did not fail to point out. As WRY began, the government announced that India would not take an active part in the campaign, because it had 'a staggering refugee problem of her own.' Indian officials wished it to be known that India nevertheless contributed to UNRWA, because 'the Palestinian refugees form an integral part of the Arab community with which India

and her people have had close relations for many centuries,' and that India and the Arab peoples 'are both engaged in the great task of building their countries in peace and in freedom.' Acknowledging these historic connections served to make a political point about India's place in the post-war world.<sup>26</sup>

Different countries, therefore, had their own rationale for taking part in the campaign (or not) and for marking the limits of their commitment. Western European governments subscribed to the British view that there should be a division of labour, whereby 'countries who could be most encouraged to increase their visas would be those who could not give substantial financial help.' This was clearly aimed at Latin American countries that had contributed to the resettlement agenda since the days of the International Refugee Organization. The leading American Catholic layperson James Norris summed it up when he described South America as a highly suitable destination for Europe's overcrowded population, allowing 'people without land' to move to 'lands without people' – a neat if simplistic way of connecting the past histories of refugees and countries of potential settlement.<sup>27</sup>

The selective focus on the 'hard core' in Europe (and to some extent newly arrived refugees from Yugoslavia), in the Middle East, in Hong Kong and China did not prevent the United Nations and member states from recognizing the extent of suffering brought about by fresh crises, in Tibet, Rwanda and Congo, as well as the ongoing conflict in Algeria. But these crises raised difficult diplomatic issues since in most instances they involved European imperial powers whether, like Belgium, they sought to abandon its possessions in Africa or, like France and Portugal, they attempted to retain such control. WRY also implicitly asked questions of the Netherlands, which embraced WRY as enthusiastically as anyone, without addressing the consequences of its retreat from empire in Indonesia.<sup>28</sup> In the case of Tibet, the imagination of First World countries was seized by the drama of the Dalai Lama's flight from Chinese occupation in March 1959, accompanied by 100,000 refugees. Tibetan exiles in India and Nepal were portrayed as 'deserving' refugees who suffered for their faith and whose civilization needed to be secured.<sup>29</sup>

History also intruded into the campaign through the recurrent emphasis by national governments of a 'tradition' of hospitality towards refugees. This rhetoric served different purposes. It might explain why a country was willing to support WRY, but it also served as justification for doing only so much and no more. According to British prime minister Harold Macmillan:

Some people may think that the best contribution that we can make in the WRY is to take in a large number of the refugees ourselves. They may say that the life of our country has been enriched because 80,000 refugees the majority of whom were Jewish came here before the war, and because we have taken in about a quarter of a million other refugees since then. But precisely because in our small country we have welcomed so many, we cannot raise further hopes in this direction. Essentially our contribution must be in money.<sup>30</sup>

Activists expressed disappointment at the cautious stance adopted by the British government, and used the familiar trope of generosity to take the government to task for not doing more. One local newspaper remarked that 'English history is full

of examples of this country providing a refuge. We think of the Belgian families of World War 1 in Guildford, Jews who escaped from Nazi tyranny before 1939, and the many after World War 2, like the Poles who have been absorbed into our community,' adding that 'yes, this country can act again and do something better than 200 families.' A constituent used a different historical tack to ask his MP what William Wilberforce would have made of the government's offer to give no more than £100,000 to WRY.<sup>31</sup>

Other governments joined the chorus of countries advertising their humanitarian past, usually as a preface to avoiding an extensive commitment to resettle refugees. King Olav of Norway told his subjects that 'we are a small nation. We can undoubtedly by the power of example make it quite clear where we stand. I think it is in the humanitarian field where Norway has so many fine traditions that we may do something that counts.'<sup>32</sup> Mexico announced its willingness to admit up to twenty-five 'specially selected refugee families,' having assisted many more refugees from Spain and Poland in the 1930s and 1940s.<sup>33</sup> The shah of Iran boasted that 'my country has a long historical record of affording shelter to refugees and homeless persons,' and in the Dominican Republic the appalling president Rafael Trujillo did not hesitate to publicize his 'rescue' (much overblown, as it eventually turned out) of Jews from Nazi Germany in 1940.<sup>34</sup>

The rhetoric of humanitarianism came in different guises. Israel's national committee for WRY pledged to help 'in the resettlement of the Arabs who left this country at the time of the Arab war against Israel,' adding that 'the solution of that problem depends essentially on the readiness of the Arab states to facilitate such resettlement.' The pledge to provide technical assistance neatly deflected politically sensitive questions about Israel's share of responsibility for the Palestinian refugee problem. Picking on a different strand of history, the country's president announced that 'it is no exaggeration to say that a very substantial sector of its population has a refugee past,' including half a million Jews from Middle East and North Africa.<sup>35</sup>

History could thus be troubling for governments as they contemplated the extent and shape of their participation in the campaign. Germany hoped to earmark for expellee families up to half the funds donated by the public during WRY. The past intruded in other uncomfortable ways as well. The German national committee expressed misgivings about anything that smacked of a 'massive propaganda' effort, explaining that 'since 1933 the public is extremely suspicious of large-scale propaganda. The committee therefore do not wish to be associated with the unhappy recent past experience in this respect'. It did not help that the Federal Minister for Refugees Dr Theodore Oberländer had come 'under severe attack in Germany and abroad. It is undisputed that in 1941 he was a major in the SA. He arrived in the Polish city of Lwów [Lviv] at a period when 31,000 people were massacred. What is in dispute is whether he took part in the massacre or arrived afterwards.'<sup>36</sup> Like Germany, Japan had unfinished business of its own. The government wanted to use WRY to get the United Nations to acknowledge the burden it had shouldered following the repatriation of 6.3 million citizens from Formosa, Korea and Sakhalin since the end of the Second World War. The repatriants included soldiers who had survived incarceration in Soviet prison camps. Japan hoped to find out what happened to those others who were unaccounted for.<sup>37</sup>

Other countries too went out of their way to explain what they could and could not do as a result of previous episodes of displacement. The government in Rome

responded that 'Italy had many refugees within her own borders and these imposed a considerable financial burden.' Finland wanted it known that it supported the proposal in principle but excused itself by referring to the influx of refugees from Karelia who imposed an 'indirect cost to the economy [thanks to] high agricultural subsidies, which have to be paid to enable them to make a living on their small uneconomic agricultural holdings.' For this reason it would be unable to match the commitment shown by its Scandinavian neighbours.<sup>38</sup>

Something of the difficulties in signing up to WRY emerged in discussions about suitable iconography, particularly in relation to the issue of stamps to commemorate the campaign. Here, too, history became a means of framing the issues around displacement. The most interesting example is France, which made a point of revisiting the Second World War, with an image on its postage stamp of a distraught young girl standing amid a ruined urban landscape, as if to reinforce the fact that the main point of reference for its citizens should be the consequences of Nazism in continental Europe rather than its own actions in Algeria. France thus portrayed itself as a historic victim, not the perpetrator of displacement. Austria, unsurprisingly, chose to commemorate the arrival of refugees from Hungary in 1956, with a stamp that depicted a refugee family escaping through the snow, the mother clutching her child, and the father holding on to the family's suitcases. Austria portrayed itself as a place of recent refuge, a country that now belonged to the democratic European mainstream.<sup>39</sup>

Of course, there was another kind of history that hardly dared speak its name. Seeking grounds on which to limit the admission of refugees to the UK during WRY, officials appealed to the history of the British Empire, which obliged the government to accept 'British subjects from overseas [who] have a prior claim upon our hospitality.'<sup>40</sup> Nor was this the only intrusion of Britain's imperial legacy. Foreign Secretary Selwyn Lloyd explained privately that the UK government declined to support a UN resolution on Tibetan refugees, because it would have led to accusations about its human rights record in Kenya and Nyasaland.<sup>41</sup>

The rhetoric of historic humanitarianism was not confined to governments. NGOs also appealed to the past in seeking to persuade potential donors that their money would be well spent. The Canadian Jewish Congress advertised its 'considerable experience in the settlement of refugees following the First World War and in large numbers in assisting in the rescue, relief and rehabilitation of victims of concentration camps after the liberation of Europe' (as well as from Shanghai). It was happy to associate itself with 'the world wide plans to bring succour and relief to those who deserve and will appreciate it'.<sup>42</sup>

A more personal history emerged in the accounts of individual refugees who periodically intruded into the campaign. One particularly vivid example emerged during a radio broadcast prepared by the UN information office. It is worth quoting at length, because it illustrates the way in which the UN information office sought to dramatize displacement and connect it to Cold War politics:

My name is Mitetich, Nicholas Mitetich. It is written on the cover of many files, on the papers inside these files; name, age, profession, health, personal history. And these files rest in consulates, in immigration offices, and with people who have

been trying to help me – in many filing cabinets marked under the letter M. But in the country where I come from, the name Mitetich stood for something. ... For centuries there had always been a Mitetich to attach his name to some work for our people. ... I was a man with solid career who could one day hope to hold high positions. I married, bought a house, and had servants. The world in which I lived, which had grown on traditions hundreds of years old, which from my boyhood I saw as an order of society so natural as leaves on a tree, exists no more, except in the memories of those who remember. Now it is a name written in indelible ink on a grey piece of cardboard which I have nailed on the door of my room. There it has been for the best part of the last 15 years.

The narrator of the broadcast continued that ‘stripped of everything [Mitetich] grew sick and finally died a prisoner in a cage, swept into a refugee camp by the currents of history.’<sup>43</sup> Here, WRY publicity made Mitetich the tragic symbol of the outcome of war and the political division of Europe. But he also embodied a failure of will on the part of the ‘free world’.

A different kind of biography framed the history of humanitarian relief work during WRY.<sup>44</sup> Prominent examples included figures in Christian Aid (Janet Lacey), Aid to European Refugees (Richard Russell) and the Ockenden Venture (Françoise Rigby) whose involvement stretched back to the Second World War. The executive director of the newly constituted US Committee for Refugees, Edward B. Marks, had worked with Displaced Persons in post-war Europe on behalf of the International Refugee Organization and the International Office for Migration, including being sent to Yugoslavia in 1957 to deal with the Hungarian refugee crisis. Others too gained extensive experience in humanitarian relief work on behalf of refugees. Kathleen Regan, a native of San Francisco, studied social work at Columbia University before working for the UN on behalf of DP children and refugees from Czechoslovakia. Afterwards she was posted to Korea. At the time of WRY she was working for the American Friends Service Committee (AFSC) in Yugoslavia.<sup>45</sup> According to a newspaper profile, WCC’s resettlement officer Mollie Rule ‘has dealt with more refugees than any other woman, anywhere’. She worked in Greece during World Refugee Year, but her career took in stints in Rhodesia, Tanganyika and the Philippines, where she dealt with victims of disasters; and in 1956 the WCC sent her to Yugoslavia to support Hungarian refugees. Interviewed in 1960, she lamented the recurrent flow of refugees (‘I see no end to it’) but affirmed the benefit of long years of experience in resettling refugees: ‘You can’t learn it all from books.’<sup>46</sup> In this way the life story of relief workers who contributed to WRY’s programmes was connected to the ‘forty years’ crisis’.

As WRY came to an end, UNHCR was confronted with fresh manifestations of mass population displacement. Supporters of the campaign were anxious about what the 1960s had in store. Would the Soviet bloc extend its influence across the globe, filling the gap left by retreating colonial regimes and helping to inspire revolution among the peasantry and emerging working class in the Third World? Democratic societies faced a potential crisis of citizenship. UN High Commissioner for Refugees Auguste Lindt spoke apocalyptically of the potential dangers of creating a ‘race of camp dwellers’, should Western countries fail to address the needs of refugees. The US Committee for Refugees, mindful in part of the consequences of revolution

in Cuba, pointed to millions of people 'trapped' as stateless persons, half of them 'escapees from communist-controlled countries ... a needless waste of humanity [that] may have a powerful and dangerous impact on the society which has failed to assimilate them.'<sup>47</sup>

By the early 1960s, the 'refugee world' was already being re-conceptualized. In the course of that decade the emphasis shifted to local integration rather than mass resettlement, and to 'development' rather than 'relief'.<sup>48</sup> Ageing European DPs and Russian refugees dwindled in number as death took its toll. Small contingents were allowed to resettle in a third country. German expellees benefited from the prolonged *Wirtschaftswunder* in the Federal Republic, and expellee organizations found themselves marginalized politically. Similarly, Chinese refugees in Hong Kong capitalized on the rapid economic growth of the colony. Palestinian refugees disappeared from the humanitarian radar, at least until the Six-Day War in 1967 and the rise to international prominence of the Palestine Liberation Organization, inspired by the victory of the FLN in Algeria. Algerian refugees made their way home from Morocco and Tunisia after France granted independence. The focus shifted to sub-Saharan Africa where refugees were often regarded as a product of 'tribal' conflicts; their displacement could not be fitted into the rhetorical framework created by WRY. Even so, it was clear that the root cause of conflict was located in the struggle to shake off the shackles of colonialism in Algeria, Angola, Rwanda and elsewhere.<sup>49</sup>

NGOs found it relatively easy to adjust to the new era. They were not constrained by the 1951 Refugee Convention, whose mandate imposed a time limit on those deemed to be recognized refugees:

When governments set out to relieve the distress of refugees by officially supported programmes they can and must define both the refugee and the problem in such a way as to limit their commitments. The voluntary agencies do not and cannot draw such lines. Their mission is to help even those refugees who are left when the governmental or international programmes cannot do so.<sup>50</sup>

WRY advanced the claims of numerous NGOs, secular and faith-based alike. The UN continued to rely heavily on organizations such as the WCC, Catholic Relief Services, the AFSC, CARE and the National Catholic Welfare Conference. Something of their historical consciousness emerged in a call made by the Standing Conference of Voluntary Agencies Working for Refugees, which advocated an international conference to 'take place twenty years after the Evian Conference of 1938 [that] would usefully illustrate the permanency of the world refugee problem.' Yet this was a muted appeal, and it failed to drive home the point about the limitations of Evian.<sup>51</sup>

UNHCR made a bit more of an effort, acknowledging its own prehistory when it instituted a medal to be awarded to people or organizations in recognition of outstanding service to the cause of refugees. Known as the Nansen Refugee Award, UNHCR awarded it in 1960 to the British quartet who devised WRY. But Nansen belonged to a rather remote past, and the poster boys for WRY were deliberately cultivated because of their youthful and dynamic personalities. The extensive UN paperwork left behind when WRY came to an end in 1960 makes no mention of predecessor organizations such as the League of Nations' work on behalf of refugees,



as if to say that the clock of humanitarianism was reset after 1945. Whatever Nansen's achievements in the 1920s, its well-documented failures in the era of Nazism seemed to make it embarrassing to mention the League.<sup>52</sup>

All the same, WRY itself belongs to a history that stretches back to nineteenth-century humanitarian efforts and forward to Band Aid and Comic Relief. Selwyn Lloyd, the British foreign secretary, described it as 'the most universal short-term humanitarian enterprise the world has yet seen.'<sup>53</sup> Yet the campaign all but disappeared from view in the years that followed. Why? The United Nations as well as participating countries hid the history of WRY from view, as if to stifle any demand for the initiative to be repeated as refugee crises multiplied. But that does not tell the whole story. Many campaigners believed that WRY's achievements should not be exaggerated. As Elfan Rees put it, 'The United Nations has been singularly obtuse in thinking that the refugee problem could be solved by "crash programmes" and time-limited agencies. Even now there are too many governments and too many people who imagine that WRY is the panacea to all these ills.'<sup>54</sup> It was imperative, he added, that local and national committees continue, 'not necessarily as fund-raising bodies but as watchdogs' that can bark and bite. They should 'bark at "we the people" and bite governments, in case they should lapse back into the disquieting indifference they have shown towards refugees for so many years.'<sup>55</sup> In fact the national committees soon vanished from the scene, but most of the NGOs that helped maintain the campaign's momentum lived to fight another day, even if they found little or no space for WRY in their documentation. The caravan of humanitarian concern had moved on.<sup>56</sup>

## Conclusion

This chapter has shown how history intruded in the UN campaign for World Refugee Year in 1959–60 and helped justify the stance taken by governments and relief agencies, and how supporters were partly galvanized by a sense that past failures could be turned into success stories. But the appeal to history also entailed obfuscation and amnesia. As a humanitarian initiative, WRY invoked history in ways that were recognizable and comforting, but also less familiar and disquieting. In the UK, for example, the government argued that Britain's participation fell squarely within a tradition of humanitarian concern, but that previous commitments to refugees meant that it had no obligation to accept fresh numbers, including among the 'hard core' admission of DPs. On the other hand, public support for the campaign rested on the argument that the 'free world' had a historic obligation to those who remained in the DP camps.

However, the campaign reached beyond ideas of atonement for past errors towards DPs in Europe. It encompassed Russian refugees in China whom the world had more or less forgotten; their elderly status and Christian faith struck a chord in the West at a time of growing Cold War antagonism. More controversially, WRY turned the spotlight on the unresolved 'problem' of Palestinians and on Chinese refugees in Hong Kong, and in so doing implicitly directed attention to the colonial past and present. In Hong Kong, campaigners helped cajole the colonial authorities to acknowledge a duty

of care for refugees who arrived from the mainland. Having renounced its mandate in Palestine in 1948, Britain bore some responsibility for leaving Palestinian refugees high and dry, and although campaigners did not press the point very firmly WRY broached uncomfortable questions about colonial rule as well as how to manage the process of decolonization. This emerged most clearly in respect of the French Empire, which had shed its possessions in East Asia but regarded Algeria as an integral part of the metropole. By confronting the issue of mass displacement in Algeria and in Morocco and Tunisia, the United Nations placed French policy in an embarrassing position. This was the nearest it got to acknowledging the politics of displacement.

Participating countries could not amend the original agreed targets for WRY, but they could and did publicize the extent of the 'refugee problem' on their own doorstep and its historical antecedents. The situation of expellees in Germany is a case in point, and activists such as Elfan Rees urged the need to put right a historic injustice. Likewise, India and Pakistan drew attention to their ongoing commitment to millions of Partition-era refugees whose history matched in duration the plight of Europe's DPs. The United Nations refused to get involved, and the refugee crisis in the subcontinent – which was current as well as historic – failed to generate much heat beyond the countries directly affected. But to list the groups of refugees who were excluded from WRY rather misses the point. As a British official rightly pointed out, the campaign 'meant different things to different people'.<sup>57</sup> History mattered. The campaign drew attention to the career trajectories of leading humanitarians whose claims to intervene rested on their past engagement with refugees and the experience they acquired. Citizens in the First World came to 'know' refugees as a condition of helping them – not all refugees admittedly, but at least some. To be sure, the history did not run very deep, and in truth relatively little attention was devoted to the root causes of displacement. But no thoughtful supporter could conclude that the past did not weigh heavily on the present.

Governments invoked history as humanitarian tradition, but this too could not be pursued very far, lest it direct attention to some uncomfortable truths about the limitations of action at the time and in years gone by, and about the history and the current repercussions of colonial rule. For governments seeking to limit damage to their reputation, it was important to recognize that WRY offered what amounted to recompensing for wrongs done to displaced people in the past. Yet there were limits to this kind of self-flagellation. In general, governments pointed to history as evidence of the 'burden' that they had shouldered previously, and therefore why they imposed conditions on their participation.

Governments tended to keep refugees at arm's length – that is to say they were seen but not heard. This did not stop NGOs and the United Nations from including personal histories in the campaign. These biographies had a formulaic nature, but this too shows how the past was called upon to sustain public interest. The irony is that the history of WRY itself disappeared from view. Only a cynic would regard this as an appropriate outcome for a bold if inherently short-lived campaign that made the connections, keeping the world's refugees firmly in the public eye. Inflected though it was with a patronizing tone, the World Refugee Year offered them at least a glimmer of hope. This is more than what can be said for most political leaders today.



## Notes

I am very grateful to Eleanor Davey for her helpful comments on a draft of this chapter.

- 1 Tony Kushner, *Remembering Refugees: Then and Now* (Manchester: Manchester University Press, 2006), see also Kushner, this book; Liisa Malkki, 'Speechless Emissaries: Refugees, Humanitarianism, and De-historicization', *Cultural Anthropology* 11 (1996), 377–404; Steiner, this book; Anna Holian and G. Daniel Cohen, 'Introduction', *Journal of Refugee Studies* 25 (2012), 313–25, special issue on 'The Refugee in the Post-war World'; Matthew Frank and Jessica Reinisch, 'Refugees and the Nation-State in Europe, 1919-1959', *Journal of Contemporary History* 49 (2014), 477–90.
- 2 Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013). In this book I devote some space to a discussion of the various ways in which refugees themselves invoke history to account for their circumstances and to make claims for recognition under international law. See also Philip Marfleet, 'Explorations in a Foreign Land: States, Refugees and the Problem of History', *Refugee Survey Quarterly* 32 (2013), 14–34.
- 3 Gil Loescher and John A. Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945-Present* (New York: Praeger, 1986); Klaus Neumann, *Refuge Australia: Australia's Humanitarian Record* (Sydney: UNSW Press, 2004).
- 4 Eleanor Davey and John Borton, 'History and Practitioners: the Use of History by Humanitarians and Potential Benefits of History to the Humanitarian Sector' in Pedro Ramos Pinto and Bertrand Taithe (eds), *The Impact of History? Histories at the Beginning of the Twenty-First Century* (London: Routledge, 2015), 153–68; UNHCR, *The State of the World's Refugees: Fifty Years of Humanitarian Action* (Oxford: Oxford University Press, 2000); Michael Barnett, *Empire of Humanity: a History of Humanitarianism* (Ithaca: Cornell University Press, 2011).
- 5 Peter Gatrell, *Free World? The Campaign to Save the World's Refugees* (Cambridge: Cambridge University Press, 2011); Heather L. Johnson, 'Click to Donate: Visual Images, Constructing Victims and Imaging the Female Refugee', *Third World Quarterly* 32 (2011), 1015–37.
- 6 'A Plan to Save the World's Refugees', *Crossbow* (March 1958), 1–4; for other details see Gatrell, *Free World?*, 79–84, 201–10.
- 7 This was also true of refugees from communist China who fled to Hong Kong. Gatrell, *Making of the Modern Refugee*, 112, 154; Susan L. Carruthers, 'Between Camps: Eastern Bloc "Escapees" and Cold War Borderlands', *American Quarterly* 57 (2005), 911–42. See also Laura Madokoro, *Elusive Refuge: Chinese Migrants in the Cold War* (Cambridge, MA: Harvard University Press, 2016).
- 8 Claudena Skran, *Refugees in Inter-War Europe: the Emergence of a Regime* (Oxford: Clarendon Press, 1995); Gil Loescher, *The UNHCR and World Politics: a Perilous Path* (Oxford: Oxford University Press, 2001); Irial Glynn, 'The Genesis and Development of Article 1 of the 1951 Refugee Convention', *Journal of Refugee Studies* 25 (2012), 134–48. See also Reinisch, this book.
- 9 B.S. Chimni, 'The Geopolitics of Refugee Studies: a View from the South', *Journal of Refugee Studies* 11 (1998), 350–74. See also Peterson, this book.
- 10 Robert Kee, *Refugee World* (London: Oxford University Press, 1961); Mark Wyman, *DPs: Europe's Displaced Persons, 1945-1951* (Ithaca: Cornell University Press, 1998);

- G. Daniel Cohen, *In War's Wake: Europe's Displaced Persons in the Post-War Order* (New York: Oxford University Press, 2012).
- 11 As a Foreign Office official commented after reading reports in the American press: 'We have no wish to see the idea played up on cold war lines; this is in our view a humanitarian exercise pure and simple, designed to bring these longstanding problems nearer a solution.' J. A. Snellgrove, 3 September 1958, UK National Archives (hereafter TNA), FO 371/137029.
  - 12 Karl Schlögel, *Der grosse Exodus: Die Russische Emigration und ihre Zentren 1917 bis 1941* (Munich: C.H. Beck, 1994).
  - 13 Stanley Wright, UNHCR, to Peter Casson, 28 October 1959, United Nations Records and Archives Sub-Unit, Geneva (hereafter UNOG), ARR 55/0088, No. 007; *To Have a Key: a Storybook of Human Drama*, Geneva: UNHCR, 1958, p. 10; Gatrell, *Making of the Modern Refugee*, 89–115.
  - 14 Rev. Karl Stumpf to Thomas Jamieson, 25 September 1952, File 425.5.103, Reports, Hong Kong, Pastor Stumpf 1952-55, WCC Archives, Geneva.
  - 15 Memo prepared by Patricia Hornsby-Smith, 2 July 1959, TNA, HO 352/133.
  - 16 Sir Alexander Grantham, 'Housing Hong Kong's 600,000 Homeless', *Geographical Magazine* 31 (1958-9), 573–86; Chi-Kwan Mark, 'The "Problem of People": British Colonialism, Cold War Powers, and the Chinese Refugees in Hong Kong, 1949-62', *Modern Asian Studies* 41 (2007), 1145–81; Gatrell, *Free World?*, 58–63.
  - 17 Labouisse, speech given to the American Committee to Benefit Arab Refugees, 17 November 1958, in Dwight D. Eisenhower Library (DDEL), C.D. Jackson Papers, 1951-67, box 90, folder refugees (1); Edgar H.S. Chandler, *The High Tower of Refuge: the Inspiring Story of Refugee Relief Throughout the World* (London: Odhams Press, 1959), 95–6.
  - 18 Ghassan Shabaneh, 'Education and Identity: the Role of UNRWA's Education Programmes in the Reconstruction of Palestinian Nationalism', *Journal of Refugee Studies* 25 (2012), 491–513; Gatrell, *Making of the Modern Refugee*, 119, 124–45.
  - 19 Elfan Rees, 'The Refugee Problem: Joint Responsibility', *Annals of the American Academy of Political and Social Science* 329 (1960), 15–22.
  - 20 Gatrell, *Free World?*, 53; Joseph B. Schechtman, *The Refugee in the World: Displacement and Integration*, New York: Barnes and Company, 1963, 47–67.
  - 21 Statement issued by the French government, 12 June 1959, UNOG ARR 55/0088, box 090. See also Gatrell, *Free World?*, 66–9.
  - 22 Scott Soo, *The Routes to Exile: France and the Spanish Civil War Refugees, 1939-2009*, Manchester: Manchester University Press, 2013.
  - 23 In 1958 the Zellerbach Commission, a group of private individuals who visited refugee camps in Europe, spoke of the desirability of 'relieving Greece of her refugee burden [and] greatly strengthening the position of a brave but poor little country which only recently was engaged in a desperate civil war with the communists and whose delicate economic situation the communists have again been able to exploit in the recent national and local elections'. H. Zellerbach, 'European Refugee Problems: Special Report on the European Refugee Problem', unpublished, 1958, 83, copy in DDEL, Robert K. Gray, Records, box 3, folder Zellerbach Commission; Gatrell, *Free World?*, 54–6.
  - 24 The UK committee for WRY wanted the government to highlight the admission of Jewish refugees in the hope that it would 'whip up support from the Jewish interests!' Undated memo, exclamation mark in the original, TNA, HO 352/133.

- 25 Joanne Laycock, 'Armenian Homelands and Homecomings, 1945-9: the Repatriation of Diaspora Armenians to the Soviet Union', *Cultural and Social History* 9 (2012), 103–23.
- 26 UN Information Centre in New Delhi to V. Duckworth-Barker, 3 July 1959, and press release 18/59, UNOG ARR 55/0088, box 087.
- 27 Raymond J. Kupke, 'James J. Norris: an American Catholic Life', PhD Dissertation, Catholic University of America, 1995, 192; Louise Holborn, *The International Refugee Organization: a Specialized Agency of the United Nations, its History and Work, 1946-1952* (London: Oxford University Press, 1956), 365-74. Holborn herself played an active part in WRY as a local organizer in Connecticut.
- 28 Gatrell, *Free World?*, 113.
- 29 *Ibid.*, 72–3.
- 30 Statement to be broadcast on the official UK opening of WRY, 1 June 1959, TNA, FO 371/145387, see also Patricia Hornsby-Smith to David Ormsby-Gore, 31 July 1958, TNA, FO 371/137028.
- 31 *Surrey Times*, 10 December 1959, cutting in TNA, HO 352/133; D.G. Clark to Harold Macmillan, 30 May 1959, FO 371/145388.
- 32 Broadcast by King Olav, New Year's Eve, 1959, UNOG ARR 55/0088, box 063.
- 33 Statement prepared for UN Information Office, undated [1959], UNOG ARR 55/0088, box 063; British Embassy, Mexico, 1 October 1958, reporting the views of the Mexican foreign minister, TNA, FO 371/137031.
- 34 Newsletter from Iran, undated [1959], UNOG ARR 55/0088, box 063; Simone Gigliotti, "Acapulco in the Atlantic": Revisiting Sosúa, a Jewish Refugee Colony in the Caribbean, *Immigrants and Minorities* 24 (2006), 22-50.
- 35 President Itzhak Ben-Zvi, statement issued 26 June 1959, UNOG ARR 55/0088, box 087; Leo P. Kohn to Charles Jordan, 6 October 1959, UNOG ARR 55/0088, box 087.
- 36 John D.R. Kelly to Claude Kémoularia, 19 February 1960, UNOG ARR 55/0088, box 090; Philipp-Christian Wachs, *Der Fall Theodor Oberländer (1905-1998): ein Lehrstück deutscher Geschichte* (Frankfurt: Campus, 2000).
- 37 Addresses delivered at the Conference on Migration and Refugee Problems held in Tokyo on 4 December 1958, in UNOG ARR 55/0088, box 046.
- 38 British Embassy, Rome, memo, 19 September 1958, TNA, FO 371/137029; British Embassy, Helsinki, memo, 24 April 1959, TNA FO 371/145386.
- 39 Gatrell, *Free World?*, 180–90.
- 40 Briefing paper dated 14 November 1958, TNA, HO 352/133.
- 41 Selwyn Lloyd to Dame Irene Ward, 27 November 1959, TNA, FO 371/145404.
- 42 Canadian Committee for WRY, McMaster University, Folder 6.
- 43 UNOG ARR 55/0088, box 007.
- 44 Lisa Smirl, 'Plain Tales from the Reconstruction Site: Spatial Communities in Contemporary Humanitarian Practice', in Mark Duffield and Vernon Hewitt (eds), *Empire, Development and Colonialism: The Past in the Present* (Oxford: Oxford University Press, 2009), 88–101.
- 45 American Friends Service Committee (AFSC) Archives, Philadelphia, File Foreign Service 1953, Country Korea – Reports, General.
- 46 Gatrell, *Free World?*, 148; Chandler, *High Tower of Refuge*, 62–76.
- 47 *World Refugee Year*, Washington DC: USCR, 1960, 4, 11.
- 48 Gervase Coles, 'Approaching the Refugee Problem Today', in Gil Loescher and Laila Monahan (eds), *Refugees and International Relations* (Oxford: Oxford University Press,

- 1989), 373–410; Sunil Amrith and Patricia Clavin, 'Feeding the World: Connecting Europe and Asia, 1930-1945' *Past and Present*, Supplement 8 (2013), 29–50.
- 49 James M. Read, 'The United Nations and Refugees: Changing Concepts', *International Conciliation* 538 (March 1962), 5–60. Read, a leading figure in the AFSC, served as the first deputy commissioner of UNHCR until 1959.
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## Writing Refugee History – Or Not

Tony Kushner

In summer 2000, a retired newspaper executive provided his response to a directive from the social anthropological organization, Mass-Observation. The topic was ‘Coming to Britain’ and the volunteer writers were encouraged to reflect on a heated contemporary issue through their own life stories, enabling a consideration and juxtaposition of ‘then’ and ‘now’: ‘Back in 1905, a young Jewish man left his village in Poland, tired of pogroms and persecution, and set sail for America. I don’t know much of the details, but his ship was wrecked in the English Channel and he was able to swim ashore.’

And this remarkable narrative of survival and personal endurance did not stop there: ‘He landed in Plymouth and, after a few days for recuperation, started the long walk to London. He had lost all his possessions, was virtually penniless and spoke very little English.’

Settling and prospering in the East End of London, he married a young Jewish woman also from Poland and they had four children, the oldest of whom was the mother of the Mass-Observation. He notes that, while he never met them, ‘I don’t remember hearing of any special difficulties that my grandparents had in being accepted into this country, although today they would have been undoubtedly described as asylum seekers.’<sup>1</sup>

At the turn of the twenty-first century when this family vignette was scripted, a moral panic was in place in Britain concerning asylum seekers with large sections of the media and politicians of different hue attacking those coming into the country as ‘bogus.’<sup>2</sup> Yet rather than his background providing a bond with those attempting to find refuge, the Mass-Observation desired to create a distance between those entering Britain at the start of the new millennium compared to his ancestors a hundred years earlier: ‘Unfortunately, these two words [asylum seeker] have taken on an unwelcome significance in recent years, largely because of the comparative few who have taken advantage of the system to such an extent that they seem to be raising two fingers to the nation that has taken them in.’<sup>3</sup>

But typifying many of Mass-Observation’s directive respondents, having put forward a more reasoned argument – criticizing only ‘the comparative few’ – as the response developed, restraint and nuance faded. Indeed, his antagonism gained momentum: ‘The trouble is that Britain seems to have become a “honeypot” for asylum seekers from all over the world. ... In the politically-correct times in which we live,

the government seems determined to be lenient with potential immigrants, no matter how weak their case for “asylum” or whatever devious and often clearly illegal means of entry they use.’

It was thus not surprising that the ‘indigenous population’ was upset when these newcomers went to the top of the housing list and received ‘massive benefits’. He concluded in a flourish that ‘the only way to stop asylum seekers flooding in is for the government to take an extraordinarily strong hand and allow in only a few “genuine” people.’<sup>4</sup>

A close reading of this directive has been necessary in order to reveal the importance and instrumentalization of ‘history’ in understanding the experiences of and responses to refugees in the modern era. It is easy to dismiss the Mass-Observer’s account of his family origins in Britain as sheer invention. No such ship carrying immigrants sank in the English Channel in the early 1900s – although others did elsewhere, including the *Norge* in 1904 off Rockall. Of its 635 largely immigrant victims, 200 were Russian Jews.<sup>5</sup> The *Norge* has been seen as the maritime disaster predecessor of the *Titanic*, a ship that was also carrying many hundreds of immigrants and refugees who made up, along with the Southampton-based crew, the vast majority of those who drowned.<sup>6</sup>

But the heroic journey of the Mass-Observer’s grandfather swimming to safety and walking to London as an ‘alien Dick Whittington,’<sup>7</sup> while blatantly fictitious on one level, is permeated with meaning on another, exposing the importance of myth in the construction of individual life story. As Paul Thompson and Raphael Samuel noted, myths ‘have an extraordinary power to rally, whether at the ballot box or on the battlefield.’ At a national level, therefore, myths ‘raise fundamental questions of just who belongs and who does not ... in rallying solidarity they also exclude, and persecute the excluded.’ Thompson and Samuel suggest that it is for this reason ‘for minorities, for the less powerful, and most of all for the excluded, collective memory and myth are often still more salient: constantly resorted to both in reinforcing a sense of self and also as a source of strategies for survival.’<sup>8</sup>

Returning to our Mass-Observer and his juxtaposition of ‘then’ and ‘now’: if contemporary and undeserving ‘asylum seekers’ conspire and cheat their way to Britain in order to partake of its benefits (and thereby defraud the innocent and too trusting local population), it is necessary to create a myth of origins that distances his forebears from these ‘bogus’ and therefore ‘undeserving’ immigrants. He thus embellishes his family story to emphasize danger (persecution in the place of origin in the form of pogrom) but also in flight (the emigrant ship that sinks en route to America). But rather than reach the ‘Promised Land’ of the *Goldene Medina*, his grandfather arrives purely by accident – he is literally washed up on England’s shores. Even so, this refugee possesses great strength – mental and physical – and the desire to succeed by honest means in his adopted home. He thus contrasts to the ‘undesirable alien,’ frail, diseased and dishonest, whose entry leads to the physical deterioration of the British race, as depicted by late Victorian and Edwardian popular press and literature.<sup>9</sup>

As a deserving and undeniably genuine refugee, he and his new family are welcomed in England and by hard work they establish themselves as an integral part of the nation. A classic refugee journey is thereby completed – flight from genuine persecution, a perilous journey, innocence in arrival and, to provide closure,

settlement in and contribution to the country of chance arrival. There is gratitude for the asylum afforded matched by welcome and acceptance by the host nation. The wider political significance of this recurring narrative will be teased out later. At this stage it is simply necessary to note, in the words of Peter Gatrell, how refugees (and, I would add, perhaps equally the descendants of refugees) 'have called upon history to explain their displacement and to help negotiate a way out of their predicament'. He adds: 'Refugees were created by violence and governed by regimes of intervention, but they gave meaning to their experiences through engaging with the past. History is a refugee resource.'<sup>10</sup> And the trauma of 'placelessness' and of being a refugee has, as with the Mass-Observer, led to a desire among later generations to prove their right to belong – even if at the cost of denigrating today's asylum seeker: 'The recently arrived immigrant, the last through the door, and now settling down in the new country, can himself be disgusted by the idea of this newer arrival or interloper, the one who could take his place, because this threatening Other does not resemble him in any way.'<sup>11</sup>

Revisionist scholarship in relationship to the two of the most numerically significant and mythologized mass movements of the nineteenth and early twentieth centuries – east European Jews and the Irish – downplays the role of persecution. Instead it emphasizes economic factors and the greater ease and affordability of transportation in the millions of decisions that were made to leave and the seeking of better opportunities in the 'west', especially in North America.<sup>12</sup> Here, current historiography is at odds with popular memory from within and outside these migrant groups. For example, almost every memoir of those of second-, third- or fourth-generation east European Jewish origin will highlight pogroms as a cause of flight from the Tsarist empire, even when ancestors left areas without persecution such as pre-1914 Lithuania. Moreover, places as varied (and as unlikely) as Grimsby, Hull, Liverpool, Glasgow and Swansea where these immigrants arrived in Britain were allegedly mistaken for New York by parents, grandparents and great-grandparents, having supposedly been hoodwinked into being sold false tickets by unscrupulous agents. The list of unlikely ports includes some such as Swansea where no ships carrying east Europeans ever arrived.<sup>13</sup> Likewise, collective memory of those of Irish migrant background privileges the famine as the primary cause of movement, in spite of the larger numbers that left before and after this catastrophe.<sup>14</sup>

The point to be emphasized here is not that professional, university-based historians as voices of authority are needed simply to separate out myth from reality in refugee narratives and thereby pronounce the 'truth'. Whatever be the ethics of such elitist interventions, their status in wider society is not so respected that they will directly influence popular discourse. Indeed, being told what *really* happened can often be resented and rejected at a grass-roots level. Yet critical historical interventions *are* necessary in the wider context of the increasingly negative debates about migration, especially when sensitive questions of identity and belonging are at stake and are being manipulated by politicians and the media. 'Governments,' it has been noted, 'appeal to a history of "generosity" towards refugees ..., but this frequently serves as a justification for maintaining tough controls on admission.'<sup>15</sup> *History*, or rather the instrumentalization of a form of myth-history, *matters*. Ironically, however, 'history' remains the poor relation of refugee studies and historians as a whole, beyond a few



important but isolated specialists, have yet to confront the presence of the ‘refugee’ in both the distant and recent past.

Katharine Knox and myself started our overview, *Refugees in an Age of Genocide* – a pioneer *historical* study of twentieth-century movements to Britain through global, national and local perspectives – by quoting the last speech of Holocaust survivor, Hugo Gryn, which he gave to the Refugee Council and was devoted to the importance of granting asylum:

Future historians will call the twentieth century not only the century of great wars, but also the century of the refugee. Almost nobody at the end of the century is where they were at the beginning of it. It has been an extraordinary period of movement and upheavals.<sup>16</sup>

Our book was published in 1999, as Europe witnessed its last internal refugee disaster of the century (though not, as the current crisis in the Ukraine graphically illustrates, its last ever) in the final stages of former Yugoslavia’s disintegration with the Kosovan crisis. But Hugo Gryn was not the first in this era of genocide and ‘ethnic cleansing’ to suggest that there was something unique about the twentieth century. Writing in 1944, when the gas chambers of Auschwitz-Birkenau were working at their full capacity, Ariele Tartakower and Kurt Grossman believed that earlier movements of refugees – such as the Huguenots – had been localized, whereas ‘in our generation the refugee movement has spread like wildfire through the continents of the Old World. Refugees from Soviet Russia, from Greece, from Turkey, from Bulgaria, from Armenia, from Iraq, from Italy, from Germany, from Spain, from China – all these before the present war, – such is the long procession of uprooted humanity.’ Acting as contemporary historians (and with their status as recently uprooted themselves, they were close to the events), Tartakower and Grossman added that the Second World War had ‘seen the rise of a fresh crop of refugee problems in nearly all European countries.’ They concluded: ‘Indeed, no other period has had so many refugees as the last three decades, so that ours may truly be called the era of refugees.’<sup>17</sup>

Since 1945, of course, rather than slowly dissipating, the refugee crisis has both grown and become truly global. It has shifted the focus of international political debate from a Eurocentric Cold War perspective to one involving a ‘North-South’ paradigm.<sup>18</sup> But as B. S. Chimni has noted, there has been a ‘myth of difference’ in both Western state responses *and* in refugee studies when comparing ‘[past] refugee flows in Europe and [more recently] in the Third World,’ which are deemed to be separated by ‘volume, nature and causes.’ His argument is not to suggest homogeneity in background and experience. ‘Of course there are differences. Indeed, every refugee differs from another in the circumstances which force her to flee.’ He suggests, however, that ‘the differences which have been propagated are self-serving and refugee studies has done little to combat this.’<sup>19</sup>

One lacuna that Chimni emphasizes is the lack of detailed historical work on earlier movements, including Cold War refugees and the complex reasons and varied reasons why they left. ‘There has been ... no serious exercise to determine whether those fleeing the former Socialist bloc countries were not leaving for mixed motives or simply for a better life in the West.’ He thus quotes with approval the work of Claudena Skran as

one of 'the rare refugee studies scholars who has challenged the myth of difference.'<sup>20</sup> Skran, in her 1995 overview of refugees in interwar Europe, insists that 'the notion that the contemporary refugee crisis is unique lacks a historical perspective and neglects this important fact: mass refugee movements are neither new nor exclusive to specific regions. They have been an enduring and global issue throughout the twentieth century.'<sup>21</sup>

In a work written in the early 2000s and published as *Remembering Refugees: Then and Now*, I returned to Hugo Gryn's speech and particularly raised the question of why historians, rather than acknowledging the essence of his intervention, seemed to be even more reluctant to recognize the presence of, and responses to, refugees in the modern era – the challenge that had been made by Chimni appears to have been ignored.<sup>22</sup>

In the years since *Remembering Refugees*, there has been both continuity and change, most significantly with regard to the latter in the form of Peter Gatrell's remarkable *The Making of the Modern Refugee* (2013).<sup>23</sup> Covering the twentieth century as a whole, Gatrell's study has a global focus and includes not only Europe but also the Middle East, South and South East Asia and Africa. Its chronological and geographical range is thus far more inclusive than that of its predecessor, Michael Marrus's *The Unwanted* (1985).<sup>24</sup> Addressing the current state of historiography in a foreword to the 2002 edition of Marrus's classic work, Aristide Zolberg referred to a handful of monographs and edited collections which had been published since the mid-1980s, most of which were specific case studies. It had taken the return of a European refugee crisis, he added, to foster 'a revival of historical interest in the subject more generally.'<sup>25</sup> And what is now a generation on from the original publication of *The Unwanted*, Gatrell could still highlight in the conclusion to *The Making of the Modern Refugee* that 'refugees have been allowed only a walk-on part in most histories of the twentieth century, and even then as subjects of external intervention rather than as actors in their own right.'<sup>26</sup> Elsewhere he has lamented that there are still 'yawning gaps in our knowledge and understanding of the history of refugees.'<sup>27</sup> It is necessary now to explore at a deeper level the reasons why this is the case and why historians are still hesitant, even resistant to studying refugees. My focus, largely, will be on British historiography and/or British examples, but I believe that while each nation-state has its peculiarities, the comments have a wider resonance.

Perhaps inevitably given the increasingly crowded market, but also reflecting the broadening out of the subject matter and approaches to it, historians have a natural tendency to claim that their area of interest has been previously neglected and is in need of greater attention. And in the case of the study of the marginalized, rather than special pleading, the desire to correct imbalance is often a desire to challenge the bias and exclusions of the past. Path-breaking books including Sheila Rowbotham's *Hidden from History: 300 Years of Women's Oppression and the Fight Against It* (1973) and Peter Fryer's *Staying Power: The History of Black People in Britain* (1984) are examples of interventions that are as much about contemporary issues as they are about the past. Rowbotham's aim was to turn 'up the top soil in the hope that others will dig deeper. I know already the women's movement has made many of us ask different questions of the past.'<sup>28</sup> Similarly, Fryer made clear that 'traces of black life have been removed

from the British past to ensure that blacks are not part of the British future' and that his pioneer study was 'offered as a modest contribution to setting the record straight'.<sup>29</sup> Both books notably were published by the radical Pluto Press, founded in the 1970s and which has been at the forefront of socialist, feminist and anti-racist scholarship. Earlier than Rowbotham and Fryer, E. P. Thompson famously justified his *The Making of the English Working Class* (1963) as an attempt to rescue his subject matter from 'the enormous condescension of posterity'.<sup>30</sup>

Subsequently, labour history, women's history, black history and immigration history more generally – all with their roots in earlier work before these landmark studies – have become further established, if still not fully part of the historical mainstream, in Britain and beyond. The same has not happened to refugee history, in spite of the equally landmark publication of Michael Marrus's *The Unwanted*. Building on the groundwork provided by contemporary scholar-activists such as John Hope Simpson,<sup>31</sup> this superb synthesis left many areas still to be covered. The approach was very much from the top down providing a much needed history of the international refugee institutional regime. Its focus was Europe and the chronology from after the First World War to the early years of the Cold War. These were, of course, key decades, especially in constructing international responses to refugees as reflected in the chapters in this book. But if we need to know more about the Nazi era and its aftermath, this is even more so of the prehistory of globalized refugee issues. Peter Gatrell has opened up the crucial study of the First World War and especially the refugee crisis of eastern Europe.<sup>32</sup> But we need to go further back, beyond even the Protestant refugees of the early modern era,<sup>33</sup> and to make connections to the ancient and medieval worlds and concepts such as sanctuary and asylum in different religious traditions, as well as legal and cultural constructions of the 'alien' and the outsider in society.<sup>34</sup> Likewise, the historical study of refugee movements and responses to refugees post-1950s is still in its infancy.<sup>35</sup>

Yet rather than simply being a new historical subject requiring, Whiggish style, only a new generation of scholars to fill in the gaps and to engage with existing scholarship, there are – as was and continues to be the case with other marginalized groups such as women, ethnic minorities and GLBTs – reasons behind the absence of refugee history or, more accurately, refugee histories. I want to go through various forms of study – both academic and popular – to explain this lacuna, and how in certain areas there is greater potential for change.

First, refugee studies itself: this is a relatively new discipline, or matrix of disciplines, and one itself that is undergoing a critical internal debate. Should it be subsumed under forced migration studies, broadening its subject matter and approach, or should it remain as a distinct, but related, field of endeavour? For legal scholar James Hathaway, a proponent of the latter school, the methodologies are fundamentally different. Refugee studies is 'centred on studying particular persons ("refugees")'. In contrast, 'Forced migration studies scholarship focuses on analysis of a phenomenon ("forced migration" – notably, not "forced migrants")'.<sup>36</sup> Given their numerical marginality within the much larger category of forced migrants in the contemporary world, there are clearly dangers for those concerned with the specific dynamics affecting refugees if academic absorption takes place. This runs alongside the dilemma of losing the individuality of refugee stories and contexts as feared by Hathaway.

Yet even within the narrower field of refugee studies, the discipline of history remains marginal. I have highlighted how the *Journal of Refugee Studies*, formed in 1988, and linked to the Refugee Studies Centre at Oxford, first did not include history in its areas of potential interest, describing its remit to be in the fields only of 'anthropology, economics, health and education, international relations, law, politics, psychology and sociology.'<sup>37</sup> Subsequently, history has been at the bottom of its list of submitted (and published) articles at just 4 per cent of the total.<sup>38</sup> Law, anthropology and sociology continue to dominate the journal and research as a whole. If refugee studies is still relatively marginal within academia, then the *historical* study of refugees continues to suffer a double liminality.

So, why is history so peripheral to the major journal and institute of refugee studies in the UK and beyond? The most blatant answer is that it is seen as at worst irrelevant, and at best, of minor interest in explaining and dealing with *current* refugee crises, which are at the forefront of academic research. 'History' is even possibly an irritant for those who want the focus to be on the developing world and not on Western refugees who are seen to be relegated to the past. Furthermore, as Peter Gatrell has suggested, for humanitarian activists, there is a focus purely on the present and a reluctance 'to thinking about the root causes of displacement'. It leads to a temptation to treat refugees 'with no history, past experience [and] culture'. From such a perspective, 'This is a field where history dare not speak its name.'<sup>39</sup> More theoretically, the anthropologist Liisa Malkki argues that 'in universalizing particular displaced people into "refugees" – in abstracting their predicaments from specific political, historical, cultural contexts – humanitarian practices tend to silence refugees.'<sup>40</sup>

For those more sympathetic to considering history within refugee studies, it might fall into the 'nice to know' category, but not essential as those constructing census questions would put it.<sup>41</sup> Apart from the academic shortcomings of this ahistorical position, there are also political implications. This is neatly illustrated by former British prime minister Tony Blair in his autobiography, *A Journey*. There are numerous negative references to asylum seekers in the index to this book, but none to refugees. In fact, there *is* one explicit reference to refugees in the text, and it is revealing of both Conservative and Labour handling of asylum issues since the early 1990s and the new wave of legislation on the subject: 'Essentially, Britain, like all European countries, had inherited the post-war, post-Holocaust system and sentiment on asylum. The painful story of refugees fleeing from Hitler and the Nazis and being turned away produced a right and proper repulsion. The presumption was that someone who claimed asylum was persecuted and should be taken in, not cast out.'

Blair adds, however, that while it was 'an entirely understandable emotion in the aftermath of such horror' that 'unfortunately, it was completely unrealistic in the late twentieth century'. He adds – his conviction politics obviating the need for any evidence to support his statement – that 'the presumption was plainly false; most asylum claims were not genuine.'<sup>42</sup>

As Louise London and Peter Gatrell have illustrated, the past has been instrumentalized in current campaigns, largely for and only occasionally against restrictive policies against those seeking asylum.<sup>43</sup> Rather than promote empathy, reference to past refugees, as with Blair's comments (which could be replicated through

the words of so many politicians), is instrumentalized to denigrate contemporary asylum seekers. As London concludes, awareness of historical responses to refugees ‘can help us be more generous.’ But knowledge, she adds, is ‘double edged’:

What we know about the past will be an obstacle to present and future asylum-seekers if we let it deceive us into assuming that the persecution that this year’s applicants face will correspond exactly to what earlier refugees were fleeing, or if we are slow to respond to this year’s refugees because they aren’t sufficiently similar to those who were helped in previous years.<sup>44</sup>

Gatrell notes how Prime Minister Harold Macmillan at the time of World Refugee Year used the example of past generosity to justify contemporary exclusion: ‘Precisely because in our small country we have welcomed so many, we cannot raise further hopes in this direction.’<sup>45</sup> There is a wider significance and practical relevance to London’s and Gatrell’s observations. Those supporting refugees, especially in the public sphere and including within academia, simply cannot afford to avoid the past. It is not a luxury or self-indulgent pursuit.

But in explaining the absence of the past in refugee studies, we also need to turn to the history profession itself. One reason for the low publication rates in the *Journal of Refugee Studies* inevitably relates to the paucity of historical submissions: thus there has been a mutual and mutually reinforcing disinterest from both sides. I have attempted, following Liisa Malkki, an explanation of *why* historians have been slow to grasp questions relating to refugees by reference to the approach that has dominated the field – that of the study of the nation-state.<sup>46</sup> A case study from the world of British television heritage-history illustrates the wider point.

David Baddiel is a prominent comedian and writer of Jewish origin. His mother was born in Nazi Germany, a family background he has used in his fictional work.<sup>47</sup> In 2004, Baddiel took part in the extremely successful BBC genealogical television series, *Who Do You Think You Are?*<sup>48</sup> He perceptively noted that ‘one of the things I felt very acutely during the film [and researching for it] was how ephemeral, how rootless, refugee history is: how quickly it moves.’<sup>49</sup> Here Baddiel differentiated himself from television journalist, Moira Stuart, and actress and writer, Meera Syal – of Afro-Caribbean and Indian backgrounds, respectively, – who had appeared in the same series: ‘[They] are the immigrants, but my family, to my knowledge, are the only ones who arrived here as refugees.’<sup>50</sup> Baddiel personalizes a theme opened up in *Remembering Refugees*. In Britain – and elsewhere – there is a growing move in both history and heritage to incorporate immigrant and minority history. In the process, refugee history has yet again been marginalized. I have argued that it is the impermanence and fluidity of refugees that make them hard to incorporate in historical narratives, popular or academic, which rely on the fixity and security of the nation-state’s borders to give themselves a sense of coherence, of a place called ‘home.’

On one level, the lacuna in history writing and representation reflects an everyday reality – those permanently on the move and who are marginal in society leave less evidential trace. I will close with a brief case study of one such example of this problem, which reveals not only the truly global nature of refugee journeys but also how they can be so easily forgotten because they require extra detective work on behalf of the

researcher. On another, more fundamental, level, studying refugees can be unnerving. First, refugee experiences can be and often are traumatic. As Bosnian refugee, Vesna Maric, in her powerful memoir *Bluebird* starkly comments with ironic understatement: 'It's not easy suddenly becoming a refugee.'<sup>51</sup> Second, unlike immigrants as a whole, refugees are, as Baddiel notes, especially ephemeral and rootless, and hard to define. They are, as Liisa Malkki so astutely reminds us, 'liminal in the categorical order of nation-states' and, as people who do not 'fit,' treated, in Mary Douglas's timeless phrase, as 'matter out of place.'<sup>52</sup>

It is significant, therefore, that those refugees whose stories have been incorporated have had their experiences and responses to them shaped, or reshaped, to fit certain narrative conventions and expectations. As Peter Gatrell notes, during World Refugee Year governments 'tended to keep refugees at arm's length – that is to say they were seen (and very frequently too), but not heard'. He adds that this did not stop NGOs from 'including personal histories in the campaign [but] these biographies had a formulaic nature.'<sup>53</sup>

More generally, some refugee stories have been easier to exploit than others. Chief among the groups chosen for special, positive consideration are the Huguenots in the late seventeenth century and Jews in the first half of the twentieth century, especially those from Nazism, and, emerging as a third possibility, Ugandan Asians from the 1970s. The narrative has to be constructed on the following lines: persecution from an obviously evil regime with an obviously evil leader (preferably one whose religion and/or politics are fundamentally opposed to the country of refuge); a life or death flight from oppression that should be dangerous and uncertain; arrival in the country of freedom greeted with sympathy and understanding; and permanent settlement and later economic or cultural contribution and everlasting gratitude to the nation of refuge. It is one, as noted, that has been made to fit the family origins of the Mass-Observer whose story was analysed at the start of this chapter.

In all three historical cases of Huguenots, Jews and Ugandan Asians, the reality was more complex, especially the initial welcome, but anything that does not fit the comforting and redemptive story line has to be air brushed out of the picture. A neat version is provided by Robert Winder in his beautifully narrated *Bloody Foreigners: The Story of Immigration to Britain*, written in 2004 and partly as an answer to the extremely negative rhetoric in the British media to asylum seekers. It was, as he noted, 'a torrent of abuse, often based on absurd figures.'<sup>54</sup> Here Winder is describing the arrival of the Minet family who escape terror after the Revocation of the Edict of Nantes in 1685, fleeing to Dover having been captured and tortured a year earlier when their boat was intercepted:

Isaac Minet immediately set up shop in ... London. In 1690 he returned to Dover, where he helped establish the family insurance firm (and a line that led unbroken to John Minet, a leading light at Lloyd's in the twentieth century). He also, in a poignant tribute to the sea-crossing that had saved his life, set up a packet-boat service between Dover and Calais. For the rest of his life, 1 August – the date of his arrival – was a sacred festival in the Minet family, observed with fasts and prayers.<sup>55</sup>



In spite of the thousands of individuals, and scores of groups who have been excluded, deported and returned, historians have been hesitant to acknowledge and recognize their stories. Their experiences fail to confirm – in fact, negate – the goodness of the nation-state, especially important as the concept of offering asylum is often central, as Liza Schuster highlights, to the self-mythology of many countries, even if in reality it often means in practice ‘admitting a [small] number of (carefully selected) refugees.’<sup>56</sup>

Unsurprisingly, those working on behalf of the displaced and the groups themselves want to present refugees in a positive light, countering negative sentiments that pervade society and culture, whether in the past or in the present. This process has a long history. The Huguenot Society of London and the Jewish Historical Society of England and their transatlantic equivalents were formed in the last decades of the nineteenth century, coinciding (though not accidentally), with the rise of anti-alien sentiment in Britain that was to result in the 1905 Aliens Act and the opening in 1892 of the Ellis Island immigration processing and detention centre in New York.<sup>57</sup> Moreover, through historicization, group worth can be strengthened for both an external *and* an internal audience. It can also be therapeutic for the individuals concerned, both the refugees and their supporters. In the words of Peter Gatrell: ‘History directs our attention to the way in which refugees have been valorized by non-refugees and how they valorized themselves in order to negotiate a way out of their predicament.’<sup>58</sup>

One historiographical change that *has* occurred lately is that more recent groups, including those from the developing world, have been covered in the heritage industry, most notably in the British context in a landmark exhibition at the Museum of London, ‘Belonging’ (2006). Based partly on the testimonies collected through the Refugee Community History Project, ‘Belonging,’ as its title suggested, documented the experiences and contributions of refugees to London. Somewhat weak on deeper history, it focused on recent arrivals and what they had added to the capital’s economy and cultural life. It would be wrong to simply label such history/heritage as celebratory, but it is a self-conscious effort to emulate the prestige associated with the earlier, idealized refugees whom I have highlighted. If nothing else, raw material is being produced for future historians, but with the danger perhaps, as was the case with the early historical societies of Jews and Huguenots, that anything regarded as unsavoury, threatening or non-conforming is in danger of being swept under the carpet.<sup>59</sup>

Responding to the wave of xenophobia in the twenty-first-century Europe, the writer Hanif Kureishi despairs that ‘it is impossible to speak up for the immigrant or, more importantly, hear him speak for himself, since everyone, including the most reasonable and sensitive, has made up their mind that the immigrant is everywhere now, and he is too much of a problem.’<sup>60</sup> Refugees and asylum seekers, being harder to place in terms of ‘home,’ are especially prone to ‘speechlessness’ and great effort is needed to hear their multifarious voices. It remains true that ‘such first-hand testimony as is available from refugees must be interpreted carefully.’<sup>61</sup> To quote again Peter Gatrell: ‘Whose experience counts, and why? ... For every voice that speaks loudly there are dozens that are suppressed.’<sup>62</sup> His comments are salient in relation to ‘Belonging’ and its strengths and limitations as a path-breaking exhibition. Nevertheless, as at the Museum of London and at new museums on immigration in Paris, Bremerhaven, Hamburg, Melbourne, Adelaide and elsewhere, recent refugee movements *are* being

represented and their testimony incorporated (if somewhat uncritically). It is to be hoped, at least, that this grass-roots approach to everyday experiences might inspire critical historical studies to follow suit.<sup>63</sup>

Lastly, with regard to the attempt to write a history of refugees, the question of periodization is clearly crucial. This book explores and critiques the concept of a forty-year refugee crisis in Europe from 1919 to 1959. Earlier in this contribution, I have suggested that the prehistory of modern refugee movements requires more attention both in carrying out the detailed research and in making comparisons with later movements. Yet even for the latter, there are still huge gaps in our knowledge. In moving towards a conclusion and further reflecting on chronology, I will refer to a group of refugees who have so far escaped any scholarly attention. Their story, from the late 1870s, is one of tragicomedy – they were, even in their own estimation, one of the most inept group of refugees in the modern era – but it is also one that predicted the world of anti-refugee restrictionism to come.

It is a story that has been recoverable through archival accident – a file has been somewhat misleadingly but tantalizing catalogued in the local records office as ‘Brazilian Refugees in Southampton, 1878.’<sup>64</sup> The group were in fact Volga Germans who left Russia for a mixture of economic reasons and also to avoid military conscription as the Tsarist regime attempted to impose Russification on its nationally, ethnically and religiously diverse subjects. These particular Volga Germans were enticed to Brazil as agricultural colonists. Used only to wheat cultivation they managed to destroy what fruit crops they had by harvesting them by cutting the trees off at their base. Impoverished, they returned to Europe, but rejected at Antwerp as unwanted immigrants, they were dumped at Southampton. In the course of a few weeks, they were transformed from refugees, to immigrants and then to unwanted foreigners in local, national and international discourse. Unwilling to set a precedent of looking after them, the English south coast port town sent the Volga Germans back to Russia where they underwent harrowing treatment in Hamburg in a forerunner of what would be the most clinical transmigrant processing centre in Europe before 1914.<sup>65</sup>

Eventually, through the goodwill of the Tsar and pressure from the British Foreign Office, they were returned to the Volga region. En route, they were the subject of intense international negotiation and diplomacy, in spite of numbering just ninety-one individuals.<sup>66</sup> Subsequently their story, as well as that of the thousands of other Volga Germans who tried their luck in Brazil, has been forgotten in various different national and local historiographies and heritage work, and it does not feature in any history of refugee movements more generally. Here is a small example showing the need to examine the local, the national and global and their interrelations. It is why refugee history is not only fascinating and important but also complex and difficult. It is a challenge that few historians have been willing to take on board.

Reviewing my *Remembering Refugees*, Philip Marfleet has commented that the exclusion of refugees from national narratives has a wider currency than just Britain, pointing to South Asia and the Partition of India in 1947 as particularly acute examples of the process of forgetting.<sup>67</sup> Likewise, in elections held in 2010, Klaus Neumann applied its findings to Australia and suggests this tendency is even more acute: in spite of ‘all the talk about the need for transnational histories ...’, most Australian historians are



still wedded to the national framework, which is unsuited to analysing most refugee issues.<sup>68</sup>

The comments of Marfleet and Neumann could be applied to official and popular memory work in many other national contexts. Peter Gatrell has illustrated the tendency towards ‘silence’ of many different nation-states in World Refugee Year when confronting (or failing to confront) their past role in either failing to help refugees or in generating refugee movements themselves. They still managed to provide a ‘rhetoric of historic humanitarianism’ as did many non-governmental organizations.<sup>69</sup> Such collective myth-making and amnesia have hindered the writing of critical studies of refugees over the *longue durée*, especially as the historical profession has too rarely challenged the assumptions on which they rest. In this respect, Zara Steiner rightly points out in her challenging overview that ‘to speak of a beginning and end of the European refugee crisis suggests a linear development which neither was nor is the case’. She adds that the book as a whole reveals ‘the erratic nature of the refugee problem in Europe, its reappearance when reformers thought it would vanish, and the various forms this re-appearance has taken.’<sup>70</sup>

There is, of course, a danger in rejecting all periodization. More detailed and sensitive research could lead to history becoming ‘one damned refugee crisis after another,’ to rewrite Toynbee. The *nature* of refugee movements and responses to them (local and global as well as from state, NGOs and public) have undoubtedly changed. Each one has its unique dynamics. Even so, there is, I would argue, more continuity than change, especially with regard to the refugee experience, regardless of place of origin, the oppression leading to flight and treatment in places of transit and asylum. But we are still hindered in making nuanced and authoritative comparisons because of the marginalization and abuse of the past when confronting the refugee. For this to change and for history of refugees to become mainstream, the historical profession at a global level requires transformation. So far, historians have been part of wider tendencies towards refugees (including within refugee studies itself) in which, some notable exceptions apart, the dominant mode has been one of ‘remembering to forget’. The refugee, as Liisa Malkki noted in 1996, ‘remains curiously, indecently, outside of history.’<sup>71</sup>

## Notes

- 1 Mass-Observation Archive, The Keep Archive (hereafter MOA), Sussex University: D1602, Summer 2000 Directive ‘Coming to Britain’.
- 2 Greg Philo, Emma Briant and Pauline Donald, *Bad News for Refugees* (London: Pluto Press, 2013); Liza Schuster, *The Use and Abuse of Political Asylum in Britain and Germany* (London: Frank Cass, 2003); Liza Schuster, ‘Common Sense or Racism? The Treatment of Asylum-Seekers in Europe’, *Patterns of Prejudice*, 37, 3 (2003), 233–55, and this special issue as a whole devoted to ‘Racism and Asylum in Europe’.
- 3 MOA, D1602, Summer 2000 Directive ‘Coming to Britain’.
- 4 *Ibid.*
- 5 Per Kristian Sebak, *Titanic’s Predecessor: The SS Norge Disaster of 1904* (Laksevag: Seaward Publishing, 2004).

- 6 Tony Kushner, 'Cowards or Heroes? Jewish Journeys, Jewish Families and the *Titanic*', in James Jordan, Tony Kushner and Sarah Pearce (eds), *Jewish Journeys from Philo to Hip Hop* (London: Vallentine Mitchell, 2010), 281–313.
- 7 Benjamin Lammers, '“Alien Dick Whittingtons”: The National Imagination and the Jewish East End', *Jewish Culture and History*, 1, 1 (1998), 41–53. Lammers takes this phrase from S. Gelberg, 'Jewish London', in George Sims (ed.), *Living London*, ii (London: Cassell & Co, 1906 [1901]), 30: 'Why do they labour so? ... Unlike the Gentile, they are in the East-End, not of it – strangers and sojourners in its midst; alien Dick Whittingtons in side curls and ... long coats.'
- 8 Raphael Samuel and Paul Thompson, 'Introduction', in idem (eds), *The Myths We Live By* (London: Routledge, 1990), 18–19.
- 9 David Glover, *Literature, Immigration, and Diaspora in Fin-de-Siècle England: A Cultural History of the 1905 Aliens Act* (Cambridge: Cambridge University Press, 2012).
- 10 Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), vii.
- 11 Hanif Kureishi, 'The Migrant has No Face, Status or Story', *Guardian Review*, 31 May 2014.
- 12 For further discussion of the construction of such narratives, focusing especially on Jewish and Irish migrations, see Tony Kushner, *The Battle of Britishness: Migrant Journeys 1685 to the Present* (Manchester: Manchester University Press, 2012), chapter 1.
- 13 David Cesarani, 'The Myth of Origin: Ethnic Memory and the Experience of Migration', in A. Newman and S. Massil (eds), *Patterns of Migration 1850-1914* (London: Jewish Historical Society of England, 1996), 247–54; Gemma Romain, 'Who Do You Think You Are? Journeys and Jewish Identity in the Televisual Narrative of David Baddiel', in Jordan et al. (eds), *Jewish Journeys*, 345.
- 14 Patrick Fitzgerald and Brian Lambkin, *Migration in Irish History, 1607-2007* (Basingstoke: Palgrave, 2008).
- 15 Gatrell, *The Making of the Modern Refugee*, 283.
- 16 Hugo Gryn, *A Moral and Spiritual Index* (London: Refugee Council, 1996); Katharine Knox and Tony Kushner, *Refugees in an Age of Genocide: Global, National and Local Perspectives during the Twentieth Century* (London: Frank Cass, 1999), 1. There are only a small number of other such *national* studies of refugees/asylum, the most outstanding of which is Gérard Noiriel, *Refugies et sans-papiers: la République face au droit d'asile XIXe-XXe siècle* (Paris: Pluriel, 2012 edition [1991]). See also Klaus Neumann, *Refuge Australia: Australia's Humanitarian Record* (Sydney: University of New South Wales Press, 2004).
- 17 Ariele Tartakower and Kurt Grossman, *The Jewish Refugee* (New York: Institute of Jewish Affairs, 1944), 1. Both men left the continent for the United States in 1939.
- 18 B. S. Chimni, 'The Geopolitics of Refugee Studies: A View from the South', *Journal of Refugee Studies* 11, 4 (1998), 350–74.
- 19 *Ibid.*, 357, 360 and 368.
- 20 *Ibid.*, 357, 360.
- 21 Claudena Skran, *Refugees in Inter-War Europe: The Emergence of a Regime* (Oxford: Clarendon Press, 1995), 4.
- 22 Tony Kushner, *Remembering Refugees: Then and Now* (Manchester: Manchester University Press, 2006), chapter 1.
- 23 Gatrell, *The Making of the Modern Refugee*.

- 24 Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (Oxford: Oxford University Press, 1985).
- 25 Aristide Zolberg, 'Foreword' to Michael Marrus, *The Unwanted: European Refugees from the First World War Through the Cold War* (Philadelphia: Temple University Press, 2002), xii. Zolberg himself was co-author of one of the key studies taking the study of refugees *beyond* the early Cold War and *beyond* Europe. See Aristide Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (Oxford: Oxford University Press, 1989).
- 26 Gatrell, *The Making of the Modern Refugee*, 283.
- 27 Peter Gatrell, *Free World? The Campaign to Save the World's Refugees, 1956-1963* (Cambridge: Cambridge University Press, 2011), 9.
- 28 Sheila Rowbotham, *Hidden from History: 300 Years of Women's Oppression and the Fight Against It* (London: Pluto Press, 1973), x.
- 29 Peter Fryer, *Staying Power. The History of Black People in Britain* (London: Pluto Press, 1984), 399.
- 30 E. P. Thompson, *The Making of the English Working Class* (London: Victor Gollancz, 1963), 12.
- 31 John Hope Simpson, *The Refugee Problem: Report of a Survey* (Oxford: Oxford University Press, 1939).
- 32 Peter Gatrell, *A Whole Empire Walking: Refugees in Russia during World War I* (Bloomington: Indiana University Press, 1999).
- 33 See, for example, Raymond Mentzer and Andrew Spicer (eds), *Society and Culture in the Huguenot World 1559-1685* (Cambridge: Cambridge University Press, 2002).
- 34 There is useful source material in B. S. Chimni (ed.), *International Refugee Law: A Reader* (New Delhi: Sage, 2000), chapter 2 'Asylum'. See also Schuster, *The Use and Abuse of Political Asylum*, chapter 2.
- 35 Gatrell, *The Making of the Modern Refugee*, part 3 provides case studies from South East Asia and Africa.
- 36 James Hathaway, 'Forced Migration Studies: Could We Agree Just to "Date"?', *Journal of Refugee Studies*, 20, 2 (2007), 354.
- 37 Kushner, *Remembering Refugees*, 40.
- 38 Roger Zetter, 'Refugees and Refugee Studies – A Valedictory Editorial', *Journal of Refugee Studies* 13, 4 (2000), 352.
- 39 Gatrell, *The Making of the Modern Refugee*, 284.
- 40 Liisa Malkki, 'Speechless Emissaries: Refugees, Humanitarianism, and Dehistoricization', *Cultural Anthropology*, 11, 3 (1996), 378.
- 41 See *Patterns of Prejudice*, 32, 2 (1998), special issue on 'The Ethnic and Religious Questions in the British Census: A Symposium'. See especially 'Second Discussion', 96 which comments from the leading social statistician, Ian Diamond: 'There are things that are nice to know, and things that are needed to be known'.
- 42 Tony Blair, *A Journey* (London: Hutchinson, 2010), 204–5.
- 43 Louise London, 'Whitehall and the Refugees: The 1930s and the 1990s', *Patterns of Prejudice*, 34, 3 (2000), 17–26.
- 44 *Ibid.*, 26.
- 45 In The National Archives, London (TNA) FO 371/137028, quoted in this book by Gatrell.
- 46 Liisa Malkki, 'National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees', *Cultural Anthropology*, 7, 1 (1992), 22–44.

- 47 David Baddiel, *The Secret Purposes* (London: Little, Brown, 2004), which draws upon his grandfather's internment in the Isle of Man as an enemy alien.
- 48 *Who Do You Think You Are?*, BBC 2, 23 November 2004. More generally on its impact see Jerome De Groot, *Consuming History: Historians and Heritage in Contemporary Popular Culture* (London: Routledge, 2009).
- 49 David Baddiel, 'I pray my children will never have to face the terrors of our family past', *Evening Standard*, 23 November 2004.
- 50 Ibid.
- 51 Vesna Maric, *Bluebird: A Memoir* (London: Granta, 2009), 38.
- 52 Malkki, 'National Geographic', 34.
- 53 Peter Gatrell's contribution to this book.
- 54 Robert Winder, *Bloody Foreigners: The Story of Immigration to Britain* (London: Little, Brown, 2004), 61.
- 55 Ibid.
- 56 Schuster, *The Use and Abuse of Political Asylum*, 57.
- 57 Tony Kushner, *The Battle of Britishness: Migrant Journeys, 1685 to the Present* (Manchester: Manchester University Press, 2012), 90.
- 58 Peter Gatrell, *The Making of the Modern Refugee*, 285.
- 59 Museum of London, 'Belonging: Voices of London's Refugees', which was shown from 27 October 2006 to 25 February 2007.
- 60 Hanif Kureishi, 'The Migrant has no face, status or story'.
- 61 Gatrell, *The Making of the Modern Refugee*, 294.
- 62 Ibid., 287, 295.
- 63 An excellent example, including some fine case studies, using especially a reflexive approach to testimony, is provided in Panikos Panayi and Pippa Virdee (eds), *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century* (Basingstoke: Palgrave, 2011).
- 64 It is located in Southampton Record Office, SC/AG 14/15.
- 65 Paul Weindling, *Epidemics and Genocide in Eastern Europe, 1890-1945* (Oxford: Oxford University Press, 2000), 49-72.
- 66 Tony Kushner, 'The Boys and Girls Not from Brazil: From Russia to Rio and Back Again via Southampton and Hamburg, 1878-1880', in Tobias Brinkmann (ed.), *Points of Passage: Jewish Transmigrants from Eastern Europe in Scandinavia, Germany and Britain 1880-1914* (New York: Berghahn, 2013), 148-62.
- 67 *Journal of Refugee Studies*, 21, 1 (2008), 134. More generally see Philip Marfleet, *Refugees in a Global Era* (Basingstoke: Palgrave, 2006).
- 68 'Remembering Refugees', an edited version of a talk given on 20 August 2010 at the State Library of Victoria: <http://insidestory.org.au/remembering-refugees> [accessed 20 November 2016]. More generally for the region, see Klaus Neumann and Gwenda Tavan (eds), *Does History Matter? Making and Debating Citizenship, Immigration and Refugee Policy in Australia and New Zealand* (Canberra: ANU E Press, 2009).
- 69 Peter Gatrell's contribution to this book.
- 70 Zara Steiner's contribution to this book.
- 71 Malkki, 'Speechless Emissaries', 398.



# The Imperial Refugee: Refugees and Refugee-Creation in the Ottoman Empire and Europe

Jared Manasek

On 2 July 1875, the district commissioner of Metković, a border-town in Habsburg Dalmatia, sent an urgent cable to Gabriel Rodich, the province's governor general, regarding disturbances across the border in Ottoman Bosnia and Herzegovina, and what to do should Ottoman Christians 'flee to our territory'.<sup>1</sup> The night before, two Muslims reportedly attacked the Herzegovinian town of Dracevo. After the attack, two townsmen fled to join a new and loosely organized uprising against allegedly abusive Muslim landowners.<sup>2</sup> Along the way, the young men escorted Dracevo's women and children across the Habsburg border to safety. Given the circumstances, the Metković district commissioner thought more villagers might soon come.

In his report to Habsburg foreign minister Gyula Andrásy, Rodich interpreted the event primarily as a security matter: Ottoman Christians crossing into Austria-Hungary were to be disarmed, 'in order to maintain [Habsburg] neutrality'.<sup>3</sup> Neither the crossing nor the Habsburg response was particularly out of the ordinary: Ottoman subjects fled across the border most recently in 1873, but also in 1862, 1858, 1842 and earlier, while the principle that neutral receiving states maintain their status by disarming refugees and removing them from the border had long since been enshrined in international law.<sup>4</sup> The news from Metković brought no indication that within a matter of months the commander of the Habsburg's military border with northern Bosnia would have cause to describe the worst aspect of the rapidly spreading uprising as 'the massive entry of Bosnian refugees onto Austrian-Hungarian soil', without precedent in the past century.<sup>5</sup> By late September, 23,000 Ottoman Christians had fled across Bosnia's northern border; by the time the violence in Bosnia and Herzegovina ended, a quarter of the population had left and over a third of its Christian population had crossed into Austria-Hungary.<sup>6</sup>

The refugees at Metković internationalized the small peasant uprising that triggered the Eastern Crisis of 1875–8 – three years of violence and war across the Balkans and beyond. The crisis became one of nineteenth-century Europe's most serious, with the Russian Army reaching the outskirts of Istanbul and Europe on the brink of a general war. It ended with the 1878 Treaty of Berlin – the big bang of nation-state creation that yielded an independent Montenegro, Romania and Serbia as well as a nearly independent Bulgaria, while placing Ottoman Bosnia and Herzegovina under

Habsburg occupation.<sup>7</sup> The crisis was also a watershed moment in the history of European population politics, and in particular the history of the modern refugee. Flight and forced removal became a central feature of the violence across the region, leading to demographic shifts that were ‘an ominous portent of what was to come with subsequent imperial collapses’;<sup>8</sup> In the eastern Balkans, well over a 100,000 Christians were displaced, although the violence disproportionately affected Balkan Muslims, of whom 250,000–300,000 were killed and another 1.5 million were displaced.<sup>9</sup>

The violent displacement of 1875–8 typically lacked a consistent and overarching intentionality of nation-state creation. In carving new nation-states out of the Ottoman Empire’s European provinces, however, the Treaty of Berlin explicitly tied these new states’ sovereignty to dominant nations. At the same time, the great powers inserted language to protect the civil, religious and property rights of minorities. Romania’s treatment of its Jewish minority was a particular concern at Berlin, and while the treaty language was intended to protect Balkan Muslims and Christians as well, it was in a great part thanks to pressure from Jewish organizations that minority protection became a central obligation for all of the newly created Balkan states.<sup>10</sup> Romania’s subsequent disregard for its minority protection obligations became a prime example of the toothless gears of international protection. Nevertheless, with its focus on dominant nationalities and minority protection, the Treaty of Berlin concretely made ‘populations, not just territory, the central object of the international system’.<sup>11</sup>

In her contribution to this book, Zara Steiner cautions against reading a linear development into the successive refugee crises of twentieth-century Europe. The warning stands for the nineteenth century, too, when the links between imperial collapse and refugees or between nation-state formation and ethnic cleansing were hardly straightforward. To be sure, forced migration was endemic to the unwinding of European empire, but neither the nation-state nor the ethno-national refugee burst into European modernity with a clear, fully formed place in the international system. Instead, in the second half of the nineteenth century the relationship between displacement and state was dynamic, with nation-state formation neither the exclusive driver of displacement nor the necessary outcome.

By the late nineteenth century European empires were quite familiar with refugees, and at least in some respects had become good at both creating and managing displaced populations in ways that did not destabilize the international order, even in the face of human tragedy. As Nora Lafi has observed of Ottoman attempts to bolster the empire’s economy and security through refugee settlement, the treatment of refugees by authorities offers ‘many indications of the very conception of imperial governance’.<sup>12</sup> Refugees, and in particular refugee management, could in fact be constitutive of empire.

This chapter begins at the European centre with the creation of an international regime for political asylum, before turning to the periphery – to the area of imperial contact Mark Levene has dubbed the ‘rimlands’ – where in a wide arc stretching from the Russian to the Ottoman Empires, unprecedented mass forced removal challenged the emergent refugee regime.<sup>13</sup> Europe’s western core was not wholly unfamiliar with sudden and large-scale refugee movements triggered by wartime violence. But the principles of neutrality and protection that came to define a ‘refugee status’ emerged

during Europe's revolutionary years from the late eighteenth to mid-nineteenth centuries in response to individuals fleeing prosecution for 'political crimes' – a category largely understood to mean revolutionary activity.<sup>14</sup> Political asylum came to provide a framework for states to protect those fleeing persecution for their politics while preserving comity and international stability by preventing asylum questions from inciting acrimonious international disputes.<sup>15</sup>

Criminality and state obligations to combat political crime were a central element of nineteenth-century international relations, and the interstate regulation of refugees fleeing political persecution lent itself well to management by treaty law. This was particularly the case after the revolutions and uprisings of the 1830s, when countries of the European core consolidated an extensive body of treaty law and international norms that described and governed state responses to political refugees.<sup>16</sup> In the Russian, Habsburg and Ottoman periphery, several centuries of war and peacemaking regulated various forms of population movement – in particular prisoners of war and deserters.<sup>17</sup> Viewed from the rimlands, the international refugee and asylum regime was particularly relevant, not least because many of the political refugees in the European core – such as the 29,000-strong Polish army that fled through Prussia after Russia crushed the 1831 insurrection – were, in fact, from the periphery.<sup>18</sup>

As a standard of international relations that helped maintain the European order, asylum policy could create new diplomatic possibilities: the Ottoman Empire based its refusal to surrender Hungarian and Polish refugees from the revolutions of 1848–9 on the expectations of political asylum as an international institution, thereby using European norms to assert its sovereign rights and international legitimacy.<sup>19</sup> And yet, in the following decades, forced displacement in the rimlands became more common, more complicated and larger than before. The 1850s and 1860s saw the migration of over one million Russian Muslims to the Ottoman Empire, followed by the demographically disastrous Eastern Crisis of the 1870s. The size and rapidity of the flights as well as the ethno-national homogeneity of the Black Sea and Balkan refugees laid bare the inadequacies of the existing asylum system and anticipated the challenges posed by mass movements and ethnic cleansing in the twentieth century.

The internationalist institutions that came to embody twentieth-century refugee policy supplanted the normative and national refugee regime of the nineteenth century, and many of the values and principles were carried over. Yet as this chapter shows, no single straight line of historical development can be drawn between the imperial and post-imperial refugee. The radicalized politics of the twentieth century helped ensure that political asylum endured as an international institution even as the context changed. Large-scale refugee movements tagged to ethno-national identity occupied different international and domestic political space in the nineteenth century than they would occupy in the twentieth century, thanks in part to the flexible linkages between demography and the imperial state. Governments still drew on much older utilitarian views of refugee immigration as potentially providing populations for colonization and economic growth without viewing such immigration as an existential threat to the integrity of the empire; at the same time, the forced removal of populations could also serve the interests of a modernizing imperial state. Even in the face of growing territorial nationalism in the late nineteenth century, refugees could



still fit into the imperial world order, while their management, aid and repatriation not only legitimized imperial rule but also offered, if only temporarily, alternative models for nation-state construction.

## From criminal to victim

The refugee regime that emerged in the first half of the nineteenth century was, in the first instance, an international criminal law regime.<sup>20</sup> Europe's liberal revolutions had forced a reassessment of the nature of criminality – particularly illegal activities against the state carried out in the name of a political ideology. Liberal reformers, many of whom had themselves been persecuted for political activity, created a new category of 'political crime' in which the perpetrator did not completely lose his honour through his actions: buried in the 'right of revolution' was the possibility that one could have honourable motives but misguided goals.<sup>21</sup> The new category had a profound impact on extradition, once a rare practice that became more frequent in the eighteenth century thanks to growing cross-border mobility and resultant international crime. New treaties covering the 'surrender of deserters, robbers, murderers, arsonists and vagrants' proliferated after the French Revolution and in the decades following the Congress of Vienna (1814–15), making extradition a central component of international criminal law.<sup>22</sup> And while extradition for general criminality became the norm, by the 1830s, states had begun to recognize a 'political offence exception' to protect individuals accused of committing political crime by granting them something new: political asylum.

The refugee question of the late nineteenth and early twentieth centuries had little to do with the earlier linkage between refugees and political crime; Herbert Reiter has argued the fundamental change in forced migration in Europe's nineteenth century was in fact a transition from ideology to identity as the driving force behind flight.<sup>23</sup> Nevertheless, political asylum and the political offence exception served as a model, and delineated much of the state responses to later refugee movements. Asylum created an architecture of refugee protection that was a core component of the European system of states and strengthened basic and enduring protocols for states responding to the arrival of refugees. In short, political asylum normalized refugees and 'refugeedom' as a phenomenon to be managed internationally.

The Congress of Vienna undermined French revolutionary ideas of political criminality as Austria, Russia and Prussia pressured European countries to surrender revolutionaries and rebels seeking asylum. It was public opinion and the July Revolution of 1830 that revived the question of a political offence exception and changed the direction of French, and ultimately European, asylum policy.<sup>24</sup> In 1829, France extradited Antonio Galotti, a Neapolitan officer and revolutionary, after Naples promised to try him only for common crimes and not for political criminality. When Naples promptly sentenced the man to death, public outrage was such that the French government requested the officer's return and, after failing to obtain it, threatened war.<sup>25</sup>

In the wake of the July Revolution, liberal lawmakers refined and institutionalized the concept of political crime, and in April 1831, a circular declared the French government would no longer request or grant extradition for political crimes.<sup>26</sup> The following year

French law moved beyond criminality and extradition to focus on refugees themselves. In debate, lawmakers defined the term 'refugee' as someone residing in France without the 'protection of their government' or 'without a passport or contact with any kind of ambassador'. Statelessness became the defining characteristic of the refugee.<sup>27</sup> The law also articulated a sense of individual dependence and state responsibility by narrowly focusing on managing refugee populations. It empowered the government to compel refugees to assemble in designated towns as well as to expel refugees should they disturb public order.<sup>28</sup> Moreover, as one lawmaker opined, refugees were people whose presence came at a cost to the host.<sup>29</sup> In the case of Polish refugees from the November Uprising (1830–1), that amounted to two million francs in 1832; for the first quarter of 1833, the interior ministry budgeted 375,000 francs – over one-third of the ministry's entire budget.<sup>30</sup>

On 1 October 1833, Belgian lawmakers passed an extradition law that for the first time codified political asylum – or rather, the political offence exception to extradition. The law viewed extradition as an exception to the rule, permitted it only in specific circumstances and subjected all extradition claims to judicial control. It also governed the contents of any extradition treaties Belgium might sign, requiring for example that a foreigner 'shall not be prosecuted nor punished for any political offence [committed] before extradition, nor for any fact connected to such a crime ....'<sup>31</sup> The Belgian principles spread quickly through European treaty law, and the process seemed to depoliticize extradition. Even though host countries continued to restrict movements, intern refugees or even transport them to penal colonies, the institution of political asylum acquired an idealized veneer as an expression of universal human values.<sup>32</sup> It was this characteristic, with its civilizational undertones, that helped to make extradition a powerful tool of Great Power diplomacy during one of the most dramatic episodes of nineteenth-century political emigration – the flight of Polish and Hungarian revolutionaries to the Ottoman Empire in 1848–9.

The exact number of individuals who fled to Ottoman territory is unclear. Ottoman and European sources broadly agree on around 5,000 Hungarian soldiers although when dependents and civilians are included the number might have been as large as 16,000. There were as many as 6,000 Poles.<sup>33</sup> While refugees were already the subject of Austro-Ottoman negotiations in late 1848, the majority of them did not arrive on Ottoman territory until the final defeat of the Hungarian army on 13 August 1849 at Világos. By the end of August both Russia and Austria had submitted extradition requests to an unreceptive Ottoman government. Russia requested the return of ten individuals who had fled after the collapse of the Hungarian revolt; Austria issued a blanket demand for the return of all who had fled to the Ottoman Empire.<sup>34</sup>

Russia and Austria based their demands on existing treaties forbidding the contracting powers from sheltering fugitives.<sup>35</sup> The Ottoman government viewed the claims as unfounded; in the case of Russia, the Ottomans argued that according to the Treaty of Küçük Kaynarca (1774) they needed only to expel, not extradite, fugitives in order to meet obligations.<sup>36</sup> For its part, Austria quickly realized its treaties left it with little hope for anything more than the fugitives being removed from the border zone.<sup>37</sup>

The Ottoman's rejection of the Austrian and Russian extradition requests precipitated an international crisis. Both Russia and Austria broke off diplomatic relations on 17 September, with the former threatening that the escape of even one

refugee from Ottoman custody would be a *casus belli*.<sup>38</sup> Fearing any concessions would further undermine Ottoman sovereignty, France and Britain pledged to support the sultan. Russia and Austria backed down after Britain and France clarified their position by sending their Mediterranean fleets into the Dardanelles.<sup>39</sup> Austria, for its part, finally agreed to allow the Ottomans to send some refugees into inner Anatolia, and allow some 3,000 more to go home.<sup>40</sup>

Extradition and asylum were embedded in balance-of-power politics and the emerging 'Eastern Question,' but they were also more than the kernel of an international crisis: they formed a language for diplomatic pressure. The Ottoman's success in repulsing Russian and Austrian extradition demands underlined the strength of political asylum as an institution, while enabling the Ottoman Empire to assert international legitimacy and membership in the European family of nations. Beyond the political offence exception as a new international legal trump, asylum was discussed in reference to the standards of 'humanity'. Humanitarian language had long appeared in relation to political asylum, but in 1848–9 it became central. The sultan defined his motives not as political, but as an 'effect of the sentiments of humanity and compassion', while the foreign diplomatic corps invoked humanity to articulate concerns over likely punishments should the revolutionaries be extradited.<sup>41</sup>

For the Ottomans and their supporters, the concept of humanity informed and buttressed the idea of an 'honourable' policy that would elevate European sympathies for the Ottoman Empire while reifying and universalizing an emerging European standard.<sup>42</sup> For legal scholars, the Ottoman resistance was a key moment in the history of political asylum: the involvement of all Europe's great powers, the threat of war and the display of force clearly demonstrated the centrality of asylum to the functioning of the international system. The German jurist Franz von Holtzendorff saw the willingness of the 'Islamic government' to protect Christians against despotic Christian states as a source of European sympathy during the Crimean War.<sup>43</sup> Hyperbolic, but the point drew a broader lesson about civilization: not only were there 'civilized despots' in Europe, but countries that 'typically count as uncivilized' could nevertheless display 'political honor'.<sup>44</sup>

## Removal and resettlement

Less than a decade later, the Ottoman Empire faced a refugee crisis of a different nature and on a different scale: from 1855 to 1866, somewhere between 500,000 and nearly 1 million Muslims left Russia for the Ottoman Empire.<sup>45</sup> The emigration of Crimean Tatars and Circassians from the Caucasus was one of the largest and most concentrated mass migrations in European history up to that point, and while these populations were frequently described as 'emigrants', the violence of their expulsion and the misery of their flight has helped to insert the population movements into a 'death and exile' narrative that feeds into the twentieth-century history of forced migration and ethnic cleansing.<sup>46</sup> Yet displacement was not based simply on identity, and particularly in Crimea, Russia lacked a clear policy on expulsion and emigration.<sup>47</sup>

Russia's relationship to its Muslim population was determined as much by location and imperial planning as by religion, and removal was not an empire-wide project:

elsewhere, the Russian government and Muslims cooperated.<sup>48</sup> In the Caucasus, for example, the ‘cleansing’ was part of a modernization project that foresaw resettlement of the region by Orthodox Russian colonists, but was also intended to civilize Muslims after their relocation elsewhere in the Empire.<sup>49</sup> Similarly, the Ottoman Empire viewed the migrants as both a burden and a resource for its own modernization projects.<sup>50</sup> More than just prefiguring nation-state demographic politics, the expulsion and slaughter of Russian Muslims was also deeply, inherently, constitutive of empire – informing and expanding on seemingly viable imperial models of rule in the Russian and the Ottoman empires.

The emigration of Crimean Tatars to the Ottoman Empire began in the eighteenth century, but grew rapidly during the Crimean War.<sup>51</sup> Conflict among Russian and Tatar peasants, confusion during military operations and suspicion that Tatars were cooperating with the enemy led some Russian officials to propose mass deportation of Tatars from the conflict zone. These plans were never put in effect, even though removals did take place in an ad hoc manner at the local level.<sup>52</sup> Land speculators spread many of the stories of collusion in the hope of ousting Tatar landholders, while wartime flight of Tatars – possibly at Ottoman invitation – reinforced the rumours of collaboration.<sup>53</sup>

It was, instead, government reaction and local circumstances that prompted Tatar flight. Alexander II’s response to the emigration convinced many Tatars they were no longer welcome in Russia; in June 1856 an order came down that Crimean officials were not to block any emigration, which should instead be viewed as beneficial because it would free the land of a ‘harmful element’.<sup>54</sup> The Tatars, reported one Russian general, ‘accepted this as a forced measure of eviction, concluding that they had forever lost the favor of the tsar.’<sup>55</sup> The emigration took on new proportions in 1860 with the arrival in Crimea of Nogai Tatars from the Caucasus. The Nogai’s stories of Russian military victories and forced displacement spurred the Crimean Tatar ‘great migration’ of 1860, when the majority of the 200,000 post-war emigrants actually left.<sup>56</sup>

In the Caucasus, ongoing Russian military operations against indigenous mountain tribes complicated Muslim emigration. Russian claims to the territory went back to the late nineteenth century, but it was only at the end of the Crimean War that the Russian Army began its final push into the restive Caucasian highlands. Circassians and members of other tribes had started to leave in noticeable numbers not long after the end of the Crimean War, but Russian Army tactics and an imperial decree from September 1861 giving the Caucasian mountaineers one month either to emigrate or resettle accelerated the process: between 1856 and 1862 fewer than 100,000 Circassians left for the Ottoman Empire; in the following three years, 300,000–400,000 fled, and possibly many more.<sup>57</sup> The Caucasian highlands were virtually depopulated.<sup>58</sup>

As with the Crimean Tatars, Russian policy seemed muddled. Officials initially sought to restrict emigration of some groups from the Caucasus while allowing those seen as less compliant to depart; in both cases, among the first to leave were the elite.<sup>59</sup> Even though the Russian government tried to prevent return migration from the Ottoman Empire, it also took measures – such as more closely regulating individuals who claimed they were performing Hajj to Mecca – to prevent the Muslim population from leaving.<sup>60</sup> Starting in 1862, this approach gradually changed and the state took

on an increasing role in organizing departures, including by 1863, opening bidding to shipping companies for the transportation of 200,000 Circassians from various ports to the Ottoman Empire.<sup>61</sup> For their part, the Ottomans had little choice in the matter. They helped Tatar populations leave after the Crimean War, and throughout the period there were constant rumours of secret Russian–Ottoman population transfer agreements. In the Circassian case, there was less active support for emigration. The Ottomans were surprised by the bidding for shipping companies in 1863, but they took their role in protecting Muslim populations seriously and were ultimately unable to say no to new immigrants – the best they could hope for was some control over how many refugees would arrive where and when. Partly for this reason, the Ottomans and Russians concluded a set of agreements for using both civilian and military ships to transfer people.<sup>62</sup>

Russia's policies of removal in the Caucasus were central to a colonial civilizing mission that was part of a broader project of imperial modernization. Once cleared of the mountaineers, land would be put to better use by Orthodox Russian settlers, while the highlanders would be resettled in areas where they could farm and be culturally elevated. The fact that so many Circassians died in the process was, Irma Kreiten argues, beside the point: forced removal would eliminate the radicals while helping the state to 'mould' those who remained.<sup>63</sup>

The Black Sea migrations in the decade after the Crimean War put extraordinary pressure on the Ottoman Empire, its institutions and its infrastructure. And while the sheer number of refugees arriving in the empire – particularly during the peak years of 1864–5 – resulted in overwhelming loss of life, the Ottoman government began a massive aid project designed to receive incoming refugees and then resettle them in strategically important locations across the empire. The refugees, it was hoped, would help strengthen border security and contribute to the Ottoman agricultural industry. In this way, just as the Circassians' removal served Russia's modernizers, their arrival in the Ottoman Empire might well help to strengthen the Ottoman state and increase agricultural output.<sup>64</sup>

An early manifestation of this combined refugee and modernization programme came in 1856 with a large-scale Ottoman effort to settle Tatars in the eastern Balkans. Among the most dramatic undertaking was the creation of a new town, Mecidiye, in Dobruja.<sup>65</sup> Lying at the intersection of major trade routes, the town was intended to offer housing to refugees as well as become a commercial and administrative hub. Engineers and builders were brought in from across the empire to build a modern planned community, laid out on a grid, with housing and commercial areas. Construction went quickly and by November, some 1,000 houses had been built.<sup>66</sup> Refugees were offered land for free, agricultural tax holidays, exemption from military service and money to pay for construction and agricultural tools.<sup>67</sup> While profiteering marred the pilot project, Mecidiye quickly became a successful community – by 1864 the population was 15,000–20,000.<sup>68</sup>

The Ottoman refugee aid project was predicated on permanently settling refugees in strategically important locations and providing the settlers with similar terms as those offered to the people of Mecidiye. Though clever on paper, the system bred discontent on the ground: migrants were expected to start farming in unfamiliar climates and

with inadequate supplies, while in Bulgaria, for example, the land they were offered had often been seized from Christian peasants expressly for the purpose of aid.<sup>69</sup> As the scale of migration grew, settlement projects such as Mecidiye became an impossible luxury. The lack of preparation and the limits of Ottoman resources and weaknesses of the project appeared early: unpaid bills meant shipping companies stopped providing transportation for refugees to their settlement locations and provisions did not arrive.<sup>70</sup>

Up through 1860, the Ottomans had been processing refugees at the regional level. But with the rate of arrival increasing as Russia pressed into the Caucasus, the government established an empire-wide Emigrant Commission in January, 1860 to centralize responsibility for all aspects of refugee management.<sup>71</sup> The Commission was strained severely. By February 1864 in the port city of Trabzon, 2,500 refugees had been arriving each week with another 40,000–50,000 expected not long thereafter.<sup>72</sup> The refugees had in many cases been camped out in the open for months while waiting for transport on rickety ships to the Ottoman Empire and on arrival were again forced to camp. Contagious disease, starvation and exposure killed hundreds of refugees per day, while Anatolian towns started reporting destitute, starving and naked refugees wandering aimlessly.<sup>73</sup>

The summer of 1864 brought with it better weather and more experience on the side of the Emigrant Commission. More provisions were reaching the port cities, and refugees were transported in a more orderly fashion to inland metropolitan centres, and were then settled in outlying areas. In the early years of the migration, refugees had largely been settled on the border regions with the intent to shore up Ottoman defensive lines. By 1863–4, the Emigrant Commission was settling refugees, especially in Anatolia, with an eye towards agricultural production – a tactic that was repeated with Balkan refugees during the Eastern Crisis. While innovative for managing large numbers of refugees, settlement programmes of this sort were hardly new, and the Emigrant Commission's programme placed the refugees very clearly in the long-term project of Ottoman economic modernization through the sedentarization of nomadic tribes.<sup>74</sup> In the Ottoman case, refugee settlement and nomadic sedentarization were intimately entwined at a functional level, and the growing competition over land resources encouraged nomads to settle and turn to farming.<sup>75</sup> By 1914, the Ottoman government had formally recognized the similarities when it merged refugee settlement with its nomadic civilizing mission in the new General Directorate for Tribes and Refugees.<sup>76</sup>

## Nations, states and refugees

The Ottoman Empire continued strategic settlement as a means of relieving the pressure of refugee populations well into the twentieth century. Yet despite the continuity in some patterns of refugee management, by the late nineteenth century refugee movement was becoming an unfamiliar and new challenge to the international system. With the Eastern Crisis of 1875–8 came an unprecedented intertwining of territorial nationalism and forced removal. The minority rights clauses inserted into the 1878 Treaty of Berlin were an early international attempt to minimize the impact of demands for popular

sovereignty in emergent nation-states; by the end of the Great War, what Eric Weitz calls the ‘Paris System’ of international guarantees for minorities and restricted sovereignties for the post-imperial rimland nation-states had – at least conceptually – fulfilled the promise of Berlin. Moreover, the Berlin Treaty’s concern with not only protecting the minority populations at hand but also extending rights and protections to those who were displaced helped to create a new framework that explicitly tied international refugee politics with the development of minority rights regimes.

Read backwards, the displacements of the Eastern Crisis and the international response to them appear to mark a turning point at which forced removal and territorial nationalism intersect, and map out the path towards the forty years’ crisis of the twentieth century and the failure of the international minority rights regime. Read forwards, a different picture emerges. The violence of the Eastern Crisis revived the great powers’ long-standing concerns over how to maintain a European balance of power in the face of Ottoman military defeats and territorial fragmentation. Nationalist aspirations were certainly important in 1875–8, but they are easy to overemphasize.<sup>77</sup> Moreover, the home-grown and nationalizing nature of the violence as well as the ensuing mass displacement were new, and at the time they were not obviously the first step towards a new normal. The sheer size and intensity of the displacement opened new political possibilities as populations – and by extension the ability to manage population movement – became increasingly tied to state sovereignty.

The emerging link between population, displacement and sovereignty cut in two directions. Increasingly, expulsion and disenfranchisement of some accompanied by the inclusion of others might secure domestic legitimacy. Yet the terms of the Berlin Treaty were intended to discourage a ‘great unweaving’ of populations, and that meant international legitimacy might be claimed through incorporation – including through refugee management, repatriation and settlement.<sup>78</sup> While the outcome of Berlin does suggest an important turn towards the link between displacement and territorial sovereignty, the essential characteristic of exclusion that took hold in the twentieth century had not yet been fully formed.

The examples of Bosnia and Herzegovina and Eastern Rumelia demonstrate alternatives to the homogenizing model of territorial nationalism.<sup>79</sup> In the case of Bosnia and Herzegovina, as the number of Orthodox Christian refugees increased on the Habsburg side of the border, both the Habsburgs and the Ottomans at first saw common purpose in repatriation, which would have relieved Habsburg border populations while demonstrating internationally an Ottoman ability to meet the needs of its Christian population.<sup>80</sup> Early joint attempts to repatriate the refugees seem to have been in earnest, but as the violence continued, Austria-Hungary saw in the uprising an opportunity to realize long-standing designs on the provinces. The failure to return refugees became a key bargaining chip at Berlin, where Austria-Hungary used the Ottoman inability to repatriate refugees to win support for an expansionist plan to seize Bosnia and Herzegovina from the Ottomans.<sup>81</sup>

Austria-Hungary gained control over Bosnia and Herzegovina through what amounted to a legal trick, in which the Ottoman Empire maintained nominal sovereignty even as the provinces came under a Habsburg administrative occupation. But Habsburg designs extended beyond acquisition to an imperial civilizing mission



that included the restoration of the earlier demographics through repatriation of Christian refugees, and support for the existing Bosnian Muslim community.<sup>82</sup> Austria-Hungary's premise that Ottoman 'misrule' had inhibited the cultural development not only of Christians but also the Muslim community put the new administration in a situation analogous to the one faced by the Ottomans: failure to ensure Muslim well-being would directly challenge claims to administrative legitimacy. Although Abdul Hamid II, the Ottoman sultan, had reluctantly consented to the occupation, he had little influence over the local population, which resisted. What officials in Vienna had assumed would be a peaceful transfer of power instead turned into a bloody fight to take the capital.<sup>83</sup> The violence perpetrated by both sides caused many Muslims to leave, and the rate of emigration increased with the establishment of the Habsburg martial government, which swiftly and often indiscriminately executed members of the resistance and others suspected of having opposed the occupation. Even after the violence subsided, Muslim emigration continued for a variety of reasons, ranging from family affairs to concerns over Muslims' status under Christian rule.<sup>84</sup>

The question of Muslim migration mattered not only to the Habsburg government and its civilizing mission, but also to the Ottomans, who justifiably worried about the total loss of Ottoman influence in the provinces. In fact, Ottoman policy underwent a reversal: after first encouraging Muslim emigration as a form of protest against the occupation and to undermine Habsburg claims to effective administration and legitimate rule, the Ottoman council of ministers realized preserving a Bosnian Muslim population was essential to maintaining Ottoman claims for sovereignty in the provinces.<sup>85</sup> Both of the Ottoman approaches as well as Habsburg policy goals point not just to the increasingly important link between population and sovereignty, but to population politics that, in the face of growing territorial nationalism, stood as a bulwark of the imperial system itself.

The circumstances in Bulgaria and Eastern Rumelia offer a counterpoint to those of Bosnia and Herzegovina and complicate traditional narratives of how non-national populations figure into the emergent nation-state. The Treaty of Berlin was a multilateral revision to the March 1878 Treaty of San Stefano that had actually ended the war. The other great powers particularly disliked San Stefano's creation of a so-called 'Greater Bulgaria': a large, autonomous principality that would owe its very existence to Russia. San Stefano included guarantees for Muslim landowners and non-Bulgarian populations in the new territory, but even though Russian negotiators pointed out that large swaths of territory had been depopulated of Muslims through mass flight, they also flatly rejected Ottoman requests for refugee return and settlement.<sup>86</sup> In the face of Russian efforts to reduce the Muslim population of a new Bulgaria, Ottoman negotiators offered a population and territorial exchange: The Ottomans would maintain control over the southern section of San Stefano Bulgaria, and would then facilitate a trade, in which the Muslims in the north would move south, and the non-Muslims in the south would move north.

Russia rejected the Ottoman proposal and the Great Powers overturned San Stefano months later at Berlin, which created a Bulgarian principality under Ottoman suzerainty in the north and returned Eastern Rumelia to Ottoman control as a province with a Christian governor and a liberal autonomy. San Stefano had given the Orthodox



Southern Slavs a taste of what could have been, but the Berlin solution to Eastern Rumelia changed the calculations of how to achieve it. Even more so than in the case of Bosnia and Herzegovina, the well-being of minority populations – and Muslims in particular – was linked explicitly to international legitimacy. For Bulgaria, that meant putting in place the mechanisms for repatriation while actively discouraging emigration.<sup>87</sup> A similar phenomenon played out in Eastern Rumelia, where the Ottoman government, trying to maintain suzerainty, and the provincial government, aspiring to full independence, both saw refugee return and long-term settlement as primary tools for staking claims of sovereignty over the territory.<sup>88</sup>

At least in principle, the Eastern Rumelian model of territorial national sovereignty was to be characterized by a level of inclusivity not apparent among other emergent Balkan nation-states, in particular Romania. To be sure, Eastern Rumelia was marked by anti-Muslim violence at the local level and a pervasive structural exclusion of Muslims – for example, in the use of Bulgarian in the government. But the leadership was invested in demonstrating its ability to govern both Christians and Muslims in the hopes of securing eventual independence while couching their policies in the language of civilization.<sup>89</sup> For their part, the Ottomans tried to demonstrate the provincial government's inability to rule effectively over Muslims. The Ottomans pointed to bureaucratic obstacles to refugee return, the settlement of Christians on Muslims' land and to petitions from Muslims seeking protection.<sup>90</sup> Eastern Rumelia did provide some aid for Muslim refugees to return, but could not stem the steady departure of Muslims for the Ottoman Empire, a fact that led to mutual recriminations from the imperial and provincial governments.<sup>91</sup> Nevertheless, the back-and-forth over the treatment of Muslims and the return of refugees – regardless of the veracity of claims – was indicative of the terms set up by the Treaty of Berlin: emerging nation-states could try to curry international favour through refugee return.

## Conclusion

If the major transformation in the cause of refugee flight over the course of the nineteenth century was a shift from people fleeing and seeking protection based on ideology to flight based on identity, the corollary was this: the language of national homogeneity as an 'ideal of state sovereignty' forged new connections between forced migration, sovereignty and legitimacy.<sup>92</sup> This chapter has examined Habsburg, Russian and Ottoman imperial experiences with forced migration to argue that throughout much of the nineteenth century, flight and asylum were central to the international system, and that refugees and their management could be instrumentalized to serve domestic and foreign policy goals. As national identity and the demands of homogeneity took hold, however, the nature of the relationship between refugees and the state changed. With the fracturing of empire into nation-states, forced migration and control over refugees could be used to stake claims to contested territory. The Habsburg and Ottoman empires both argued the imperial case by trying to maintain 'multi-ethnic' populations, while emergent and presumptive nation-states saw in international agreements means of using refugee return and protection in their claims to sovereignty.

There is no mention of refugees in the Treaty of Berlin, yet in discussions of land ownership claims and civic protections their departure is acknowledged and potential return anticipated. The Berlin Treaty is also less than explicit when it comes specifically to nationality. For all the talk of Greeks, Bulgarians, Romanians, Turks and others, the actual protections Berlin put in place were exclusively religious and did not therefore define protected groups in the light of an official 'state people'. And yet, while the nomenclature of Versailles had yet to be fixed, it is clear that as nationalization in the Balkans fell along religious lines, the arbitrary creation of European minorities in the wake of the Great War that Hannah Arendt described was already under way in the last quarter of the nineteenth century.<sup>93</sup> Even in the language, the continuities are hard to overlook: the text from Article 7 of the 'Little Versailles' minorities treaty with Poland guaranteeing 'the enjoyment of civil or political rights, as for instance the admission to public employments, functions, and honors, or the exercise of professions and industries' is almost verbatim lifted from the guarantees imposed on Bulgaria in 1878.<sup>94</sup>

The Berlin Treaty has been described as a 'paper threat' the great powers failed to stand behind: a harbinger of the failures of the interwar minorities treaties yet to come. Indeed, in the treaties ending the Balkan Wars of 1912–13, many of Berlin's principles were walked back; the bilateral treaty between Bulgaria and Turkey proposed population transfer.<sup>95</sup> Yet, after the signing of the Berlin Treaty, the persistence of refugee return and management policies among some emerging Balkan states and the Habsburg and Ottoman empires points to a precarious viability of minority protection, despite the lack of the transnational structures created in 1919. From this perspective at least, the Berlin Treaty was more than just paper. It was a tenuous framework that emerging states did, in fact, try to use.

## Notes

- 1 Haus, Hof und Staats Archiv/HHStA. Politisches Archiv/PA XII 1875-1876, box 234, folder 'Korr. mit FZM Rodich u. d. Statthaltereie in Zara, 1875-1876', 02 VII 1875, Statthaltereie Dalmatiens/SHD Zara to Ministerium des Äusseren/MdÄ.
- 2 On the causes of the uprising see, for example, Milorad Ekmečić, *Ustanak u Bosni 1875-1878* (Sarajevo: Veselin Masleša, 1973). More recent and nuanced is Hannes Grandits, *Herrschaft und Loyalität in der spätosmanischen Gesellschaft* (Vienna: Böhlau, 2008).
- 3 HHStA PA XII 1875-1876, box 234, folder 'Korr. mit FZM Rodich u. d. Statthaltereie in Zara, 1875-1876' 02 VII 1875, SHD Zara to MdÄ.
- 4 Theodor von Sosnosky, *Die Balkanpolitik Österreich-Ungarns seit 1866* (Berlin: Deutsche Verlags-Anstalt, 1913), 95–126. On states' rights and responsibilities, see James Lorimer, *The Institutes of the Law of Nations: A Treatise of the Jural Relations of Separate Political Communities* (London: W. Blackwood and Sons, 1883), 334–47.
- 5 HHStA PA XL 1875, box 133, folder 'Agramer Generalcommando,' 23 IX 1875, General Kommando/GK Agram to Hofburg.
- 6 Figures for the first month are likely reliable; HHStA PA XL 1875, box 133, folder 'Agramer Generalcommando,' 23 IX 1875, GK Agram to Hofburg. In early 1878, some 230,000 refugees awaited return from Austria-Hungary, a number that does not include the dead and those who fled elsewhere. HHStA PA XII box 131, Weisungen. Andrassy to Zichy, 28 III 1878.

- 7 Classic on the Eastern Question is J. A. R. Marriott, *The Eastern Question: An Historical Study in European Diplomacy* (Oxford: Clarendon, 1940). A more detailed take on the crisis is David Harris, *A Diplomatic History of the Balkan Crisis of 1875-1878: The First Year* (Stanford: Stanford University Press, 1936).
- 8 Donald Bloxham, 'The Great Unweaving: The Removal of Peoples in Europe, 1875-1949', in Richard Bessel and Claudia B. Haake (eds), *Removing Peoples: Forced Removal in the Modern World* (Oxford: Oxford University Press, 2009). See also the introduction in Donald Bloxham and Robert Gerwarth (eds), *Political Violence in Twentieth-Century Europe* (Cambridge: Cambridge University Press, 2011).
- 9 Milena Bogomilova Methodieva, 'Reform, Politics and Culture Among the Muslims in Bulgaria, 1878-1908', PhD Dissertation, Princeton University, 2010, 29. Kemal Karpat, *Ottoman Population, 1830-1914: Demographic and Social Characteristics*, Turkish and Ottoman Studies (Madison: University of Wisconsin Press, 1985), 75.
- 10 See Carole Fink, *Defending the Rights of Others: The Great Powers, the Jews, and International Minority Rights Protection, 1878-1938* (Cambridge: Cambridge University Press, 2004). Also Fritz Stern, *Gold and Iron: Bismarck, Bleichröder, and the Building of the German Empire* (New York: Knopf, 1977). Fink and Stern underemphasize the great powers' interest in protecting Muslim populations as well; similar language was used to guarantee Muslim rights in emergent post-Ottoman states since Greek independence.
- 11 Eric Weitz, 'From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions', *American Historical Review* 113, 5 (2008), 1322.
- 12 Nora Lafi, 'The Ottoman Urban Governance of Migrations and the Stakes of Modernity', in Malte Fuhrmann, Ulrike Freitag and Nora Lafi (eds), *City in the Ottoman Empire: Migration and the Making of Urban Modernity* (Florence, KY: Routledge, 2010), 19.
- 13 Mark Levene, *Devastation Volume I: The European Rimlands 1912-1938* (New York: Oxford University Press, 2013). I borrow the useful phrase 'forced removal' from Bessel and Haake, *Removing Peoples*.
- 14 Christine Van den Wijngaert, *The Political Offence Exception to Extradiction: The Delicate Problem of Balancing the Rights of the Individual and the International Public Order* (Antwerp: Kluwer-Deventer, 1980), 4–9.
- 15 The centrality of asylum to the nineteenth-century international system is often overlooked and remains understudied; see Wijngaert, *Political Offence Exception* and, more comprehensively, Herbert Reiter, *Politisches Asyl im 19. Jahrhundert*, Historische Forschungen (Berlin: Duncker & Humboldt, 1992). A recent analysis of the spread of asylum norms in international society is Phil Orchard, *A Right to Flee: Refugees, States, and the Construction of International Cooperation* (Cambridge: Cambridge University Press, 2014).
- 16 See Reiter, *Politisches Asyl*, 28–48.
- 17 Will Smiley, 'The Burdens of Subjecthood: The Ottoman State, Russian Fugitives, and International Law 1774-1869', *International Journal of Middle East Studies* 46, (2014), 73–93.
- 18 Another 20,000 military and civilian refugees went to Austria. Svjatoslav Pacholkiv, 'Das Werden Einer Grenze: Galizien 1772-1867', in Waltraud Heindl et al. (eds), *Grenze Und Staat: Passwesen, Staatsbürgerschaft, Heimatrecht Und Fremden-gesetzgebung in Der Österreichischen Monarchie 1750-1867*, (Vienna: Böhlau, 2000), 519–618.

- 19 Ottoman claims to international legitimacy relied heavily on the empire's adherence to European norms and acceptance into institutions; after the Crimean War the guarantees extended in the Treaty of Paris were particularly important. Roderic Davison, 'The Ottoman Empire and the Congress of Berlin', in Ralph Melville and Hans-Jürgen Schröder (eds), *Der Berliner Kongress Von 1878: Die Politik Der Grossmächte Und Die Probleme Der Modernisierung in Südosteuropa in Der Zweiten Hälfte Des 19. Jahrhunderts* (Wiesbaden: Franz Steiner Verlag, 1982), 205–23.
- 20 On the connection between refugees, asylum and international criminal law is Robert von Mohl, *Revision der völkerrechtlichen Lehre vom Asyl* (Tübingen: Laupp, 1853).
- 21 Barton L. Ingraham, *Political Crime in Europe: A Comparative Study of France, Germany, and England* (Berkeley: University of California Press, 1979), 84.
- 22 F. W. Gibbs, *Extradition Treaties* (London: Ridgeway, 1868), 10–2. Also, Wijngaert, *Political Offence*, 4–6.
- 23 Reiter, *Politisches Asyl*, 67–8.
- 24 Reiter, *Politisches Asyl*, 24–5; Wijngaert, *Political Offence Exception*, 10–1.
- 25 Reiter, *Politisches Asyl*, 25–6; Wijngaert, *Political Offence Exception*, 11–2.
- 26 Wijngaert, *Political Offence Exception*: 12. Christopher H. Pyle, *Extradition, Politics, and Human Rights* (Philadelphia: Temple University Press, 2001), 80. See also Jürgen Osterhammel and Patrick Camiller, *The Transformation of the World: A Global History of the Nineteenth Century* (Princeton: Princeton University Press, 2014), 137.
- 27 Atle Grahl-Madsen, 'The European Tradition of Asylum and the Development of Refugee Law', *Journal of Peace Research* 3, 3 (1966), 280.
- 28 France, *Collection complète des lois, décrets, ordonnances, réglemens avis du Conseil d'Etat*, vol. 32, 1832 (Paris, 1833), 210–1.
- 29 *Ibid.*, 255, 545–6.
- 30 *Ibid.*, 210–1.
- 31 Quoted in Wijngaert, *The Political Offence Exception to Extradiction*: 13.
- 32 Lora L. Deere, 'Political Offenses in the Law and Practice of Extradition', *The American Journal of International Law* 27, 2 (April 1933), 249. Reiter, *Politisches Asyl*: 33–4.
- 33 György Csorba, 'Hungarian Emigrants of 1848–49 in the Ottoman Empire', in Hasan Celal Güzel, C. Cem Oğuz and Osman Karatay (eds), *The Turks* (Ankara: Yeni Türkiye Publications, 2002), 224. At the start of September, the Austrian government estimated there were 3,500 Hungarians at the main refugee camp in Vidin. Protocol 164, 7 September 1849. Waltraud Heindl (ed.), *Die Protokolle des Österreichischen Ministerrates 1848–1867: Das Ministerium Schwarzenberg*, Vol. 1 (öbv & hpt, 2002), 670.
- 34 Requests enclosed in No. 268, Canning to Palmerston, 3 September 1849, in *Correspondence Respecting Refugees from Hungary within the Turkish Dominions, Presented to Both Houses of Parliament by Command of Her Majesty, February 28, 1851* (London: Harrison and Son, 1851), Vol. FO 424/5, 9–11.
- 35 These treaties were signed between the Ottoman Empire and Russia (Küçük Kaynarca, 1774) and Austria (Passarowitz, 1718 and Belgrade, 1739). See also Schwarzenberg's instructions to Stürmer 14 August 1849, enclosed in No. 258, Canning to Palmerston, 25 August 1849, all in *Correspondence*, FO 424/5: 3–4.
- 36 Heinrich Lammasch, *Das Recht der Auslieferung wegen politischer Verbrechen* (Vienna: Manz'sche k. k. Hof-Verlags- und Universitaets-Buchhandlung, 1884), 40–1. Also see No. 241, Palmerston to Canning, 6 October 1849, in *Correspondence*, FO 424/5, 42–3.

- 37 Protocol 157, 27 August 1849 and Protocol 161, 3 September 1849, *Die Protokolle des Österreichischen Ministerrates 1848-1867*, 1, 636, 56.
- 38 Wilhelm Alter, *Die auswärtige Politik der ungarischen Revolution 1848-1849 unter Benutzung neuer Quellen* (Berlin: Gebrüder Paetel, 1912), 225. No. 282 Canning to Palmerston 17 September 1849, in *Correspondence*, FO 424/5: 27–8.
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## The Forty Years' Crisis: The Jewish Dimension

Mark Levene

In a three-day period at the end of August 1941, near an obscure western Ukrainian town close to the intersection of the pre-war Polish, Soviet, Hungarian and Rumanian borders, some 23,600 Jews were murdered by the Nazis. Noteworthy for this being the first occasion in which the tally reached and vastly surpassed a five figure number as well as one of the first in which men, women and children were systematically exterminated, the massacres at Kamenets-Podolsk have been treated by historians as a major staging post in the shift from an initial 'experimental' phase in the Nazi destruction of European Jewry to a programme of concerted annihilation, which we have come to recognize as the Holocaust.<sup>1</sup>

Yet this is only half the story. Though some of the murdered Jews were Soviet citizens local to the town, some 16,000 were either Jews who had recently been made stateless by the Hungarians in the nearby Carpatho-Rus region, were refugees from across Europe evicted by Budapest – as the US ambassador there noted in 'distinct violation of the right of asylum' – or were Rumanian Jews from Bessarabia and Bukovina forcibly deported by the Bucharest authorities.<sup>2</sup> In other words, the majority of those killed at Kamenets-Podolsk, alongside many more who died in nearby massacres at this time, were either Jews who had been denied their citizenship or their recognition as legitimate asylum seekers by states other than Germany but who then used the opportunity of Operation Barbarossa to illegally eruct them across international borders into a Nazi-occupied war zone.

From this perspective Kamenets-Podolsk becomes less a significant moment in the unfolding of a specifically Hitlerian drive against the Jews and more a climactic one in a much wider and deeper European, not to say global, crisis of Jewish displacement and unwantedness. Accordingly, the purpose of this chapter is to propose that the attempted destruction of European Jewry, while clearly the direct outcome of a self-inflicted Nazi cul-de-sac in their own efforts to be rid of them, was also a consequence of this much more embedded and universal malaise. One might go further and suggest that the international community, through its individual and collective ambiguity, if not downright refusal, to accept the notion of displaced and dispossessed Jews from the Reich, and beyond, as *refugees* – either in principle or practice – paved the way for and, inadvertently or otherwise, became complicit in the radicalized Nazi solution to the problem.



Yet a difficult question is posed by the implications of this assertion. The forty-year refugee crisis, as this book makes abundantly clear, was hardly a Jewish one alone. Indeed, one could argue that in terms of a truly searing moment, when the liberal West was faced with having to do something immediate and consequential to relieve a truly gargantuan emergency prior to the Second World War, it was not Jews who were the community at issue, but rather the Greeks of Asia Minor. Compared with this 1922 catastrophe, the British refugee expert, Sir John Hope Simpson, considered the much smaller number of central European Jews at the centre of the 1938 emergency an entirely more manageable prospect. Yet Hope Simpson also recognized that the immediate pre-war Nazi effort at Jewish expulsion had the capacity to trigger a much wider and entirely more demographically serious displacement of the much larger Ashkenazi communities further to the east.<sup>3</sup> Even then, this might simply remind us that these Jews were among *many* peoples who were exposed to the winds of radical change as the imperial empires of the historically multi-ethnic rimlands of eastern Europe and western Eurasia were replaced by successor polities implicitly or explicitly committed to nation-state-building master narratives. Indeed, this intense epoch of ‘minority group’ vulnerability coincided with the exact post-Great War moment when what Alfred Crosby has dubbed the neo-Europes, most especially North America, blocked off the migratory safety valve, which had provided refuge for any number of diverse peoples prior to 1914.<sup>4</sup> After all, the estimated 2.4–2.7 million Jews who exited Europe for these new worlds between 1881 and 1914, at a rate of 65,000 per annum to the United States alone in the key 1899–1910 phase, were only a fraction of the total European or near-European migrant exodus from this period.<sup>5</sup> But if this process was both momentous and traumatic, it only provided the antechamber to the post-1918 crisis because the relatively minimally regulated and largely unstanched prior flow was superseded by an entirely more mobilized, bureaucratic regime of immigration controls and quotas.

From this perspective the specifically Jewish refugee crisis might be seen as yet another symptom of the post-Great War mismatch between the urgent needs of minority group exit from the imperial shatter-zones, as set against the barriers to Western state ingress heralded by the onset of a contemporary era of close state supervision and surveillance of cross-border people movements. This, in the starkest terms, would reduce the Jewish crisis to an entirely functional question, a position sometimes adopted by the International Labour Organization (ILO) and most certainly in some of the ‘blue-skies’ thinking of Franklin D. Roosevelt’s top-secret 1940s M-Project (M for Migration) to shift Europe’s surplus peoples, Jews included, to often far-flung and obscure colonial vistas.<sup>6</sup> Yet we have already proposed that the actual Nazi denouement cannot be viewed as some entirely aberrant or peculiarly contingent twist in an otherwise fraught yet ongoing process, leading towards some ultimately benign resolution of the refugee crisis, Jewish or Gentile. This is why it has to be contextualized within its wider parameters. What nevertheless stands out about the Jewish aspect is not just the extreme cultural hostility evinced towards Jews at national and international levels, but the way this translated into an almost standard political pretext to deny or refute the existence of a specific Jewish refugee issue at all. As the Zionist leader, Chaim Weizmann acidly summarized at the time of the infamous Evian

Conference, the world had become divided 'into two camps, one of countries expelling Jews, and the other of countries which did not admit them'.<sup>7</sup>

To be sure, the reification of all state actions on the one hand, and a more general societal animus on the other into a single indictment of anti-Semitism, fails to grasp the spectrum of tendencies at work, some of which were empathetically, even defiantly, humanitarian. By the same token, any assumption that there was or could only be one single Jewish response, encapsulated in the Zionist insistence that the only answer to the crisis was the creation of a sovereign state of their own in Palestine, wilfully ignores Jewish narratives which sought other routes to communal rescue and survival. It also avoids the impact that the creation of Israel had in terms of its knock-on displacements – both Jewish and non-Jewish – on the manner in which the forty-year crisis had a pronounced if convoluted afterlife.

That said, the fundamental historical challenge is to understand the causative factors which lead to primary, dominant trends with significant or lasting outcomes, as opposed to those which become recessive, submerged or completely obliterated by the course of events. And one cannot but note that what stands out as dominant in Gentile terms, namely a desire to be shot of Jewish 'refugees' through some far away, extra-European territorialized 'solution,' had its corollary in mainstream Zionism's absolute rejection of humanitarian asylum notions in favour of a politically led, if firmly Palestine-centric, 'emergence from powerlessness'.<sup>8</sup> The searing tragedy of the actual Jewish crisis is that set against these grand political agendas, vast swathes of human beings caught in the middle were denied their most urgent need: a place of genuine refuge. Or put another way, the road from Kamenets-Podolsk towards Auschwitz may have been in some very definite sense unilaterally taken, yet it is very difficult to conceive of it in isolation from the broadening gulf between the asylum imperative and the absence of effective international response.

The onset of mass Ashkenazi migration from eastern Europe is usually dated to 1881 as galvanized by the wave of pogroms across the Russian Pale of Settlement, following the assassination of Tsar Alexander II. For our purposes, however, a stronger clue to the crisis as it would begin to crystallize forty years later is offered by the great power deliberations on the 'Jewish question' three years earlier at the Congress of Berlin. The point at issue was the sovereignty of recently self-appointed post-Ottoman Balkan polities, and more exactly, whether the persistent refusal by Rumania to grant citizenship to the majority of its Jews would debar Bucharest from international recognition. The issue of political and civil rights aside, what Rumanian stonewalling at the Congress posited was the possibility that a modern nation-state might determine that a portion of its population were on ethnic or religious grounds *apatrides*, yet in spite of that could still be accepted as a fully recognized member of the community of nations. But then, from a Rumanian perspective, most of the Jews in question were not 'native' but in the words of one notable supporter at Berlin, the Russian foreign minister Alexander Gorchakov, 'a veritable scourge to the indigenous population'. Gorchakov drew out his point to his fellow plenipotentiaries by making a distinction between 'the *israélites* of Berlin, Paris, London or Vienna, to whom one would assuredly not withhold these rights, with the *juifs* of Serbia, Rumania and several Russian provinces' who were inferred to be alien invaders disruptive of any 'natural' societal evolution.<sup>9</sup>

A few years later the influential Polish journal *Głos* would reinforce the insinuation thus: 'Every society, in relation to the Jews, must work to destroy them – whether we will call this extermination, expulsion, or assimilation, does not change the essence of things. Both judeophiles and anti-Semites want to destroy the Jews as Jews, that is, as representatives of a separate society.'<sup>10</sup>

Through to the outset of the Great War, such a gloomy forecast appeared to be only partially proven. In 1878 the immediate diplomatic *scandale* of Rumanian intransigence on Jewish rights had been averted, while the deteriorating condition for Jews in the east did not lead to the raising of the emigration drawbridge. However, what is interesting about this immediate pre-crisis period is the degree to which elite Jewish opinion was so thoroughly exercised by the scale of the migration flow. Largely plutocratic Western Jewish leaderships, operating on the assumption that large numbers of incoming *Ostjuden* spelt the rise of domestic anti-Semitism, strove to develop strategies aimed at moving them on, dispersing them away from major metropolises, or even, as in the case of Anglo-Jewish Board of Guardians, paying for their repatriation.<sup>11</sup> Yet Theodor Herzl, the *fin de siècle* arch-prophet of Zionism, sought to mobilize the international community behind his notion of a Jewish sovereign state on the not dissimilar premise that as a matter of self-interest the great powers would want to help found such a 'colonial' entity – even in Africa – in order to siphon off a mass Ashkenazi influx to their own shores.<sup>12</sup> Other non-Zionist schemes such as that of the Jewish Colonization Association to settle Jews on the Argentine Pampas, or that of the Jewish Territorial Organization – which was less particular about the exact geographical locale – seem to have been motivated by similar imperatives.<sup>13</sup> If some of the thinking behind such projects was certainly utopian as opposed to the more precisely dystopian Gentile fantasies from the late 1930s and early 1940s for removing European Jews en bloc to some faraway hell, not only do these tendencies suggest an elite Jewish perception of migrant co-religionists as a problem to be resolved en masse but they also indicate an underlying cultural sensitivity on the matter, reflecting an almost Gorchakov-like duality.

The pre-1914 Jewish world thus provides a rather fractured insight into the early intimations of how Jews would respond, in the event of the real crisis later on. There were Zionists longing for an imagined Jewish national community in Palestine, very often impelled by a horror of the *shmutzige shtetl* (filthy village) of east European life. There were acculturated western Jews supposedly at daggers drawn with Zionism, who often wanted to be kind and generous to needy immigrants but in their heart of hearts also wanted them to go anywhere but where they lived. And then there was the vast majority of the immigrants themselves whose ideological moorings may have been flaky, shifting or non-existent but who responded to their increasingly dire situation at home with a firm determination that however they were going to get there and whatever bureaucratic obstacles were thrown in their path it was not towards Palestine, or some other distant agricultural colony, but the true *goldene medina* (promised land): New York.

This presents a certain paradox about the pre-1914 migration sequence. Should we call this in itself a refugee crisis? With various caveats the answer is not quite. So long as they could, even when as a consequence of direct flight-specific pogrom events

perhaps excluded, most departing Jews were able to do so in relatively good order. And working through their own increasingly transnational family networks for subsistence and support, they did not generally need interfering communal organizations to show them how to do it, however grateful the migrants may have been for temporary Jewish charity-supported shelter and succour in transit or on destination arrival. To be sure, there is another darker side to this pre-1914 assessment. Set against Western liberal expressions of sympathy for their persecution, there was a growing, insistent and most often media-led, demotic trend within receiving countries, which mimicked not so much the Gorchakov as the *Glos* line. The very term 'alien' as given concrete political expression in the British statute of 1905 gives the lie to the notion that this virulently anti-Semitic trend was a purely 'continental' phenomenon. It is true that the Aliens Act proved to be much worse in its threatened bark than its actual bite. Nor in itself did it radically stem the Jewish immigrant flow to London's East End and other major cities. Yet the very fact that this was the first time that Britain had introduced immigration controls and registration paved the way for an entirely new regime. The British Aliens Restriction Act rushed through Parliament within twenty-four hours of Britain declaring war on Germany on 5 August 1914, marks a precise cut-off date.<sup>14</sup> The era of open, laissez-faire migration from East to West was over.

The point at which one might thus set the emergence of a genuine Jewish refugee crisis narrative would appear to be the moment when wartime legislation was reaffirmed for the peace, in the British case with the 1919 Aliens Restriction Act extending the terms of its 1914 predecessor but now also consciously omitting any reference to refugees or asylum.<sup>15</sup> With the US quota system coming into force two years later, the safety valve enabling east European Jewish exit to the west was almost completely shut off. Yet this needs to be set against why it was exactly this moment when the potentiality of mass Jewish flight from Russia and eastern Europe became so acute. The Great War's most long-term and searing consequence was the destruction of the old, multi-ethnic European empires and their replacement by post-imperial regimes which, whether national or Soviet, had little or no wish to accommodate the ongoing existence of Jews as Jews in their midst. In fact, the possibility of some huge, even total, Jewish evacuation from the empire had already passed a threshold during the war when the Tsarist military had of their own initiative sought to eruct some three quarters of a million Russian Jews in the line of their 1915 'Great Retreat'. The event has largely gone down a memory hole, utterly eclipsed as it was by the Hitlerian exterminations in this same rimlands' arena a world war later. The closest synchronous Great War parallel is with the Ottoman Armenian deportations. To be sure, whereas the latter were either cover for or prelude to mass extermination, total Jewish disaster at the hands of the Russian *Stavka* was averted in critical part because political pressures from the Western Allies – rehearsing the stock-in-trade line that a total assault on Russian Jewry would undermine Wall Street credit, not to say the sympathies of a still neutral America – prevailed.<sup>16</sup>

The Great War emergence of an international Jewish power motif cannot but be factored into our overall crisis narrative here. Later on, Hitler, the motif's most fervent believer, ultimately believing himself stymied by Jewry's supposed manipulation of Washington and London, accelerated the crisis towards a point of no return. By

contrast, the 1915 emergency was diffused through Russia's temporary lifting of the Pale: the rimland provinces beyond which to the east Jews were historically disallowed from inhabiting. Nevertheless, what was latent in 1915 became manifest in 1919 when in the post-tsarist civil war struggles for control of the region, most particularly this time in the Ukraine, Petliurist troops, quasi-independent warlords and finally Denikin's White Army revenged themselves on Jews for their military defeats at the hands of the Bolsheviks in a manner and on a scale entirely dwarfing the grass-roots pogroms of pre-war years.<sup>17</sup> If eastern Jewish exodus to the West had been possible, this is the most likely moment, pre-1939 when it might have occurred. Instead, those who attempted to make the journey were more than likely to end up for months if not years in the shipping-line-run, Jewish charity-supported transmigrant camps such as that at Atlantic Park, near Southampton, stranded between a United States which refused them entry and a Soviet Russia to which they dared not return.<sup>18</sup>

To be sure, there was meant to be an international post-war system aimed at preventing this sort of *staatenlos* (statelessness) void, though it was hardly applicable to Soviet territories where Western Allied diktat – despite want of trying – had failed to penetrate. The Minorities Treaties – an adjunct to the Western-imposed Versailles and related peace settlements – were at face value an attempt to secure not only the political but also cultural rights of ethno-religious communities within the now post-imperial, purportedly nationally self-determined states of the 'New Europe'. Indeed, as Zara Steiner also notes in her chapter, the treaties were very specifically formulated with Jews in mind as an atypical ubiquitous 'minority' grouping who did not obviously fit within or were deemed absorbable into this national societal reordering.<sup>19</sup> However, we might equally view the treaties as a weak Western Allied attempt to shore up their own domestic frontiers from a wave of Jewish migrants by anchoring them instead in the 'New Europe' countries where they resided. The fact that the elites of these states themselves looked upon the treaties as an unwarranted interference in their sovereign rights, rather like Rumania had done in 1878, and that many of their Jewish inhabitants themselves had no obvious loyalty to the national ethos to which they were now supposedly wedded rather underscores the provisionality of the arrangement.

One might argue that there was an important new safety valve: Palestine. But we need to approach this idea with caution. At the end of the Great War there was no Western master plan, which conceived of the Minorities Treaties on the one hand, a League of Nations-authorized British Mandate to create a Jewish National Home in post-Ottoman Palestine on the other, as two synergistic sides of a liberal commitment to Jewish refuge from anti-Semitism. The Balfour Declaration of November 1917 had been a wartime contingency founded on Whitehall's own vastly confabulated assumptions about the role – and behaviour – of Russian Jewry in the Bolshevik equation.<sup>20</sup> And while reaffirming the post-war commitment to the Zionist endeavour, successive British administrations had no intention of allowing a Jewish migration into an already populated Arab region to destabilize the UK's own best interests. Necessarily these seemed to be served by maintaining some modicum of demographic balance. That said, the irreconcilable aspects of the undertaking ensured a convoluted trajectory leading in 1937 to the Peel plan to partition Palestine into separate Jewish and Arab states, only for Whitehall to then execute a rapid about-turn – the May

1939 MacDonald White Paper – in which it came as close as it conceivably could to relinquishing the entire Zionist commitment and with it almost all further Jewish immigration into the Mandate.<sup>21</sup>

Peel thus represents a high watermark in what might have been, had Britain grasped the nettle. The other side of the coin is that the Jewish Agency, the Zionist body constituted to facilitate development in Mandate Palestine, was itself hardly geared up for either rapid, let alone massive, immigration or settlement. Some extravagant early forecasts aside on the number of Jews Palestine could absorb, the Agency's main aim was to foster a slow but steady year-on-year Jewish ingress until such time as having not only created a 'majority' but demonstrated to the British that the experiment was sound, the latter would have no choice but to relinquish the country to Zionist control. To be sure, a decade into the experiment, unintended contingencies started shifting this long-term game plan in entirely unforeseen directions. One of these was the Ha'avara Agreement (August 1933). An ingenuous Zionist scheme to link Jewish migration with a Depression-hit German economic recovery, a Nazi renegotiation of the package secured the flight of mostly but not exclusively wealthier German Jews in such a way that they were able to recover a modicum of their assets in Palestine. The controversy about dealing with the Nazis aside, the Ha'avara Agreement helped enable a mid-1930s migration spurt, which brought the Jewish element to some 400,000 or one-third of the population total.<sup>22</sup> This proved a precipitating factor in the 1936 Arab revolt and so paved the way for Peel and his radical solution. However, the Jewish Agency was not yet ready for statehood, or at least not for the *much* smaller territory the British were now offering.<sup>23</sup>

The partition proposal highlighted the nub of the Jewish nationalist dilemma. Political Zionism was nothing if not about sovereign self-possession. Back in 1903 the movement reluctantly conceded to the ephemeral British offer of a colony in Uganda as a *nacht-asyl* – in other words, a temporary way station en route to Palestine. The Yishuv, the pre-state entity, by contrast was never conceived of as an emergency refuge, the Nazi threat notwithstanding. To be sure, by the early 1930s a more urgent mood prevailed. The assault on another minority community – the so-called Assyrian affair – in nearby newly independent Iraq had galvanized some Zionist thinking towards the need for a general European Jewish evacuation plan. Initially, it was so-called Revisionists, acolytes of Vladimir Jabotinsky such as Abba Achimeir, who were its open, sometimes shrill, proponents.<sup>24</sup> But leading Yishuv figures such as David Ben-Gurion were by 1937 also weighing up the options not least through setting up a secret committee, which was to consider how a mass transfer of Palestinians to surrounding Arab states might facilitate the object. Ironically, the then plight of German Jewry remained essentially marginal to either explicit or implicit Jewish Agency agendas except insofar as it helped put greater pressure on the British to accelerate a pro-Zionist solution. German Jews were generally not considered ideal immigrants to Palestine because very few of them were committed Zionists. But then the Yishuv leadership repeatedly evinced a notable lack of enthusiasm for its main east European constituency, most of whom were deemed to lack the sort of pioneering ethos or credentials considered essential for Jewish nation-state building.<sup>25</sup>

Zionist ambivalence on its supposed mass following aside, Palestine could only have assisted the actual refugee crisis as it came to a head in 1938–9 if the British had



been prepared to follow through on the Peel recommendations, indigenous population ‘transfer’ from the Jewish to neighbouring Arab states included, or there again offered a ‘territorial’ solution to European Jewish unwantedness, somewhere else in its far-flung empire. In fact, as the crisis intensified, all manner of settlement projects were, to varying degrees, explored by the British Colonial Office. The roster included British Guiana, Borneo, Nyasaland and northern Rhodesia. And where the British were not involved directly, they were party to a range of other schemes and enquiries, which included Portuguese Angola, French Guiana, New Caledonia and above all Madagascar, a three-man Polish-sponsored commission to which in the summer of 1939 reported entirely negatively on its settlement prospects.<sup>26</sup> What we remember today is the Nazi scheme, one year later, to turn the island into a tropical death camp. Yet how big was the gulf between Nazi thinking and that of Poles, Rumanians, French, British or even Americans when it came to ‘spiriting away’ the Jews to some distant vista?<sup>27</sup>

What many European leaders in truth would have liked for the *Ostjuden* was that they were eructed en masse to somewhere closer to the moon. As late as 1946, the British Foreign Office were in all seriousness inquiring of Moscow as to whether the far-eastern Soviet territory of Birobidzhan might be available for Jewish post-war ‘displaced persons.’<sup>28</sup> Yet what is extraordinary about this fairyland ‘territorial’ motif is the way it kept on being regurgitated even during and *after* the Holocaust: all the more so when set against its essential unreality. At the very time, for instance, in late 1942 when news of the ‘Final Solution’ was being widely reported in the Western media, the British home secretary, Herbert Morrison, was seeking to veto schemes which would allow refugees into Britain in favour of ‘a biggish territory where large numbers can go e.g. Madagascar’. Morrison was not some notably hard line or obviously anti-Semitic minister. And his views were reflected a few months later in an April 1943 cabinet committee minute ‘to investigate the possibility of allocating some suitable area of large size as a place of settlement for Jewish refugees after the war.’<sup>29</sup> Yet it was at this very juncture that the British and Americans convened a conference in Bermuda ostensibly to demonstrate their public commitment to Jewish rescue from Nazi Europe but actually with entirely the opposite aim of reaffirming to themselves that they would *not* be entering into any wartime arrangements involving admittance of Jewish refugees into Palestine or any other Allied colonial or occupied territory.<sup>30</sup>

If this exemplified the searing contradiction between public spin and official practice, the specifically British blockade on flight from Nazi Europe into Palestine necessarily in itself began to unravel the Mandate’s fragile relationship with Zionism. The wartime loss or internment of refugee boats bound legally or illegally for Palestine waters would ultimately present Ben-Gurion post-war with a propaganda gift with which to shift international and more specifically American opinion firmly against the British and in favour of the Zionist cause. Cynically put, all he needed was enough Zionist-organized, Palestine-directed refugee ships crammed full of Holocaust survivors to be interdicted by the British, preferably using brute force and in the full glare of the world’s media. The fact that the summer 1947 *Exodus* affair achieved this symbolic object to a T at a time when the UN Special Committee on Palestine was trying to assess the Mandate’s post-British future proved almost the final nail in the Mandatory coffin, paving the way in turn for the US-led UN vote in favour of a two-state solution.<sup>31</sup>



Yet looked at through the prism of the refugee crisis *tout ensemble* a celebratory Zionist version of these events is in key respects wanting. Ben-Gurion may have both succeeded in using the boat-refugees as a stick with which to beat the British, and hence, as a purposeful tool towards the creation of Israel. However, the fact is that the Yishuv leadership paid scant attention to the issue of humanitarian wartime rescue, nor was it probably in a position to do so. In this sense Zionism failed to provide the answer for Europe's most vulnerable Jewish masses, the majority of whom were now dead. By the same token, Zionism's later political success proved a convenient alibi for those countries who had been trying to get rid of Jews in the first place or, alternatively, did not want to receive them in significant numbers. The latter group included the United States. This may be to do the United States – and Britain – a certain injustice. Humanitarian impulses did play a role in the political trajectory of these and other Western liberal societies. Yet this does not change the fundamentals of the case, namely that there was no concerted unilateral or international action either before or after 1939 to offer refuge to Europe's most threatened Jews.

The paradox is that some of the evidence would seem to suggest otherwise. At critical moments, official immigration policies could be relaxed, most particularly when elements of Western public opinion were mobilized towards practical action. In Britain, the 166 local committees who formed the Refugee Children's Movement provided the often Quaker-led grass-roots framework through which some 10,000 Central European Jewish children were brought to homes in Britain in the wake of *Kristallnacht*.<sup>32</sup> Yet the whole process whereby refugees were able to get temporary visas to stay in Britain or elsewhere was highly dependent on independent rather than state financial guarantees – the unsung heroes of the whole interwar saga, the mostly Jewish-aid committees and umbrella organizations who stumped up the necessary cash to both meet state visa requirements and succour the asylum seekers. If governments themselves were usually obdurate and bureaucratic on such matters, there were, however, many cases of individuals within administrative departments, consular officials included, who were prepared to bend the rules or to even quite consciously and proactively create their own in order to save lives.

Pressure too from hastily organized national campaigns could produce significant results. Largely thanks to such grass-roots activists, there were in September 1939 an estimated 70,000 refugees in Britain.<sup>33</sup> Similar easing of visa requirements in France, and Belgium in particular, especially in the months immediately prior to war enabled last minute if albeit provisional escape for many German, Austrian and Czech Jews – the provisionality (and hence difference from Britain) clearly being that once these states were overrun by the Nazis, Jewish refugees were as vulnerable as they would have been had they stayed at home. Wartime efforts from within governments also made some difference. For instance, the creation of the US War Refugee Board (WRB) in January 1944 represented what amounted to an internal coup by elements within the Treasury Department against those in the State Department who had remained – like their British counterparts at Bermuda – resolutely opposed to any action which might lead to any domestic Jewish influx.<sup>34</sup> Yet in a sense the very belated and quite limited nature of WRB success simply underscores the dominance and persistence of the opposing tendency. Certainly, the sensitivity of liberal states about being *seen* to

be less than principled on questions of asylum was reflected in the early Nazi years in the manner in which immigration restrictions, specifically from Germany, could be temporarily eased, usually nearly always under demotic pressure. But equally they could be entirely closed down with the sophistry – as offered in a Dutch ministerial statement in April 1934 – that the Jews were not ‘in any mortal danger’ – or, as one British Foreign Office official iterated at the time of the Czech crisis, they were not refugees ‘in the proper sense of the word.’<sup>35</sup> Jews then were different from other ‘genuine’ asylum seekers, a special category to be held at arm’s length and even when they were offered assistance at all, it was on the strict understanding that their transit could be expedited elsewhere. This almost universal state view was pithily summarized by Henry Berenger, the French delegate to the League High Commission on Refugees: ‘La France, c’est un passage, pas un garage.’<sup>36</sup>

What that meant in practice was that Jews who thought they had found a safe haven instead could be rounded up, criminalized as *clandestines*, incarcerated in camps and expelled or deported across borders, even back into Nazi clutches. We remember the vicious Vichy Vél. d’Hiv *rafles* of July 1942, we forget the pre-war French round-ups; we remember Westerbork and Mechelen as Dutch and Belgian preludes to the ‘Final Solution’, we forget the pre-war creation of the Westerbork and Merksplas internment camps by a sovereign Hague and Brussels.<sup>37</sup> To be sure, further east it was entirely worse, though again we tend to recall Zbaszyn where the Nazis dumped potentially stateless Jews in October 1938 on the Polish border, not the thousands more now equally stateless Jews from Slovakia and the Sudetenland who post-Munich were marooned in a no man’s land at Michsdorf or on a Danube riverboat unwanted by either Czechs or Hungarians.<sup>38</sup> By this juncture it was not just the Jews of an expanding Nazi Reich who were at risk of ejection into ‘nowhere’: whole swathes of Hungarian and Rumanian Jews were being earmarked for denationalization, the Hungarian authorities in Carpatho-Rus particularly energetic protagonists of cross-border expulsion.<sup>39</sup> But it was at this very point as mass Jewish displacement began to present overtly transnational characteristics that liberal Western states responded with not just ever-tighter border controls but a way of denying entry, which the Swiss authorities had effectively gifted to them through their own bit of Nazi collusion. Indeed, the ‘J’ stamp on German passports introduced by Berlin at Swiss request in late September 1938 to differentiate Jews from other travellers proved as powerful a way as any of turning the very essence of refugee status on its head.<sup>40</sup>

At the international level the same basic contours of avoidance, deflection and buck-passing are well known. Having failed to create a mechanism for stateless Jews as Nansen had been able to initiate for comparable Armenians and Russians after the Great War, and with no safeguards for such contingencies written into the Minorities Treaties, the eventual League agreement in late 1933 to the creation of a quasi-official High Commission to deal with the German refugee situation – providing it had no official League standing for fear of upsetting the Nazis (not to say with almost complete dependency on Jewish funding) – demonstrated to the world just how little leverage it had. True, some accolades have been offered for its first head, the American, James G. McDonald, though mostly for his resignation letter two years later in which he castigated League states for their failure to create a strong, collective

approach to Nazi Jewish persecution.<sup>41</sup> But if this was an indictment of the obvious, McDonald's own avoidance of the key issue of how to create an international rescue plan which would distribute refugees equitably among potentially receiving states is surely telling not so much for what it says about him but an international climate in which the very premise was a taboo. Presented three years later with the entirely more glaring emergency arising from the Nazi campaign to eject Austrian Jewry in the wake of the *Anschluss*, President Roosevelt's initiative to bypass the League altogether and set up the Intergovernmental Committee on Refugees (IGCR) seems in retrospect the nearest pre-war thing on offer to a radically new international approach under a once again proactive American leadership. In fact, the occasion of the IGCR's formation, the July 1938 Evian Conference, proved nothing of the sort, demonstrating instead how international solidarity – the United States included – existed only in the degree to which each state confirmed the others' aim of not to be a refugee recipient. Worse, Evian is particularly remembered for some of the more overtly racist comments enunciated there by the Australian and Canadian delegates, though in truth what they said was simply a more blunt version of what more or less everybody else was thinking.<sup>42</sup> The Swiss had their own powerfully toxic word for it: *Überfremdung*, the notion that to let the Jews in was not just a matter of physical inundation but also of alien takeover.<sup>43</sup> It speaks volumes about the underlying prewar paranoia, fear and loathing of Jews in states and societies whether supposedly liberal or illiberal.

But is stating this to deflect from the real villains of piece? The Nazis, after all, had set the specific emergency in motion. Presented with an effectively Roosevelt-proffered subterfuge to secretly facilitate a deal for an orderly removal of Reich Jews, the Nazi riposte was to continue illegally shifting Jews across frontiers completely removed of any assets which might have given them the wherewithal with which to relocate elsewhere. As for the Nazi negotiating position itself in these so-called Rublee-Schacht talks, it boiled down to the major US Jewish relief organizations being asked to pick up an astronomical 1.5 billion Reichsmarks financial tag for a recalibrated *Ha'avara*-type trust fund, the immediate and arguably sole Nazi aim of which was to save them from their immediate post-*Kristallnacht* foreign currency crisis. With war looming, the Jewish groups unsurprisingly interpreted the Nazi stance as blackmail, not least because acceptance of the package would have reinforced the canard that they put their international Jewish (hence allegedly conspiratorial) loyalties before those to home country.<sup>44</sup> It was Nazi perversity, not Jewish obduracy, which ploughed the talks into oblivion, though one might add that the Nazi notion that they could render their Jews homeless, penniless and stateless and then ransom them to the Western Allies for the latter's acquiescence to the regime's wider goals was no more or less than what Bulgarians, Rumanians and Hungarians each in variously convoluted ways attempted to do towards the end of the war.<sup>45</sup> British and American refusal to contemplate such 'sales' however was not just about refusing to break their own wartime economic blockade of the Axis. Fundamental to their unwillingness to contemplate such negotiations was the old yet persistent fear, true in 1944 as it had been in 1939, of opening up the floodgates to mass Jewish flight: even though the majority of European Jews by then were dead.

But could the floodgates somehow have been prised open by force? It was not the Nazis but the colonels in the twilight Poland of 1939 who came nearest to trying to realize that goal when they dreamt up a truly hare-brained scheme to secretly arm and train Revisionist Zionist activists to invade British Palestine.<sup>46</sup> While the project was killed stone dead by Hitler's invasion of Poland, it left him with the exquisite dilemma of what to do with an added nearly two and half million more Jews, over and above the ones his minions had already been trying to eject from their expanding pre-September 1939 Reich. Is it at this point that we arrive at the limits of the possible and the onset of the genocidal? The Nazi plan the following year to ship the entirety of European Jewry to Madagascar fell down on the inability to defeat the British in the early autumn of 1940, thereby denying the Germans the secure seaways for their 'phantom' project.<sup>47</sup> A further example of Axis states being blocked off from their 'Jewish' exit strategies is offered by way of the squalid Rumanian holding camps set up on Soviet-relinquished territory across the Dniester (Transnistria) from late 1941. Here many tens of thousands of Jews cleansed from Rumania's Soviet-liberated western provinces perished through to 1944.<sup>48</sup> But they did so here because they could not be pushed or deported further to the east; something which would have happened had Bucharest's big German ally roundly defeated the Red Army in the summer or autumn of 1941.

If this Soviet blockage to Nazi fortunes returns us to the blood-soaked terrain where we began, we still need to rewind a couple of years for one final speculative look at those elusive eastern vistas before we can reach the end of our journey's crisis sequence. Implicit in our discussion so far has been a questionable assumption that faced with an explosion of European anti-Semitism the only countries which could offer succour to large masses of displaced Jews, whether territorially by way of colonies – Palestine included – or through a more standard process of domestic immigrant absorption, were those of the progressive West. Yet there was another possibility: the USSR, however dystopian the implications. After the Hitler-Stalin carve-up of Poland – the major consequence of their August 1939 Non-Aggression Pact – this was, after all, the country with the largest Jewish population bar the United States. True, the Soviet Union's own project to create an autonomous Jewish 'homeland' in the far Siberian wastes of Birobidzhan had been abysmally unsuccessful. Yet the very fact that Russia had a vast geographical arena into which people might move, aligned to a major new spurt of urbanization, offered a route for a more traditional immigrant absorption already well testified in the 1920s and 1930s in the steady flow of Jews from the former Pale into the major, especially metropolitan, centres of Russia proper.<sup>49</sup>

There is no *direct* documentary evidence to suggest Hitler at the time of the Non-Aggression Pact was seeking to resolve his Jewish 'crisis' by way of a mass removal into the Soviet Union. On the other hand, it is curious that the rapid population transfer of some million or more ethnic Germans from the newly acquired Soviet rimland territories back in the direction the Reich, which was fundamental to Stalin's negotiating position, did not involve a major exchange of population involving the ethnic element the Nazis most desperately wanted rid of. Circumstantial evidence that the Nazis understood the arrangement to include the Jews includes Heydrich's infamous September 1939 *Schnellbrief* in which Polish Jewry was to be concentrated around major railheads, pending their deportation eastwards. His *Sicherheitsdienst*

(SD) subordinate Adolf Eichmann's shifting of Jews from central Europe around this time towards the far reaches of Nazi control in Eastern Poland suggests a similar intent. The only problem with this proposed trajectory is that when the Nazis began to push Jews literally across the rivers San and Bug dividing line, the Soviets responded by shooting them, while the some 20,000 Jews who attempted to flee across the new international frontier as 'refugees' ended up on the cattle trains heading for Soviet Central Asia alongside all the Poles, Balts and others the Soviets perceived as 'security risks'.<sup>50</sup> The Nazi intention at this point was certainly no more benign than what might have been the case two years later had they achieved military success in Russia. Heydrich's Wannsee Conference articulation of the 'Final Solution' in which Jews were to be worked to death in the 'east' simply underscores that reality.<sup>51</sup> However, had European Jewry been eructed into the USSR in 1939, or even 1940, the possibility that some of them – removed from Nazi clutches – might have survived the almost inevitable Soviet mass deportation to the east remains a grotesque yet at the same time tantalizing case of the counterfactual.

In retrospect, we can see that any idea of Soviet salvation was a dead end. There was a tentative early 1944 plan to regroup Holocaust survivors in the Crimea as the kernel of a Jewish Soviet Socialist Republic – the idea apparently emanating from within the Soviet secret police (the NKVD) but fed back to the Politburo as if it were the request of the then quasi-independent Jewish Anti-Fascist Committee. Yet not only was this initiative toxically linked to the NKVD-organized mass Tatar deportation from the Crimea three months later but was also central to the fabricated charge sheet against the committee four years on, when they were accused of seeking to 'invade' the Crimea in a US-cum-Zionist plot. The growing storm clouds over Russian Jewry thereafter culminated in Stalin's pet project to deport them in entirety east to Birobidzhan, a fate only forestalled by the dictator's timely death in February 1953.<sup>52</sup>

The Jews of Russia were never to recover their poise. The remnants of self-identifying eastern Jewry who had survived the Holocaust equally found it impossible to survive the chill winds of Soviet anti-Semitism, new peaks of which around the Eastern bloc crisis years of 1956 and 1968 ensured their near-complete departure. Post-*glasnost* and the collapse of the USSR, the majority of Soviet Jewry were also rapidly migrating elsewhere.<sup>53</sup> Most were absorbed – as were the earlier but smaller waves of post-Holocaust survivors – into Israel under the 'Law of Return'. This seminal piece of 1948 legislation takes us back to the Zionist riposte to the crisis even before it became fully manifest. The notion of a sovereign Jewish state was intended to put an end to Jewish refugee status once and for all, and with it the ignominy and humiliation of border controls and refused visas: in short, a pillar to post-immiseration. Jewry under the threat of extermination. The paradox is that the very assimilated and un-Jewish Russian Jews who made *aliyah* in the 1990s were a far cry from their eastern European ancestors which Zionism had in its mind's eye to save and succour several generations earlier. Yet Zionism's lack of actual muscle on the world stage in the interwar years and its own primary emphasis on gradual state-building proved it unequal to the role of refugee sanctuary. By the 1990s, that was no longer true. Israel was able to absorb vast numbers of immigrants albeit in its increasingly limited urban space, bursting at the seams and over onto the contested West Bank, though as a further paradox

with considerable US aid to enable the absorption of those who might otherwise have preferred to have relocated to none other than the United States. The added poignancy is that the majority of historic east European Jewry would equally have preferred to have gone there too, but in the crucial years of the 1920s and 1930s they were denied that possibility.

To be sure, by the end of the Second World War, any issue of preference had become entirely academic. The Minorities Treaties were dead, Europe was a Jewish graveyard, and the continued tardiness of countries, including Britain and the United States, to offer an open welcome to survivors seemingly made the national option their only viable one. Yet there was a huge price to pay for it. Israel gained its sovereignty in 1948 but at the expense of two groups of people. The first were the Arabs of Palestine, vast numbers of whom now became perpetual refugees in their own backyard or beyond. The second were the equally large numbers of Arab Jews, from all across the Middle East who had hardly figured within European Zionism's original compass. Yet they were effectively evicted or forced to flee in the late 1940s or early 1950s, in significant part in retaliation for the *Nakba*, mostly for Israel.<sup>54</sup> Two groups of linked people ending up for years in tents, and doubly ironically with little or nothing to do with the forty years' crisis. Might it all have been avoided if Western states had offered that other wing of Jewry – in other words those at its nub – the compassion, the humanity and the asylum they deserved?

## Notes

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- 2 *Ibid.*, 222.
- 3 Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (New York: Oxford University Press, 1985), 167; Louise London, *Whitehall and the Jews, 1933-1948: British Immigration Policy and the Holocaust* (Cambridge: Cambridge University Press, 2000), 86–7.
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- 6 Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton: Princeton University Press, 2009), 111–3; Susanne Heim, 'International Refugee Policy and Jewish Immigration under the Shadow of National Socialism', in Frank Caestecker and Bob Moore (eds), *Refugees from Nazi Germany and the Liberal European States* (New York: Berghahn Books, 2010), 20.
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- 13 Stuart Cohen, *English Zionists and British Jews: The Communal Politics of Anglo-Jewry* (Princeton: Princeton University Press, 1982), 85, 105.
- 14 Tony Kushner and Katherine Knox, *Refugees in an Age of Genocide* (London: Frank Cass, 1999), 44.
- 15 *Ibid.*, 74–5.
- 16 Mark Levene, *The Crisis of Genocide, Vol. 1: Devastation: The European Rimlands, 1912-1938* (Oxford: Oxford University Press, 2013), 60–5.
- 17 Mark Levene, 'Frontiers of Genocide: Jews in the Eastern War Zones, 1914 to 1920 and 1941', in Panikos Panayi (ed.), *Minorities in Wartime: National and Racial Groupings in Europe, North America and Australia during the Two World Wars* (Oxford: Berg, 1993), 98–105.
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- 26 Yehuda Bauer, *Jews for Sale? Nazi-Jewish Negotiations 1933-1945* (New Haven, CT, and London: Yale University Press, 1995), 41; London, *Whitehall and the Jews*, 266.
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- 36 Quoted in Heim, 'International Refugee Policy', p. 22.
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- 44 Bauer, *Jews for Sale?*, 5–43; Heim, 'International Refugee Policy', pp. 35–6; Marrus, *Unwanted*, 216–17, for varying interpretations.
- 45 Marrus, *Unwanted*, 290–3.
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- 50 See Götz Aly, *Final Solution: Nazi Population Policy and the Murder of the European Jews*, trans. Belinda Cooper and Allison Brown (London: Arnold, 1999). For further exploration of the bigger 'populations' picture, see Mark Levene, *The Crisis of Genocide, Vol. 2: Annihilation: The European Rimlands, 1939-1953* (Oxford: Oxford University Press, 2013), 69–71.
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- 52 For the entire story, see Arkady Vaksberg, *Stalin Against the Jews*, trans. Antonina W. Bouis (New York: Alfred A. Knopf, 1994).
- 53 Noah Lewin-Epstein, Yaacov Ro'i and Paul Ritterband (eds), *Russian Jews on Three Continents: Emigration and Resettlement* (London: Frank Cass, 1997).
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## The League of Nations, Refugees and Individual Rights

Barbara Metzger

In February 1921, Gustav Ador, the president of the International Committee of the Red Cross (ICRC), drew the League of Nations' attention to the plight of over one million Russian refugees scattered all over Europe, in order to suggest the appointment of a High Commissioner for Russian Refugees.<sup>1</sup> Nobody could foresee that this appeal would lay the foundations for an international refugee assistance system which exists to this day. The United Nations High Commissioner for Refugees (UNHCR) is today one of the central UN agencies, maintaining regional offices all over the world, providing emergency relief during wartime as well as promoting long-term repatriation and resettlement schemes. UNHCR monitors compliance with the 1951 Refugee Convention and forms a pillar of the contemporary United Nations human rights regime.

The interwar years witnessed the beginning of international refugee law, initially in response to a series of humanitarian crises in the aftermath of the Great War. Subsequently, the League of Nations found itself at the centre of an ongoing debate concerning the role of the international community with regard to the obligations of states and the protection of individuals – particularly refugees who had been deprived of their citizenship. This chapter does not argue that the League's achievements in the field of refugee protection and creation of refugee law are the source of the current human rights regime.<sup>2</sup> Instead, the chapter looks at the emergence of refugee law during the interwar years and examines how both the successes and failures of the interwar refugee regime led to new thinking and advocacy with respect to individual rights. Even in the wreckage of the refugee regime in the late 1930s, we find voices who place the obligations of states to individuals at the centre of their response to the crises of their time.

This chapter builds on a number of insights in the existing literature. In his excellent study, *The Great War and the Origins of Humanitarianism 1918-1924*, Bruno Cabanes suggests looking at the emergence of humanitarian rights (which he identifies as rights of victims to aid) in the light of the war experience. Cabanes proposes that instead of viewing the politics of rights in the 1920s as an incomplete version – less universal, less mobilizing, less efficient – of the 'utopia' of human rights as we know it today, it should be understood through the traumatic experience of the Great War. The emergence of protective, humanitarian rights in the 1920s is thus seen as a key moment in shaping attitudes and values.<sup>3</sup>

Dorothy V. Jones was one of the first scholars to take a new perspective on the League in the 1990s. She maintains that within the context of the League ‘protection was seen as an active and vital force in international affairs.’ She identifies as one of the lasting legacies of the interwar period the idea that protection is an international concern to be exercised on a regular and continuing basis and not just ‘when some outrage catches the public’s attention.’<sup>4</sup> This chapter argues that, by setting up an institutional framework to accommodate the needs of refugees, the League created an institutional memory which documented the impact of state behaviour on individuals and the success of international action on behalf of refugees. This influenced the emergence of refugee law and enabled a new advocacy about the obligations of states to individuals, even amid the failures of the 1930s.

The balance sheet of the League’s efforts to find durable solutions to the massive refugee flows during the interwar years is riddled with remarkable accomplishments and failures, particularly with regard to the European Jews in the 1930s. As a consequence, a large majority of those victims of German persecution perished. Nevertheless, the emergence of the League’s refugee regime is worth examining, particularly during the 1920s when the institutionalization of international cooperation enabled the development of innovative approaches and was part of an overarching peace agenda, as Claudena Skran maintains.<sup>5</sup>

## The High Commissioner for Russian Refugees

The initial appointment of a High Commissioner for Russian Refugees was the response of the newly founded League of Nations to enormous changes in the international system that rendered millions of people homeless and stateless. In 1921, over one million Russian refugees, members of the defeated White armies and civilians, were scattered all over the Balkans, Poland, the Baltic, Central Europe, Europe and the Far East, the majority living under appalling circumstances.<sup>6</sup> After the First World War large multi-ethnic empires – Ottoman, Austro-Hungarian and Russian – collapsed and were transformed into nation-states striving for ethnic homogeneity, often forcing members of ethnic minorities to leave. In addition, dramatic changes like the Russian Revolution profoundly affected the entire social fabric of states, forcing many to flee.

The interwar period has been termed the ‘era of refugees.’<sup>7</sup> Between 1919 and 1939 at least five million refugees had to leave their homes in Europe. In the early 1920s, civil war and famine forced over one million Russian refugees to flee what became the Soviet Union. In the Near East, the 1921–2 Greco-Turkish war uprooted 1.5 million Greeks, 400,000 Turks and 300,000 Armenians. In addition, disputes between Bulgaria and its neighbours caused 225,000 ethnic Bulgarians to seek refuge in their mother country. In the 1930s, approximately 400,000 people escaped Nazi Germany, 10,000 left Mussolini’s Italy and 400,000 Spanish Republicans left Franco’s Spain.<sup>8</sup>

The rise of strict immigration controls across the world after the First World War and the universal acceptance of the norm that requires international travellers to carry passports made it increasingly difficult for refugees to cross international boundaries. John Torpey identifies the ‘development of welfare states and the rise of labor

movements seeking to control access to jobs and social benefits' as playing their part in promoting immigration controls. The growing welfare state system made governments reluctant to accept refugees since they feared the financial obligations involved. Refugees were met with increasing hostility as they were viewed as political suspects and an economic burden.<sup>9</sup> Refugee movements could no longer be easily absorbed and naturalized in the host countries.<sup>10</sup> This brought home to policy makers that refugees had to be recognized as a matter of crucial international concern. Governments thus urged the League to take up the issue, regardless of the fact that its Covenant did not make any explicit reference to the protection of refugees.

The appointment of a High Commissioner for Russian Refugees was initiated and strongly promoted by private relief organizations. A member of the former Russian Red Cross expressed the hope that 'the League embodying the idea of solidarity and international justice is willing to accept the difficult task of defending the rights and interests of the Russian expatriates.'<sup>11</sup> From the start, private refugee organizations sent reports to Geneva documenting the desperate refugee situation and encouraging the League to act.<sup>12</sup> Although the League of Nations Council was originally concerned that governments might see the high commissioner as interfering with domestic affairs, it agreed to instruct the secretary general to gather relevant information from all refugee-hosting countries.<sup>13</sup> Following the standard League procedure, a questionnaire was sent out to all governments concerned to obtain information and suggestions. Most governments were strongly in favour of the League taking up the issue.<sup>14</sup> The High Commission was assigned three tasks: to find a definition of the legal position of refugees; to organize resettlement or repatriation; and to coordinate the efforts for the assistance of refugees. All three aspects required international arrangements and cooperation.<sup>15</sup>

In August 1921 the League secured the appointment of Fridtjof Nansen as its first High Commissioner for Refugees. Since the refugee problem was perceived as a temporary phenomenon the League only covered the administrative expenses of the high commission. Nansen had a small staff in Geneva and appointed delegates in refugee-hosting countries to liaise with government officials, private voluntary organizations providing refugee relief and the refugees themselves. He often employed refugees as delegates, as they knew the languages and were familiar with the traditions and customs of the respective refugee community, thus giving some of the refugees a voice.

As Nansen depended heavily on the funds and the expertise of private voluntary organizations, in 1922 he set up an Advisory Committee consisting of sixteen private organizations. By 1936, the Advisory Committee had expanded to forty members.<sup>16</sup> Nansen skilfully used the international diplomatic arena and the League Secretariat to seek international consensus and secure support for his work.

## The Nansen Passport

'As things are, the Russian refugees cannot travel, marry, be born, or die without creating legal problems to which there is no solution,' a League official remarked succinctly in a memorandum in 1921.<sup>17</sup> Nansen's main objective thus became to endow those in need with at least some rights, mainly the possibility to travel in order to find work and a

livelihood. Nansen's position was difficult: he had to find ways to accommodate his humanitarian goals regarding refugees within a state system governed by the principle of national sovereignty. Each sovereign state had the right to regulate entry.

To address the lack of legal protection suffered by the Russian refugees, Nansen convened in July 1922 an intergovernmental conference attended by sixteen governments. Nansen's great invention was the creation of a special certificate of identity for Russian refugees, commonly called the 'Nansen Passport'. The arrangement was eventually accepted by fifty-three states. It was not legally binding but served as a set of recommendations providing the refugee with a form of legal status. The Nansen Passport allowed its holder to travel to countries where he or she might be more likely to find work and a livelihood. Conversely, states could issue the certificate without having to grant citizenship rights. The document was valid for a year, certifying that its holder was a Russian national by origin. It contained no general definition of a refugee and no specification of the motivations for flight. The system proved so successful that in 1923 thirty-one governments recognized the model certificate for Russian refugees recommended by the high commission.<sup>18</sup>

When the plight of the Armenian refugees aroused international public opinion during the refugee crises in the Near East in the early 1920s, Nansen's mandate was extended. From 1924, the 'Nansen Passport' system was applied to Armenian refugees.<sup>19</sup> Two years later a legal agreement was concluded. For the first time it provided a definition of refugee, no matter how limited, specifying that a Russian refugee was 'any person of Russian origin who does not enjoy the protection of the Government of the Union of the Soviet Socialist Republics and who has not acquired any other nationality'. A similar definition applied to the Armenian refugees.<sup>20</sup> By paying for the stamp on the Nansen Passport refugees became 'stakeholders'.

Until 1928, Nansen's mandate covered only two national groups of refugees – Armenians and Russians. Despite the growth in the actual numbers of refugees covered under international law, individual political exiles, for instance, remained outside the system. The Italian refugees fleeing fascism were never included in the League's protection scheme, as this would have meant indirectly criticizing a prominent member state of the League.<sup>21</sup> The Russian émigrés, in contrast, could be designated with impunity in 1921 because the Soviet Union was outside the League until 1934.<sup>22</sup>

The designation of refugee status was politically contentious and required a strong international consensus about assisting a particular group. The debate in the late 1920s to open the League refugee protection scheme to a wider range of national groups showed the difficulties. In 1926 the Belgian delegate called the attention of the Seventh Assembly to the plight of refugees not holding a Nansen Passport. The Assembly passed a resolution asking the High Commissioner for Refugees to investigate the extension of protection to other 'analogous categories of refugees', among them Assyrians, Assyro-Chaldeans, Ruthenes in Austria and Czechoslovakia, a large number of stateless people in central Europe, Hungarians in Austria, France and Romania, Jews in Romania and some Turks in Greece who had been friends of the Allies. The Council decided to restrict its consideration to those people who had become refugees as a consequence of the war and events directly connected with the war. The governments were concerned about any additional cost that an extension of the refugees protected by the League

would incur. In the end the League only selected the Assyrians, Assyro-Chaldeans and the Turks from its long list of candidates in need.<sup>23</sup> Thus, in 1928 the opportunity to extend the protection for refugees under the auspices of the League passed by.

The coverage of the Nansen system was extended on only one further occasion. In 1935, about 7,000 refugees were forced to leave the Saar, when a plebiscite held in the region overwhelmingly favoured its return to Germany. Previously, under the administration of the League, the Saar had been an important political refuge for dissidents fleeing Nazi Germany. France, as the host country for those refugees, championed the case of Saar refugees inside the League and secured for them the use of the Nansen certificates.<sup>24</sup> For the first and only time the reasons for flight were included in the definition of a refugee entitled to a Nansen Passport, and provisions were made within the Nansen protection system for people who potentially found themselves outside their home country, not as a consequence of war but of the actions of a nation-state.

While the coverage of the Nansen system was never universal, the system was nevertheless highly innovative. In 1928 thirteen states signed an arrangement recommending that consular services for refugees be carried out by delegates of the high commissioner. This included the certification of the refugee's identity and civil status, attesting to the refugee's character and conduct, and recommendations of refugees to governments and educational authorities. Between 1932 and 1938 the Nansen Office, the League's refugee agency created after Nansen's death in 1930, made an average of more than 18,000 interventions annually relating to the personal status of Russian, Armenian, Assyrian and Saar refugees.<sup>25</sup> This arrangement was a remarkable development since it acknowledged the reliability and competence of the High Commissioner for Refugees and the working of this international system of refugee protection. Sovereign states gave an international organization administrative authority regarding refugee-related issues. This is a milestone in the emergence of the international administration of refugee rights and international governance in general.

The 1928 agreement was also remarkable in giving substance to the notion of protective rights since it provided for the 'physical protection' of refugees. States acknowledged that refugees should not be expelled if this posed a threat to their life. Paragraph seven recommended that governments suspend measures to expel a Russian or Armenian refugee if it was impossible for the person to enter another country legally.<sup>26</sup> This norm reflected the frequent interventions of the high commissioner on behalf of refugees threatened with expulsion. A prominent case occurred, for instance, when the Polish government expelled 10,000 Russian refugees, predominantly Jews, in 1923. The destitute victims of this expulsion were trapped in no man's land under appalling conditions. The League High Commissioner for Refugees successfully negotiated with the Polish government a suspension of the expulsions until the refugees could lawfully emigrate abroad.<sup>27</sup> The 1928 agreement made a further noteworthy provision: refugees obtained permission to return to the country where the Nansen Passport had been issued.<sup>28</sup>

As the refugee problem continued, and the economic crisis rendered the life of many refugees more precarious than ever, the Intergovernmental Advisory Commission for Refugees proposed in August 1931 a formal convention which would 'stabilise the

situation' of refugees in light of the planned liquidation of the Nansen Office at the end of 1938. The 'Nansen passport system', the 1928 arrangement and the practical work performed by the high commission, as in the case of the Polish expulsions, paved the way for the first Refugee Convention adopted in 1933.

## The Refugee Convention of 1933

The Refugee Convention of 1933 was legally binding on its signatories and became a landmark in the codification of international refugee law. As the legal scholar Peter Fitzmaurice suggests, the 1933 Convention in many ways constituted the high-water mark of refugee protection between the wars.<sup>29</sup> The most striking provision was the right to non-refoulement. This provision acknowledged the right to life of an individual refugee who on his return to his country of origin would have been in danger. The right to 'non-refoulement' was later to become a fundamental provision in the 1951 Refugee Convention.

The 1933 Refugee Convention dealt with a broad variety of concerns ranging from identity certificates to expulsions. It granted refugees the enjoyment of civil rights, free access to courts of law, security and stability in their settlement and employment, facilities to work in the professions, in industry and commerce, freedom of movement and admission to schools and universities.<sup>30</sup> It codified basic rights for refugees that were commonly granted to the citizens of the signatory country. It made provisions for labour conditions, industrial accidents, welfare and relief. Until 1938, it had been ratified by sixteen governments. A range of countries did not ratify the 1933 Convention but applied it in practice. A crucial aspect of the Convention was that the signatories opened their national legislation to international scrutiny, later to become an essential feature of the contemporary human rights regime.<sup>31</sup>

Michael Hansson, president of the Nansen Office between 1936 and 1938, made an increase in ratifications one of his top priorities. The Convention set standards in many areas that required translation into national law. The French government, for instance, upgraded benefits to refugees in the area of medical assistance, unemployment insurance and pensions so that they would be equal to those aliens receiving the most favourable treatment under French law. Further, it established a special committee to inform refugees of their rights.<sup>32</sup> In contrast to the 1951 Refugee Convention, which requires the refugee to prove a 'well-founded fear of persecution', the 1933 Convention did not elaborate on the reasons for flight. The group affiliation still decided upon the refugee status, thus providing protection only for refugees under the mandate of Nansen Office. Nevertheless, the 1933 Convention left a lasting legacy in the legal arena, and can in hindsight be recognized as an important contribution to the evolution of international human rights law. It established a standard that refugees should be accorded the same treatment given to aliens in the host country. The notion of reciprocity was waived for refugees as they had lost the protection of their country of origin. The guarantee of basic civil, legal and economic rights in law served as a direct precedent for both the refugee rights regime and various international human rights mechanisms.



## The High Commissioner for Refugees Coming from Germany

Whereas the 1920s saw a number of innovative approaches to finding long-term solutions to the refugee problems, the League's efforts on behalf of refugees during the 1930s present a less positive picture. Hitler's rise to power and his challenge to the world order triggered a mass refugee movement that the League could not settle, particularly at a time when immigration restrictions were constantly being tightened in response to the Depression. Despite the devastation that ultimately arose from the events of these years, the failure of efforts within the League led to key actors advocating the centrality of the obligations of states to individuals, especially with regard to citizenship rights.

Prior to 1933, the League's interventions with regard to refugees had been firmly rooted in crises arising directly from the Great War and its aftermath. In 1933, the League was forced to take a step beyond this: it used a minority protection treaty to challenge the main refugee-producing country – Germany – in a volatile political and economic context. It was a brief moment where the obligations of a major European power towards an individual person came sharply to the fore. Legal accounts usually only mention the so-called 'Bernheim petition' in passing, but Paul Gordon Lauren gives it a prominent role in his history of human rights.<sup>33</sup> Soon after Hitler's rise to power a series of anti-Semitic decrees commanded a public boycott of Jewish businesses, the discharge of Jewish civil servants, the exclusion of Jewish lawyers from the legal practice and the removal of Jewish physicians from medical practice for health insurance funds. Limits were placed on the admission of Jewish pupils into schools. The German government declared that all such measures came within the sphere of German national sovereignty and were out of bounds to foreign intervention. The World Jewish Congress challenged this view. It brought Germany's discriminatory policies before the League, 'transforming a domestic matter into an international issue'.<sup>34</sup>

Since Germany was bound by a minority protection treaty in Upper Silesia, the World Jewish Congress tried to convince the League that Germany's discriminatory policies were in violation of her international obligations. A lawyer from Lemberg<sup>35</sup> composed a petition, which Franz Bernheim, a young German of Jewish descent who 'had been unfairly and illegally discharged from his job in Upper Silesia solely as a result of Hitler's new decrees against Jews', submitted to the League Council.<sup>36</sup> The petition maintained that Bernheim's dismissal represented a clear violation of the minority clauses of the German-Polish Convention regarding Upper Silesia (1922), which guaranteed equality of all Germans before the law in respect to civil and political rights, equal treatment regarding employment, and protection of the life and liberty of all inhabitants without distinction or discrimination as to race, language or religion.<sup>37</sup> The League could not ignore this petition and found itself forced to address the issue of international protection of minority rights, in the light of much public attention. While Germany tried to stall the debate, the Council spent considerable time and energy on it. In the end, the Council decided that the discrimination experienced by Franz Bernheim 'represented a breach of treaty obligations' and that Bernheim should receive compensation.<sup>38</sup>

The 'Bernheim petition' opened a unique debate in the Assembly in September 1933, which put the protection of individual rights at the core. The delegation from Haiti

took the initiative in proposing a universal regime for the protection of human rights. Speaking as its representative, Antoine Frangulis, the Greek jurist and diplomat, termed ‘the delegate of the rights of man’,<sup>39</sup> criticized the selective system for the protection of minorities as being far too limited, leaving ‘the most sacred rights of men and citizens’ often without respect. Frangulis referred to the ‘Declaration of the International Rights of Man’, which had been passed by the Institut de Droit International in October 1929. The Federation of League of Nations Unions endorsed this declaration in June 1933 in Montreux. This document provided a catalogue of universal rights which Frangulis urged the League to adopt since

there is not only one category of citizens of a State, described as a minority, which deserves attention, but ... all the citizens of which human communities are made up are entitled to the same freedom and the same protection, and the League of Nations must consider the problem as a whole from the aspect of the rights of man – that is to say, of the rights which men possess as such, whether they belong to a minority or a majority – and it must seek the solutions which are necessary.<sup>40</sup>

Frangulis suggested that the League draft a comprehensive world convention for the protection of human rights everywhere.<sup>41</sup> Not surprisingly, this initiative was met with stiff opposition from the champions of national sovereignty. It could be discussed in the plenary session but stood no chance of being translated into action in the committees. The majority of members of the League had no interest in a general convention that might be turned around to apply to them.<sup>42</sup>

The conflict between national sovereignty and international action became even more distinct at the same Assembly, when the question of the German refugees was discussed. The League faced its classic dilemma: while it was obvious that some international response was necessary as refugees streamed from Germany into neighbouring countries, League delegations were concerned not to interfere in the internal affairs of a member state or thus criticize German policies. Enjoying great power status Germany could veto any action the League wished to take to assist German refugees.

There were countermoves, however, which drew on the institutional memory and successes of the Nansen Office. In September 1933, the Dutch delegate to the Assembly proposed that the League assist the German refugees through this office. This suggestion was immediately vetoed by the German delegation. What emerged from the following debate was a watered-down compromise: Germany was assured that the refugees would not be placed within the effective mandate of the Nansen Office but rather under the auspices of a separate organization. The High Commission for Refugees (Jewish and Other) Coming from Germany had its headquarters in Lausanne to emphasize its separation from the League. This attempt to accommodate German sensibilities proved particularly futile since Germany announced her withdrawal from the League within a few days of the Assembly closing.

In October 1933, the League Council appointed James G. McDonald to this new position. McDonald had an extensive foreign affairs background having served as the chairman of the Foreign Policy Association since 1919. He was well acquainted with highly placed Germans in Berlin, had visited the Dachau concentration camp

and believed himself under no illusions about Nazism.<sup>43</sup> From the very beginning, McDonald's work was severely hampered by the separation of his office from the League and its dependence on private funds. James McDonald enjoyed little support from the League's Secretary General Joseph Avenol, whose sympathies lay with the political right in Europe.<sup>44</sup> The high commissioner had a small administrative staff as well as a governing body composed of government delegates and an advisory body constituted of representatives of the major private refugee organizations. Both bodies met regularly. The governing body, however, was frequently criticized for its ineffectiveness.<sup>45</sup> McDonald frantically travelled the world in the hope to find countries willing to accept refugees from Germany.<sup>46</sup> McDonald was at least partially successful in helping some German academics to find positions abroad.<sup>47</sup>

Documenting the work of the high commission is difficult. The League archives are full of letters, pamphlets, appeals and press clippings which reached the high commissioner. They contain information on thousands of individual cases who saw the high commissioner as their last hope. It is a vast collection, bearing testimony to brutally destroyed existences and injustice suffered at the hands of the German government – as in the 1920s, the tragedy of the individual was reaching the League. One such example was the disturbing story of a German political activist who had managed to escape to Holland in 1933 where he lived illegally without valid papers. He wrote to McDonald that every single day he was petrified that he and his wife might be arrested and deported, which would mean 'death in Nazi Germany'. He pleaded to the high commissioner: 'Mr High Commissioner for Refugees, we appeal to you and incur your help and advice. Please show me a way out of this illegal and chased existence back into a legal life.'<sup>48</sup> Another refugee begged the high commissioner for a Nansen Passport, unaware that these documents were not granted to German refugees.<sup>49</sup> Likewise McDonald received a remarkable collection of appeals from private refugee-aid organizations, which narrated the horrific situation at first hand and begged him to act, although he was in no position to grant funds. They emphasized that the problem was an international one which had to be addressed by the League, and vehemently protested against the shift of responsibility onto the shoulders of private charity.

All these instances brought home to McDonald the realization that he lacked the authority to effect change. Private organizations increasingly demanded that he address the refugee problem not only from a humanitarian but also from a political point of view. The president of the Basler Hilfe für Emigrantenkinder, Georgine Gerhard, was one of those untiring activists who regularly urged the high commissioner to make a political appeal to Germany. She emphasized the need to attack the root causes of the refugee problem rather than just to facilitate emigration. In December 1934, she suggested a widespread international appeal 'to rouse the world's conscience.' This appeal 'ought to bring home to the Germans what it means at a time like ours to turn about 80,000 people out of her territory.'<sup>50</sup> She argued that 'no nation has a right to put the subjects it does not like simply in thousands on to the backs of other nations, and this should be clearly expressed.'<sup>51</sup> Those voices grew stronger and eventually provided the impulse for change.

During the early summer of 1935, different initiatives were launched to bring the high commission back into the framework of the League. Among them was a petition

submitted by the ICRC and refugee organizations, which argued that different refugee groups should no longer be dealt with under different protection schemes. Instead, a universal approach was postulated: all refugees should enjoy the same treatment regardless of the national group they belonged to. The petition also stressed that the refugee problem raised not only humanitarian but political considerations: the lack of effective measures for refugee assistance was a direct menace to peace.<sup>52</sup> However, the closer the Assembly came, the more disillusioned McDonald became with the realistic prospects of reorganizing the League refugee system.<sup>53</sup> Finally, the reorganization was discussed at the same Assembly as the Italian annexation of Abyssinia. While Haile Selassie was appealing to the Assembly to enforce the system of collective security, the Norwegian foreign secretary proposed that the League should create a central organization with responsibility for all refugees, whatever their origin. This proposal was met with singularly little enthusiasm.<sup>54</sup> Instead of responding to the urgency acknowledged by some of the delegates, the majority decided to set up a subcommittee to study the question in further detail.

### James McDonald's letter of resignation: an appeal to the world's conscience to consider the root causes of the refugee problem

James McDonald's frustration grew. Inundated by desperate appeals from private organizations and individual cases, and unable to help since governments were adamant in refusing support, he realized the impossibility of his task. When in September 1935 the proclamation of the Nuremberg Laws caused even more refugees to flee Nazi Germany, it brought home to McDonald that Nazi policies had to be directly confronted. He was the first and the last high commissioner to urge the League publicly to deal with the root causes of the refugee problem. Whereas Nansen had tried to remain above politics and promoted pure humanitarianism, McDonald realized that he had to address the question of sovereignty. In his widely publicized letter of resignation in December 1935, he took a strong stand against the violations of citizens' rights in Germany, contending that they could not possibly be ignored as domestic matters. He identified the violation of a state's responsibilities to its citizens as a clear danger to international peace and security, rendering international action on behalf of the German refugees impossible if unaddressed.<sup>55</sup>

McDonald's letter of resignation is a remarkable document for its time. It is a careful analysis of how the rights of citizens were systematically violated within a totalitarian state. The document is composed of a powerful letter of resignation urging the international community to reach beyond the concerns of 'diplomatic correctness', and a thirty-four-page analysis of how the Nazi disrespect for citizens' rights gradually permeated German society. McDonald showed how the 'rule of law' had been perverted by a racial ideology. He argued that the racial policy of the Nazi government found expression in legislation, in court decisions, in the interpretation and application of the law by local officials and in extra legal measures taken by the National Socialist Party

and its leaders who directed the central and local governments of the country. The result was to deprive hundreds of thousands of German citizens of all standing in the community and any means of livelihood. More than 80,000 persons had been obliged to leave Germany, though the vast majority of those affected remained in Germany in the hope that the programme of racial discrimination would be abandoned or moderated. The Nuremberg Laws, which withdrew citizenship from persons of 'non-German blood', had crushed this hope. The immediate effect of the Nuremberg Laws was that at least half a million people were deprived of their political rights and their civil status, rendering them into 'guests or wards of the State'.

McDonald's approach was similar to the one used today when the United Nations examines human rights violations in any given country. He analysed the substance of the legislation and then illustrated its application. He showed that the German courts had not only failed to safeguard the rights of equality and liberty, which were the basis of all civilized legal systems, but they had transformed legal guarantees into instruments for the extension and application of the racial principle to matters unregulated by formal legislation or administrative decrees. The three cornerstones of judicial morality had been abolished: equality of all men and women before law; independence of judges; and the doctrine that only those acts are to come under the prohibitions of the law for which the law specifically provides. In McDonald's words the Nazis rejected the fundamental guarantees of 'civilized justice'. He also recalled that the German judicial system had departed from certain general principles that limit the arbitrary power of the sovereign or of the law itself, such as could be found in the US Bill of Rights.<sup>56</sup>

McDonald was adamant that the Nuremberg Laws had initiated a fresh wave of repression and persecution of a kind not envisaged in 1933 and demanded a clear change of policy. Ceasing to choose his words to accommodate diplomatic considerations, he wrote:

One portentous fact confronts the community of states. More than half a million persons, against whom no charge can be made except that they are not what the National Socialists choose to regard as 'Nordic,' are being crushed. They cannot escape oppression by any act of their own free will, for what has been called 'the membership of non-Aryan race' cannot be changed or kept in abeyance.<sup>57</sup>

He was in no doubt that the League had to change its strategies towards Germany: 'Efforts must be made to remove or mitigate the causes which create German refugees. ... It is a political function, which properly belongs to the League itself.'<sup>58</sup> He called for 'fresh collective action.' The moral authority of the League and its member states had to be directed towards 'a determined appeal to the German Government in the name of humanity and of the principles of the public law of Europe.' Turning to what could be done, McDonald proposed friendly but firm intercession with the German government. He made it clear that the German policy towards Jews was definitely a common concern for which the League had been established. He went on to use what has become a human rights argument: 'When domestic policies threaten the demoralisation and exile of hundreds of thousands of human beings, considerations of diplomatic correctness must yield to those of common humanity. I ... plead that

world opinion, acting through the League and its Member-States and other countries move to avert the existing and impending tragedies.’ He was in no doubt that ‘the protection of the individual from racial and religious intolerance is a vital condition of international peace and security.’<sup>59</sup>

With this letter of resignation James McDonald took the step which other activists like Georgine Gerhard had demanded previously. The original League document was reprinted by the ‘Friends of Europe’ with a foreword by Robert Cecil.<sup>60</sup> A Viennese publisher reprinted it in a German translation.<sup>61</sup> Despite its wide distribution and strong media response, McDonald’s courageous appeal never generated direct intervention from the League. His letter of resignation remained the one and only direct political appeal of a League advocate to deal with root causes of the refugee problem. McDonald clearly spelt out the connection between the violation of individual rights and the refugee problem.

In organizational terms, the League drew some lessons from McDonald’s critique. His successor was brought back into the League. The League Council, however, carefully circumscribed the new high commission’s sphere of activity. It ended its autonomous status and subjected the high commission to the close scrutiny of the League’s secretary general, a mixed blessing given Joseph Avenol’s open right-wing sympathies. In direct contrast to what McDonald had demanded, internal German policy was declared out of bounds for the League.<sup>62</sup>

Sir Neill Malcolm, a retired British Army official, was appointed the new League High Commissioner for Refugees. Within his limits, he introduced a few legal improvements. Since the German refugees were not covered by the 1933 Convention, their legal status was highly insecure. In 1936, he convened an intergovernmental conference at Geneva where a Provisional Arrangement concerning identity and travel documents for German refugees was adopted.<sup>63</sup> Most remarkably, it prescribed a ‘period of grace’ before a refugee was required to leave his country of refuge, which in theory limited the recourse to expulsion and established the legal standing and personal status of such refugees in the courts of such countries. This arrangement was followed by a ‘Convention relating to the Status of Refugees coming from Germany’ adopted by an intergovernmental conference on 10 February 1938.<sup>64</sup> It confirmed the legal status of those refugees who had managed to leave Germany. It repeated previous measures of protection, improved conditions for refugees in countries of asylum and limited the recourse to expulsion. Signed by the major western European countries, it emerged at the last possible moment, just before a new flood of refugees was occasioned by the *Anschluss*. None of the governments who signed the Convention offered the ratification necessary to put it into effect.<sup>65</sup>

Not surprisingly, in the political climate states were slow to accede to this instrument. In practice, stateless persons continued to live outside the law, and no state permitted international obligations to override the fundamental unwillingness to protect the *apatrides*. The system was considered useful enough, however, that in May 1938 the Council directed the secretary general and the high commissioner to request the governments to extend the Arrangement of July 1936 and the Convention of February 1938 to refugees from Austria. Michael Hansson, a Norwegian judge and president of the Nansen International Office for Refugees, continually highlighted the

inhumane nature of the expulsions, calling them 'a game with the refugee as a human tennis ball' and 'one of the greatest scandals of our times'.

In practical terms the success of the travel and identity system for refugees from Germany paled in comparison with the Nansen Passport system. In one crucial respect, the problem of the refugees coming from Germany in the 1930s was fundamentally different from the Russians and Armenians in the 1920s. While the latter were usually in their country of refuge, the major problem faced by German refugees was finding countries willing to permit them to enter at all. Without this willingness, international agreements on refugee certificates could do little to improve their desperate situation.<sup>66</sup> Katy Long argues convincingly that refugees during the interwar years were basically treated like protected migrants. The aim of the Nansen Passport was to facilitate their onward movement and enable them to become self-sufficient wherever possible. Thus, their protection was dependent upon economic criteria. And during the economic crisis of the 1930s it grew increasingly difficult to find a country of refuge as the reasons for flight were not given consideration in defining refugee status.<sup>67</sup>

## The Evian Conference

Having appointed the former League High Commissioner for Refugees Coming from Germany, James McDonald, as acting chairman of his advisory committee for political refugees,<sup>68</sup> the US president, Franklin D. Roosevelt, took a last initiative to find new solutions to the German refugee problem just before the outbreak of war. In July 1938, he convened an intergovernmental conference in Evian-les-Bains on the French shore of the Lake Geneva. Switzerland had refused to host the conference in Geneva.<sup>69</sup> The conference aimed at facilitating the immigration of political refugees from Germany and presumably Austria, but at the same time it was emphasized that 'no state would be expected to receive greater numbers of emigrants than is permitted by its existing legislation.'<sup>70</sup>

The proceedings at Evian were depressing and the historian Shlomo Katz captured the mood by coining it the 'Jewish Munich'.<sup>71</sup> While the League in its refugee work had always sought constructive dialogue and cooperation with private refugee organizations, in Evian this cooperation was expressly avoided.<sup>72</sup> This was a very different approach to the League refugee work which had heavily relied on the input of the refugees themselves. The outcome of the Evian Conference was that no government committed itself to accepting large numbers of refugees but rather agreed to create an Intergovernmental Committee on Refugees (IGCR) in London. The novelty of this committee was that it was authorized to concern itself with 'actual and potential refugees from Germany (including Austria)'. At last, it was acknowledged that German Jews who had not crossed the border yet had – in language of today – a 'well-founded fear of persecution' and deserved support from this newly created international body. Twenty-seven states were represented on the IGCR. George Rublee, a US Department of State official, was appointed director of the IGCR's permanent secretariat. The idea was that Rublee, since he was not connected with the League, could negotiate with the German government directly.<sup>73</sup>



Despite the sorry proceedings of the Evian Conference, voices still emerged questioning long-established concepts of sovereignty, arguing the need for an international protection of individual rights and linking it to discourses which later grew strongly in influence after 1945. The Colombian delegate, for instance, raised the question of principle:

Can a State ... arbitrarily withdraw nationality from a whole class of its citizens, thereby making them Stateless persons whom no country is compelled to receive on its territory? Can a State ... pour upon other countries masses of citizens of whom it wishes to get rid, and can it in this way thrust upon others the consequences of a fatal internal policy? The whole tragedy of those thousands of unfortunate people who are driven from country to country [is that] all their tragedy arises from the fact that this preliminary question was not settled in time.

He was under no illusion that as long as this question of principle was not solved, little would be done for the refugees. He suggested the creation of a committee which would study the 'essential problem of the right and duties of the State towards its own nationals, and particularly the question of whether the organisation of the international community is or is not based upon the principle that every individual has the right to belong to any particular nation and not to be deprived of his nationality without automatically acquiring another.' This committee would consider the question of granting to refugees a passport or some other paper of international validity, which would enable them to proceed normally from one country to another. It would also have to devise a full legal status for denationalized political refugees.

The Colombian delegate also drew the attention of his audience to the 'Declaration of the International Rights of Man', which had been adopted by the Institut de Droit International at its meeting in New York in 1929 as well as by the International Federation of League of Nations Unions in Montreux in 1933. Together with the Covenant of the League and the great principles of modern international law, he described this as 'the constitutional charter of the contemporary world.' The declaration, signed by the most authoritative legal institutions, declared in its first article: 'It is the duty of every State to recognise the equal rights of all persons to life, liberty and property, and to grant to all within their territory the full and complete protection of those rights without distinction of sex, race, language and religion.' Article 5 prohibited discrimination saying: 'The equality referred to must not be nominal but actual and effective: no discrimination, either direct or indirect, will be tolerated, and in particular it will not be permissible for any State arbitrarily to withdraw its nationality from those, who for reasons of race, language or religion, it would wish to deprive of the rights of its nationality.'<sup>74</sup> Myron Taylor, the US representative, also used the vocabulary of human rights when he concluded: 'I need not emphasise that discrimination and pressure against minority groups and the disregard of elementary human rights are contrary to the principle of what we have come to regard as the accepted standards of civilisation.' He added that disrespect for human rights actually posed a threat to peace and security.<sup>75</sup> Though this debate had little effect and initiated no action, these speakers placed the state's responsibility for individuals at the centre of their arguments, particularly with regard to citizenship, race, language and religion.

At Evian, the authority with regard to the refugee question shifted away from the League and to the newly created IGCR. The Evian Conference failed to grant protection to the dramatically growing numbers of refugees, but even in a situation of highest political tension where the belief in national sovereignty was dominant, the need for a new thinking about individual rights was, if cautiously, displayed.

## Conclusion

During the interwar years large refugee flows became symptomatic of the ills of a state system where individuals could be deprived of their citizenship and lose their fundamental rights at a stroke. The plight of those refugees resonated strongly with the international community. The League of Nations High Commission for Refugees and Fridtjof Nansen in particular enlarged the sphere of international responsibility for refugees. As the League's work was heavily reliant on a strong cooperation with refugee relief organizations, the refugees themselves were given a voice in this institutional context. In some cases, individuals who had become the victim of domestic law were heard and their needs considered in the international arena. The League Assembly debates of the 1920s contributed to the internationalization of the refugee problem. More than one million refugees benefited in some form from the League-sponsored international refugee regime.

The introduction of the 'Nansen Passport' and the 1933 Refugee Conventions can be judged as outstanding accomplishments in the development of international refugee law and, in hindsight, to human rights law. Even though the actors in the international refugee regime did not develop a system of universal protection for refugees during the interwar period, they left a lasting legacy in the legal arena. Refugee protection remained dependent on national affiliation – yet, the numbers of national groups covered increased notably. A comprehensive body of rules developed governing refugee identity and travel, economic and social well-being, and notably 'physical protection'. Building on the practical experience of the League High Commission for Refugees during the 1920s, physical protection against expulsion and refoulement became part of international refugee law and is included in the 1951 Refugee Convention.

The story from 1933 onwards is largely one of failure, but it is the responses to that failure and the surrounding discourse which resonate today. With James McDonald's resignation as high commissioner the global understanding of the refugee problem deepened. Even if his widely publicized letter of resignation did not have the desired effect, it was a remarkable attempt to identify the root causes of the refugee movement. No High Commissioner for Refugees before McDonald had the courage to show how the legal practice of a great power had systematically discriminated against a group of its own citizens and, in doing so, posed a threat to international peace and security. With the benefit of hindsight, it becomes evident that McDonald was one of the first people to advocate international measures to protect the basic rights of individuals inside a state. He believed that the abuse of basic rights was fundamental to the refugee problem and thus concerned the entire international community, not just the government involved. Although we see echoes of these views at Evian, they gained

widespread acceptance only after the Second World War, and were embedded in the Universal Declaration of Human Rights in 1948, which has become a point of reference ever since. The Refugee Convention which in part builds on the 1933 convention was adopted in 1951 and forms the basis for all contemporary refugee protection.

Although one cannot speak of a ‘human rights regime’ during the interwar years, the League’s intervention in refugee issues inevitably led to new thinking on the limits of sovereignty, the responsibilities of the state to the individual, and the need for international protection of the individual under threat from the state. Unusually for the times, this thinking was born out of practice as much as ideology – the League’s practical experience during the humanitarian crises of the early 1920s with handling millions of refugees, including tens of thousands of individual cases, led it to attempt action in the 1930s. Throughout, the international community had been forced to consider the needs of large numbers of refugees scattered all over Europe. There is no doubt that the majority of states guarded their sovereignty at all costs. Nevertheless, they accepted international legal agreements and obligations towards refugees in order to relieve the plight of the displaced. While minority and national rights undoubtedly received greater attention during the interwar years, an emphasis on individual rights emerged inexorably from both the success and failures of the League’s refugee regime.

## Notes

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- 4 Dorothy Jones, ‘The League of Nations Experiment in International Protection’, *Ethics & International Affairs*, 8 (1994), 76–96.
- 5 Claudena M. Skran, *Refugees in Inter-War Europe. The Emergence of a Regime* (Oxford: Oxford University Press, 1995).
- 6 Karl Schlögel, *Der Grosse Exodus: Die Russische Emigration und ihre Zentren, 1917-1941* (Munich: Beck, 1994).
- 7 Arieh Tartakower and Kurt R. Grossman, *The Jewish Refugee* (New York: Institute of Jewish Affairs, 1944), 1.
- 8 Skran, *Refugees*, 30–61.
- 9 John Torpey, *The Invention of the Passport, Surveillance, Citizenship and the State*, (Cambridge: Cambridge University Press, 2000), 121.
- 10 *Ibid.*, 26.
- 11 Prince Lvov, chairman of the Russian Political Council in Paris, to da Cunha, rapporteur to the Council on refugee questions, 14 May 1921, in 45.12820.12319, R1713, League of Nations Archive (UNOG), Geneva.
- 12 N. Astrov of the Comité des Zemstvos et villes russes de secours aux citoyens russes à l’étranger sent a detailed account to the Secretary General of the League of Nations arguing that something had to be done to improve the situation of Russian refugees.

- This report was used in the Council meeting on 5 August 1921. See 45.14500.12319, R1713, UNOG.
- 13 Extrait du procès-verbal de la 9eme séance du Conseil, 12eme séance, Paris, 26 February 1921, in 45.12324.12324, R1717, UNOG.
  - 14 Belgian foreign secretary to Eric Drummond, 25 April 1921, in 45.12356.12334, R1717, UNOG.
  - 15 Secretary general memorandum concerning Russian refugees, 16 March 1921, in 45.12334.12334, R1717, UNOG.
  - 16 Skran, *Refugees*, 75–6.
  - 17 Memorandum of 6 May 1921 on ‘Possible action of the League in connection with Russian refugees’, Philip Noel-Baker Papers, 4/450, Churchill College, Cambridge University, cited in Cabanes, *Humanitarianism*, 161.
  - 18 Report of the High Commission for Refugees by Fridtjof Nansen on the Work presented to the Fourth Assembly, 4 September 1923, in A.30.1923, UNOG.
  - 19 Keith Watenpugh, ‘Between Communal Survival and National Aspiration: Armenian Genocide, Refugees, the League of Nations and Practices of Interwar Humanitarianism’, *Humanity: An International Journal of Human Rights, Humanitarianism and Development*, 2 (2014), 159–81.
  - 20 Peter Fitzmaurice, ‘Between the Wars – The Refugee Convention of 1933: A Contemporary Analysis’, in David Keane and Yvonne McDermott (eds), *The Challenge of Human Rights: Past, Present and Future* (Cheltenham: Edward Elgar, 2012), 245.
  - 21 Michael R. Marrus, *The Unwanted: European Refugees in the Twentieth Century* (New York: Oxford University Press, 1985), 126–8.
  - 22 *Ibid.*, 110.
  - 23 Skran, *Refugees*, 116–8.
  - 24 Marrus, *The Unwanted*, 133.
  - 25 Skran, *Refugees*, 116–8.
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- 60 Letter from Rennie Smith, Friends of Europe, to Norman Bentwich, High Commission for Refugees Coming from Germany, 22 January 1936, in C1611-No. 7, 36, UNOG.

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## The Myth of ‘Vacant Places’: Refugees and Group Resettlement

Matthew Frank

This chapter examines the origins, aims and legacy of mid-twentieth-century group resettlement schemes for refugees with particular reference to US president Franklin D. Roosevelt’s ‘M’ Project of the early 1940s, a sprawling, quasi-academic study on migration and settlement, whose disappointing results hid its far more ambitious designs. Although most group resettlement schemes were hopelessly impractical owing to the prohibitive costs involved, the difficult political compromises that needed to be brokered to make them possible and the reluctance of refugees themselves to fit into a schematic blueprint (as well as the hostility and resistance of the local population in areas of resettlement), these plans were nevertheless highly revealing of contemporary elite and popular assumptions about the refugee problem and problem-solving at an international level more generally. Moreover, the attraction of these schemes lay not only in the possible solution they offered for alleviating both the plight of refugees and the refugee problem politically. Group resettlement was also viewed as a potentially powerful tool for reinvigorating colonial development overseas, and, closer to its source, for a more far-reaching reengineering of the distribution of populations within Europe. The chapter argues that the legacy of these schemes lay less in their practical implementation or in any lasting footprint left in the ‘vacant places’ or ‘empty lands’ where resettlement was meant to take place than in demonstrating a readiness to contemplate the vast reordering of populations in response to and in anticipation of refugee crises.

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Writing in October 1938, former British colonial administrator, international civil servant and director of the Royal Institute of International Affairs (RIIA) Refugee Survey, Sir John Hope Simpson, outlined three methods for resolving the European refugee problem. None of what later generations of scholars and practitioners in the field of refugee studies would call the ‘conventional trinity’ of ‘durable solutions’ –<sup>1</sup> repatriation, local integration and resettlement – alone could provide a magic fix to a problem that in the past six months, with the German annexation of Austria and the Sudetenland, threatened to go from ‘difficult’ to ‘unmanageable.’<sup>2</sup> Returning refugees to

their country of origin ('repatriation'), while it seemed in theory an 'obvious' solution, required that there was a state for the refugees to return to and that this state would agree to take them back. That was as unlikely for refugees from Nazi Germany in the 1930s as it had been for those from Bolshevik Russia in the 1920s. Repatriation had in fact had, according to Simpson, such 'little effect' in reducing the number of refugees since the First World War that it could be 'ignored as an important element in any future programme of international action aiming at practical liquidation of the existing refugee problems.'<sup>3</sup> The integration of refugees in countries where they had found temporary refuge ('absorption') faced a series of legal, political, economic and cultural obstacles, not least the attitude of government and society in these countries of asylum, which had become increasingly restrictionist by the late 1930s owing to the economic depression and the rise of anti-foreigner sentiment. Lastly, the 'planned redistribution' of refugees through organized migration in a third country ('resettlement'), whether by the 'infiltration' of single individuals and families into existing communities as part of colonization schemes already underway or through more ambitious 'large-scale schemes for group resettlement', including 'pioneer settlement in undeveloped lands,' offered potentially the greatest contribution given how all other avenues seemed to be closed off. But Simpson cautioned against getting carried away with the allure of grandiose schemes for overseas mass resettlement, which would require substantial capital outlay – both financial and political – to make them work. 'The hope-inspiring words "wide-open spaces" and "empty lands" obscure the dismal fact,' he concluded, 'that the wider open the space and the emptier the land, the less room there is for the person who does not have behind him the great capital machinery of a metropolitan country.'

Compiled between September 1937 and July 1938, the RIIA Refugee Survey was the most comprehensive study of the refugee problem ever undertaken. It brought together the combined expertise of several bodies which had been involved in the international management of refugees over the past fifteen years,<sup>4</sup> ever since the 'refugee' first became a matter of international responsibility in the wake of the First World War and intergovernmental machinery was established to deal with this supposedly temporary phenomenon on an ad hoc basis.<sup>5</sup> Conceived initially as a 'compact statement of the origins of the post-War movements [of population]' in Europe and the Near East and an inquiry into the status of refugees who were or might become a responsibility of the League of Nations,<sup>6</sup> the survey was soon overtaken by a series of events which expanded the scale of the already complicated problem of 'refugees coming from Germany' as Europe faced a Jewish refugee crisis of ever-greater proportions and receiving countries struggled to cope with existing refugee numbers and placed barriers in the way of further refugee flows.<sup>7</sup> The preliminary findings of the survey were published in July 1938 to coincide with an intergovernmental conference convened by the United States in President Franklin D. Roosevelt's first (but by no means last) attempt to provide leadership and direction in response to the European refugee problem.<sup>8</sup> Any hopes that this conference would result in a 'more courageous, competent, coordinated, inclusive, and practical plan ... of constructive international action' were, however, soon dashed.<sup>9</sup> The Evian Conference highlighted the unwillingness of western European states and countries of overseas immigration to receive refugees in any numbers or to tackle the problem at its source.<sup>10</sup>

Delegates from the thirty-two states who assembled in the French resort town on Lake Geneva did not completely ignore the call for 'action' made by Simpson and others, and responded as the international community had when faced with the successive refugee crises over the previous two decades by creating a new international organization with a limited mandate to pursue a discrete refugee problem.<sup>11</sup> The so-called Intergovernmental Committee on Refugees (IGCR) was handed the task henceforth of coordinating the organized migration of refugees and of negotiating with receiving countries for suitable sites of resettlement as well as with refugee-generating countries for their orderly departure.<sup>12</sup> With existing countries of asylum and traditional sites of immigration such as France and United States closed to refugee absorption or resettlement, attention turned to less obvious or previously overlooked destinations among the 'many comparatively vacant spaces on earth's surface where ... European settlers c[ould] live permanently'.<sup>13</sup> The conference inspired a series of new and revived schemes for what was termed group or collective refugee settlement. Madagascar, Ethiopia, Tanganyika and Angola were touted as sites of 'permanent refuge' that could support hundreds of thousands of European refugees, as were British and Dutch Guiana, Alaska and the Dominican Republic, North Borneo and parts of the Philippines, among several others areas.<sup>14</sup> With one exception – the Sosúa colony in the Dominican Republic – none of these schemes ever came to fruition.<sup>15</sup> Despite the considerable evidence weighing against it, the idea that group settlement in 'vacant places' could provide a long-term solution to the population problems Europe faced – of which the refugee problem was just one interlocking part – nevertheless continued to be promoted from the late 1930s well into the 1940s. 'Nothing could be more plausible as a solution for the troubles of a persecuted minority than the concept of group settlement in an uninhabited land,' remarked one American scholar in a leading US social science and policy journal around the time that Simpson's RIIA report appeared:

Victims of expulsion are to some extent impelled ... to seek refuge in an area where a similar sense of national homogeneity may be nurtured. History is by no means lacking in examples of migratory movements from which new political entities have sprung. It is consequently not at all surprising that projects for mass settlement should now be appearing in print in large numbers.<sup>16</sup>

Even those who knew better recognized that the idea could not be dismissed. 'The magnitude of the problem,' Simpson had concluded in his RIIA report, 'compels the ... consideration of proposals for mass settlement in hitherto undeveloped areas.'<sup>17</sup>

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Plans for group resettlement could by the late 1930s draw on a number of recent practical examples which demonstrated that large-scale resettlement schemes were possible and desirable if certain conditions and commitments were met. Interwar Greece provided the most convincing demonstration of the practicality and desirability of mass refugee settlement. The influx of 1.2 million Greek Orthodox refugees from Turkey and the Caucasus into a country of 5 million people in the wake of the Russian Civil War and the collapse of the Greek military campaign in Anatolia in autumn 1922 threatened

to lead to state implosion, revolution and Bolshevization.<sup>18</sup> Foreign intervention in the form of a great power-brokered population exchange treaty, which provided the political and legal cover for the removal of the bulk of the Muslim minority from Greece in exchange for the non-return of Greek refugees to Turkey, and the raising of an international loan as well as the creation of a League of Nations-backed organization – the Refugee Settlement Commission (RSC) – to administer this in liaison with the Greek government, brought much needed assistance within the framework of new and expanding international agencies of the day.<sup>19</sup> Transmission of technical as well as financial assistance through the RSC in supporting the rehabilitation of displaced populations was part of an internal colonization and development scheme which transformed economically, physically and ethnically the territories of the ‘New Greece’ acquired over the previous decade – Macedonia, Western Thrace and southern Epirus – as well as the urban centres of the Old.<sup>20</sup> Although the claims made for Greek refugee settlement in retrospect were sometimes overstated and downplayed the considerable problems involved – the legacy of which continued to trouble Greece for generations to come – the pace of settlement was rapid and the work undertaken could not but impress observers.<sup>21</sup> Perhaps more than anything the Greek experiment invited emulation as well as admiration owing to the remarkable improvement in relations with Turkey and the wider pacification of the Near East as a result of the elimination of minorities in the region, in addition to the practical demonstration of a technical solution to the resettlement of large numbers of refugees on the land in a timely and cost-efficient manner with extensive and sustained international involvement and cooperation.<sup>22</sup> The Greek experiment was ‘decisive’ from a development perspective not only in helping promote the merits of ‘large government-backed schemes for group resettlement’ in ‘new’ territories (and by extension European colonies),<sup>23</sup> but also in establishing the case for the dispossession of the indigenous population in ‘marginal lands’. Viewed as an economic asset rather than a burden, refugees could provide the stimulus for the development of territory that was ‘marginal’ – both in economic terms and in its relationship politically with the centre – and therefore help raise the ‘civilizational’ level of areas that had to all intents and purposes been ‘vacant places’ by virtue of their lack of economic exploitation or backwardness.<sup>24</sup>

Greece was not the only demonstration of the advantages of internationally assisted refugee resettlement and of how migration problems could be ‘scientifically handled’ if the necessary expertise, planning and technologies were applied.<sup>25</sup> Refugee resettlement schemes were also undertaken in Bulgaria, the Soviet Armenian Republic, Syria and Turkey during the 1920s and 1930s. All of these had to a greater or lesser extent an ‘international’ dimension whether through the involvement of the League of Nations or a colonial power (or both) in financing and providing technical assistance for resettlement.<sup>26</sup> While these involved what with hindsight would seem relatively limited numbers of people (in the tens or low hundreds of thousands in each case) and met with very mixed results, even the spectacular failures of the period – most notably the aborted initiative by the League of Nations High Commissioner for Refugees, Fridtjof Nansen, to replicate the Greek success story for the Armenians – underscored how essential sufficient financing, international backing, great power sponsorship and local cooperation were for group resettlement schemes to have any chance of practical realization.<sup>27</sup>

But if the reasons for the failure of initiatives such as Armenian resettlement were mainly political, interwar setbacks to such schemes also pointed to the 'exceptional conditions' and 'uniquely advantageous factors' that had prevailed in the Greek and to some extent in the Bulgarian and Turkish cases, too.<sup>28</sup> The refugees had come from 'contiguous or nearby areas', sufficient financial resources were secured for the movement and settlement of refugees, and 'expert supervision' and 'reasonably well developed' areas of resettlement were provided with already some government and social services in place. But most importantly, these were 'national' refugees who had been resettled 'back' into their titular 'homeland'.<sup>29</sup> Within the logic of twentieth-century nationalism – which at its root posited the ever-closer alignment of the frontiers of nation and state – these group resettlements became 'inverted repatriation movements', as Simpson termed them, aimed at the consolidation and homogenization of the nation-state in areas of east-central Europe that had until very recently retained a high level of ethnic and religious complexity and diversity.<sup>30</sup> Resettlement in these instances was about concentrating refugees nationally rather than dispersing them internationally.

Overseas group resettlement was another proposition entirely. By the time of the Evian Conference, the idea of resettling refugees in specially created colonies outside of Europe had still not been attempted on anything but the smallest of scales. Russian refugees were resettled in South America with the assistance of the League of the Nations and the International Labour Office – which assumed the League's responsibilities for refugee employment and resettlement in 1924 – but only in very limited numbers and with disappointing results, owing partly to the undercapitalization of these schemes.<sup>31</sup> By the mid-1930s, the League again had its sights on South America as a place of settlement for new groups of refugees (Saarlanders and Assyrians) that had come under its care. Much of the refugee movement to South America was in any case through individual 'infiltration', not group settlement. Of the eight to ten thousand Jewish refugees who reached the continent by the late 1930s, for example, only an 'infinitesimal' proportion did so as part of projects coordinated by organizations such as the Jewish Colonization Association,<sup>32</sup> which since its creation in 1891 had established – primarily in South America – over 500 settlements and 18,000 families of mostly eastern European Jews fleeing persecution in the Pale of Settlement and then the newly independent Poland, and provided training for agricultural life as well as capital for land purchase.<sup>33</sup> Other large-scale interwar colonization efforts by Jewish organizations, although not initially or primarily involving refugees or carried out collectively, nevertheless offered lessons in the possibilities of settlement in 'marginal lands'. Between 1933 and 1939 Jewish immigration to the British-administered Palestine Mandate – which had already doubled to around 175,000 over the previous decade – reached 250,000 or an average at its height of over 41,000 per year from 1933 until 1936, many of them refugees from central Europe. This new influx of population brought with it significant capital inflows (which partly made settlement on this scale and under these conditions possible), but also generated severe communal tensions with the Arab population, who feared the political implications of the dramatic increase in the Jewish population of the Palestine – from just over 10 per cent to just under 30 per cent between 1922 and 1939 – and led the British government with its White Paper of May 1939 to declare an effective

moratorium on Jewish mass immigration to the Mandate.<sup>34</sup> For a very brief spell in the 1930s, especially once immigration to Palestine became ever-more restricted from the mid-point in the decade following the 1936 Arab revolt, Birobidzhan in the Soviet Far East, where a Jewish Autonomous Region had been established in 1934 on the Amur River, also became the focus of Jewish emigration efforts. Ambitious plans were made by the Soviet government for the settlement of one million Jews and for establishing the region as a global centre for Yiddish culture that would also attract non-Soviet Jewish colonists. Numbers never got anywhere near this and the project fell victim to the purges, the suppression of national autonomy and heightened national security concerns about neighbouring Japanese-controlled Manchukuo in the late 1930s.<sup>35</sup> In outline if not in practice, however, Birobidzhan, like Palestine and Greece, was a project of national and economic development through mass settlement that relied on the same faith in planning, science and technology that underpinned Soviet break-neck industrialization as well as US New Deal regeneration projects of the 1930s.<sup>36</sup>

Optimism about the seemingly limitless opportunities which the world's 'vacant places' offered for resolving Europe's population problems, however, was at odds with the direction in which academic opinion on migration and settlement was moving at the time.<sup>37</sup> Over the course of the 1930s geographers and demographers engaged in developing the 'science of settlement' were busy challenging 'the common fallacy ... that space means opportunity'.<sup>38</sup> 'Nations can no longer hope to solve or even much alleviate their difficulties by shifting people around the globe,' wrote the Australian author of *The Myth of Open Spaces* soon after the outbreak of the Second World War:

We cannot approach the post-war world settlement with the comforting idea in the back of our minds that if other solutions go wrong we can always fall back on oversea[s] settlement. ... Great social problems cannot any longer be solved by the flight of the unfortunate or the world-wandering of the adventurous. ... Migration and settlement must be regarded as at best a minor avenue of international adjustment. The real problem is to afford occupation for the energies of massed populations in their own countries.<sup>39</sup>

As the standard pre-war work on the subject – *Limits of Land Settlement* published in 1937 – concluded, the prospects for 'pioneer settlement' that characterized the mass migrations of the nineteenth century from Europe overseas were now almost zero. The most suitable land for agricultural settlement had already been utilized. What was left was 'marginal land': marginal not only in terms of the inferiority of the land or climate but also its distance from markets and transportation networks.<sup>40</sup> Overseas settlement therefore was not just about 'space' – finding vast seemingly empty regions on a map and populating them – but about 'development' and the need to recreate many of the necessities of mid-twentieth-century urbanized life in areas without any modern amenities. None of this made the resettlement of refugees in 'marginal lands' impossible, but the investment required meant that it only made sense if it was carried out on a large scale on the basis of community or group settlement. 'The earth's tolerance has been vastly widened by modern science,' argued the American geographer and sometime adviser to FDR, Isaiah Bowman, in *Limits of Land Settlement*. 'Experts are now required to plan out measures in advance if colonization is to be rational.'<sup>41</sup>

The application of scientific methods and planning could only go so far, however, in making these schemes practicable. Ultimately, the barriers to group resettlement were financial and political not technical.

'Men, money and markets' was the mantra of the Australian governments of the 1920s in their largely unsuccessful attempts at promoting rapid population growth and economic development.<sup>42</sup> 'For settling people successfully in new homes,' wrote Dorothy Thompson, the *New York Times* correspondent sometimes credited with breathing life into FDR's refugee initiatives in early 1938, 'one needs money, money and again money.'<sup>43</sup> Overseas group resettlement schemes were, in other words, prohibitively costly. Estimates by the late 1930s put the price of resettling a family overseas at anywhere between US\$1,000 and \$20,000, depending on location.<sup>44</sup> The total bill for wholesale resettlement of European refugees at this point was somewhere in the region of US\$1–1.5 billion (roughly \$17–20 billion in today's money).<sup>45</sup> But none of the estimates included, even at the upper limit, the capitalization required for building the basic infrastructure needed to establish the communities in which individuals could settle permanently. Where would the money come from? Most certainly not from the private sector, at least initially. Colonization schemes run on commercial lines had rarely ever succeeded from the investor's point of view.<sup>46</sup> Any group resettlement scheme was likely to operate at a substantial financial loss. Even in the case of Greece, the western European investors who underwrote the loans that made the highly vaunted work of the RSC possible were 'clear losers.'<sup>47</sup> 'Profit' or 'gain' had to be calculated in social or political terms, not by economic or financial measurements. The huge capital outlays involved would need to be 'regarded as endowments rather than investments.'<sup>48</sup> While philanthropic organizations and individuals might have been willing to provide financial assistance on these terms, the enormity of the undertaking far exceeded the resources they had at their disposal.<sup>49</sup> Only government – or more precisely governments working collaboratively – could help realize expensive schemes in far-flung regions. 'Government makes up for submarginality,' argued Bowman. 'Once it shows the way ... private capital and initiative follow.'<sup>50</sup> Yet everything within the existing international refugee regime conspired against support for expensive resettlement schemes. Governments were reluctant to enter into any lasting or serious financial commitment on behalf of refugees. The international refugee regime that emerged in the 1920s had been set up on a shoestring and was run on a very tight administrative budget; part of Nansen's supposed 'genius' as the first League of Nations High Commissioner for Refugees was his attention to unit costs and his proven ability to tap into private sources of funding, which by the late 1930s had been exhausted.<sup>51</sup>

There were important political objections, too. Governments balked at the idea of importing foreign minority problems, fearing that large homogenous groups of newcomers would establish ethnic enclaves, which would become unassimilable and the object of resentment and hostility from the local population. The fear of stoking anti-Semitism and of creating a 'Jewish problem' where none had previously existed was repeatedly cited by potential countries of immigration as a reason for not supporting group resettlement in the late 1930s. 'As we have no real racial problem,' declared the Australian Minister of Trade, Colonel C. W. White, at the time of the Evian Conference, 'we are not desirous of importing one by encouraging any scheme



of large-scale foreign migration.<sup>52</sup> The same arguments could be used for blocking the resettlement of non-Jewish groups as well, especially if they were regarded as overtly political in outlook and potentially sources of enemy subversion. Resistance to group resettlement therefore dovetailed with national security concerns, which characterized broader immigration debates of the mid-century.

By the outbreak of the Second World War there were still too few practical examples of recent overseas group resettlement schemes to form any reasonable assessment of the merits of these experiments. The great hope of British Guiana had proven illusory. Having already been identified as a possible destination for a different group of refugees (Assyrians) in the mid-1930s, the South American colony in 1939 was again being promoted by the British government, this time as a solution to the Jewish refugee crisis that did not involve Palestine.<sup>53</sup> More encouraging and lesser known than the other small-scale refugee colonies that were established at this point, such as the experiment at Sosúa in the Dominican Republic – Trujillo's attempt to curry favour with the United States and line his pockets at the expense of refugees and their backers – was the settlement of two groups of anti-Nazi Sudeten German refugees in northern Canada in summer 1939.<sup>54</sup> With the financial assistance of the British government through the Czech Refugee Trust Fund and in cooperation with the Canadian government and the two principal Canadian railroad companies, 1,054 Sudeten German refugees (307 families and 72 single men) were established in two settlements: on abandoned farms at St Walburg in west-central Saskatchewan; and on bush land at Tupper in the Peace River region of British Columbia bordering on Alberta.<sup>55</sup> The experiment suffered from undercapitalization, drift to the cities, and lack of suitability and training for agricultural life, and was only rescued by the arrival of the industrial economy in the form of the Alaska-Canada Highway, which provided work for the settlers and a market for their goods.<sup>56</sup> In retrospect, however, it was judged as a remarkable Canadian success story,<sup>57</sup> even if it seemed far from being so mid-point during the war.<sup>58</sup> As with other refugee initiatives such as the British Guiana ploy, its significance at the time was not in demonstrating what states were willing to do, but what actions such as this allowed them *not* to do. 'If we could take a substantial number of them,' the Canadian prime minister, Mackenzie King, declared in December 1938, when arrangements post-Munich were being made for the relocation of these Sudeten German refugees, 'it would put us in a much stronger position in relation to later appeals from and on behalf of non-Aryans.'<sup>59</sup> King need not have worried: the outbreak of the war in Europe further limited the scope for such projects involving Jewish and non-Jewish refugees alike – only 15 per cent of the 2,000 Sudeten German Social Democrat families slated for resettlement in Canada, for example, ever made it across the Atlantic – even if it brought into stark relief the outline of existing and future refugee problems.<sup>60</sup>

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'When this ghastly war ends there may be not one million but ten million or twenty million men, women and children belonging to many races and many religions, living in many countries and possibly on several continents, who will enter into the wide picture – the problem of the human refugee,' declared FDR on the occasion of an

IGCR meeting at the White House on 17 October 1939.<sup>61</sup> 'It is not enough to indulge in horrified humanitarianism, empty resolutions, golden rhetoric and pious words,' Roosevelt argued:

We must face [the problem] actively ... and start ... a serious and probably a fairly expansive effort to survey and study definitely and scientifically this geographical and economic problem of resettling several million people in new areas of the earth's surface. We have been working, up to now, on too small a scale, and we have failed to apply modern engineering to our task. We know already that there are many comparatively vacant spaces on the earth's surface where from the point of view of climate and natural resources European settlers can live permanently. Some of these lands have no means of access; some of them require irrigation; most of them require soil and health surveys; all of them present in the process of settlement, economic problems which must be tied in with the economy of existing settled areas. The possible field of new settlements covers many portions of the African, American and Australasian portions of the globe. It covers millions of square miles situated in comparatively young republics and in colonial possessions or dominions of older nations.<sup>62</sup>

Issued against the advice of the State Department and his own advisers, including his personnel emissary on refugees,<sup>63</sup> FDR's statement was a recognition of the broadening complexity of the problem of displacement created by the war and its anticipated aftermath that involved not only pre-war refugees. It also acknowledged the need for long-range and ambitious planning to tackle these problems and the timidity of existing plans. 'Somebody has to breathe heart and ideals on a large scale into this whole subject if it is to be put into effect on a world-wide basis,' FDR informed the State Department after yet another IGCR report had failed to 'stimulate [his] imagination.'<sup>64</sup> FDR was suspected of having 'a gigantic plan in mind, something world-wide in scope.'<sup>65</sup> Soon after the United States entered the war in December 1941, FDR began laying the groundwork for extensive population redistribution on a global scale by initially commissioning a comprehensive study of migration and settlement opportunities worldwide.

The immediate origins of what became the 'M' Project lay in a meeting held at the White House on 23 May 1942 between FDR and the Czech-American anthropologist and curator of the physical anthropology collections at the Smithsonian, Aleš Hrdlička.<sup>66</sup> There was nothing remarkable about the meeting per se. Since 1938, a series of advisers had provided FDR with counsel on the refugee problem, in which the president seemed to display an ever-closer interest. That FDR had a 'definite slant' on the refugee problem and that this lay in the possibility of large-scale group resettlement in 'uninhabited and sparsely inhabited ... agricultural lands' were well known by this point,<sup>67</sup> as were his struggles with restrictionists in the State Department and Congress over the loosening of immigration quotas that limited the scope for providing sanctuary for refugees in the United States and forced him in the direction of mass resettlement schemes elsewhere.<sup>68</sup> FDR used the meeting to reiterate his belief in the need for a worldwide redistribution of populations,<sup>69</sup> and Hrdlička outlined for FDR three ways in which this 'large and difficult problem' could be tackled: first, as a strictly academic

exercise, which would clarify the ‘basic questions’ relating to the ‘scientific principles of demographic movements and race mixtures’; second, as a fact-finding mission by a small body of experts who would determine the prospects for resettlement and establish the ‘foundation for rational selection and direction of the migrants’; and third – and more ambitiously – through the creation of an executive body to ‘institute, direct and supervise’ planned migrations, initially Pan-American in scale, but potentially forming the kernel of a ‘World Organisation for Emigration’ within a ‘new “League of Nations”’.<sup>70</sup> Not much came of the White House meeting initially – Hrdlička began working independently without further guidance or direction from the president –<sup>71</sup> until mid-July 1942 when an FDR fixer and go-between, the journalist Jack Carter, brought Hrdlička together with the Anglo-American anthropologist and department store heir, Henry Field, who had been working under Carter’s direction on a number of secret White House research projects, to put into practice Hrdlička’s second idea of constituting a ‘small, informal committee of leading anthropologists’ from the Western Hemisphere to conduct exploratory discussions of the ‘anthropological problems anticipated in post-war population movements’.<sup>72</sup> As it soon became apparent that Hrdlička intended to use this committee to settle professional scores and viewed the proposed ‘Institute of Population’ as a means of furthering his own narrow research agenda rather than the president’s wider aims,<sup>73</sup> FDR issued a directive on 7 August 1942 with fresh instructions.<sup>74</sup> Gone was the idea of a broadly constituted Americas-wide committee of investigation and instead a much smaller and informal in-house triumvirate was formed comprising Hrdlička, Field and Bowman, with Carter as White House liaison. The remit of the ‘M’ Project was now set. The committee was asked by FDR to answer two broad questions: ‘1) Where are the vacant places of the earth suitable for post-war settlement? 2) What type of people could live in those places?’

Although this ‘anthropological committee’ focused initially, at least while Hrdlička remained nominally in charge, on a narrow set of sub-questions relating to ‘racial admixtures’ and the ‘scientific principles involved in the process of miscegenation’,<sup>75</sup> others involved in the ‘M’ Project grasped from the outset the wider ambitions that informed FDR’s initiative. ‘The[r]e are present day examples of redistributions of populations born under the psychology of war and undertaken for selfish reasons without regard for higher purposes,’ noted an early State Department commentary on the ‘M’ Project. ‘[But the future] might promise a redistribution under happy omens, with humanitarian purpose and under the scrutiny and direction of science.’ An ‘organized effort to actually distribute people’ had never been properly undertaken, the State Department concluded: ‘No systematic, scientific effort has been put forth to redistribute ... populations.’<sup>76</sup> Here, then, was an opportunity to deal with population maldistribution – too many (‘surplus population’) or the wrong type in the wrong place (minorities) – as well as displacement. ‘The demographic unbalance [*sic*] resulting from this War will render the problem of migration sharply acute,’ observed an early ‘M’ Project steering paper of May 1943:

World War I set in motion large-scale migrations. After World War II – it must be presumed – the number of people to be resettled or repatriated will be even greater. For World War II [has] affected more countries, is fought more destructively, and

has set in motion the greatest migration in history of refugees, exiles, and forced workers. The shift from war to peace economy and the impoverishment of large parts of Europe will create additional problems in migration. Thus the economic reconstruction of Europe and Asia requires the formulation of resettlement policies now [emphasis in original]. If migration is accepted as vital to international growth and as a corrective of demographic unbalance, then apologetic discussion of what is termed 'refugee problems' must give way to a more vigorous and comprehensive treatment of the entire complex of migration questions. ... As long as settlement schemes are undertaken without making them part of an international program, they are always in danger of failure.<sup>77</sup>

A 'world-wide demographic engineering job,' as one FDR aide put it, was what was needed,<sup>78</sup> which encompassed all four of these groups – pre-war international refugees, wartime displaced, minorities and surplus populations.<sup>79</sup> 'I think ... [FDR] had one object in view,' recalled Carter in the mid-1960s, 'namely, that all displaced persons were not Jewish. It was a wider problem. The whole world should be canvassed; and the whole world should have the responsibility.'<sup>80</sup>

Financed through White House special funds, the 'M' Project was formally approved on 1 November 1942.<sup>81</sup> By May 1943, the Hrdlička-Field-Bowman 'informal confidential committee' on 'ethnological and resettlement studies' was well established,<sup>82</sup> with a budget of \$34,900 and a staff of seven,<sup>83</sup> who between them had command of eight European languages and were themselves a reflection of older and more recent waves of European forced migration.<sup>84</sup> Hrdlička was soon 'in merciful absentia ... permanently',<sup>85</sup> Bowman periodically descended to provide guidance on the nature of the project,<sup>86</sup> and Field delegated the day-to-day running of the project to others.<sup>87</sup> Situated within the recesses of the Library of Congress – Study Room 115, just up the hall from the Office of Strategic Services, the wartime predecessor of the Central Intelligence Agency – the 'M' Project team spent the next three years assembling a vast amount of material – 666 'Studies on Migration and Settlement' covering the 'greater part of the habitable world' –<sup>88</sup> with the ambitious goal of establishing the 'pathology of modern settlement' and making a 'world-wide survey of potential areas of settlement.'<sup>89</sup> During the early stages of the project, staff saw it as being much more than an academic exercise; 'M' Project reports, they claimed, were 'not destined for scholarly consumption: their purpose [wa]s to provide a basis for action.'<sup>90</sup> At the end of 1943, the research team was already in a position to map out a 'tentative "Blueprint for Settlement"'<sup>91</sup> By this stage, however, the limitations of what the project could conceivably achieve under the two strict stipulations made by FDR – that the 'M' Project remained a secret and did not duplicate work being done by any other agency in Washington – were all too clear.<sup>92</sup> Lacking official status and barred from entering into direct relationships with groups within the US bureaucracy, the 'M' Project team found itself in an 'organizational and human vacuum',<sup>93</sup> just as the war was 'entering a period when political decisions w[ould] have to be made and [... [the] group ... [needed to] consider the political angles of migration and settlement problems.'<sup>94</sup> 'As we disposed of no confidential data and had no means of ascertaining recent trends,' concluded Robert Strausz-Hupé, who in January 1944 had taken over day-to-day direction of

the project, 'our approach was necessarily academic in nature.'<sup>95</sup> The 'Blueprint', whose 'grand strategy of settlement' included a proposal for the creation of an 'International Settlement Authority' that would work alongside 'existing development and lending agencies' to facilitate the 'planned coordination of ... manpower and capital supply with local demands', was considered not to have produced 'any unusual findings',<sup>96</sup> Henceforth, the team was under instructions to operate solely as a 'regional study group' as it was thought that they did not have enough data to produce a 'timely survey of international settlement and refugee problems' and they were not considered 'competent to study policy'.<sup>97</sup>

The 'Blueprint' was shelved. Instead, the team began working on a 'Handbook for Settlement' containing a 'review of practical settlement experiences and a compilation of maxims for the guidance of future projects.'<sup>98</sup> During 1944, its work continued to concentrate on the Far East, the USSR and the American republics.<sup>99</sup> As the war drew to a close, it tried to remain relevant, coordinating the preparation of studies with the United Nations Relief and Rehabilitation Administration (UNRRA), the international organization responsible for coordinating post-war refugee relief, as well as processing and distributing studies that might be of value to intergovernmental meetings, such as the preparatory conference for the founding of the United Nations in San Francisco between April and June 1945.<sup>100</sup> The 'M' Project initially survived not only a change of administration with FDR's death on 12 April 1945 – being given 'the shining, clear green light' to continue operating through to June 1946 – but also the end of the Second World War in Europe and Asia.<sup>101</sup> 'Like Eisenhower's armies,' Bowman wrote Field in March 1945, 'your reports gain valuable ground each month.'<sup>102</sup> In May 1945, the secretary of state, Edward Stettinius, recommended not only extending the project but also increasing its funding.<sup>103</sup> With the growing interest in 'M' Project reports from the myriad agencies involved in post-war relief and reconstruction, by October 1945 there were 'elaborate plans' to expand operations and undertake more extensive studies of the Far East.<sup>104</sup> Only a month later, however, the Bureau of the Budget pulled the plug on the 'M' Project.<sup>105</sup> 'We believe that detailed studies on world-wide population problems, the movement and settlement of displaced persons and the possible development of thinly settled areas should be continued in a permanent, centralized and coordinated unit within the government,' went Field's final plea for reprieve.<sup>106</sup> There was talk of creating a 'Population Research Center' to continue the work of the 'M' Project.<sup>107</sup> '[We are of] the firm belief,' concluded Field in his last report on the project, 'that we should keep well informed on all foreign population problems – more than ever in the Atomic Age.'<sup>108</sup> Jack Carter, who was tasked with winding up the 'M' Project and other related White House wartime 'political intelligence activities', expressed the hope that 'in the near future we may be able to resume this program with adequate backing and friendly reception in the appropriate quarters in this city of dreadful haste'.<sup>109</sup>

Carter's hopes were not fulfilled. A home was hurriedly found for the 'M' Project materials in the Department of Geography vault at Johns Hopkins University in Baltimore.<sup>110</sup> The 'M' Project then 'slipped into the Twilight Zone of "file and forget"'.<sup>111</sup> It very briefly came out of the shadows when in June 1947 *UN World* published a sensationalized account of the 'M' Project by the Hungarian-American journalist

Ladislas Farago, which contained 'many errors of fact and deduction' and grossly overstated the strategic value and the originality of the project's findings.<sup>112</sup> If the article's aim in attempting to disperse the 'smokescreen of official secrecy' that surrounded the 'M' Project had been to draw international attention to documents which 'held the key to one of the world's most persistent international issues', then the reaction to it only underscored the rapid obsolescence of the 'M' Project and official indifference to it. Both the State Department and the White House 'professed no connection or interest in it.'<sup>113</sup> International Refugee Organization (IRO), which was set up in June 1946 primarily with the aim of resettling the million or so Displaced Persons who could not or would not be repatriated, remained unaware of its findings.<sup>114</sup> The project was rescued from historical oblivion by Field himself in the early 1960s after the studies were finally declassified and he was encouraged by the historian Arthur Schlesinger Jr and the anthropologist Clyde Kluckhohn to give his account of the work of this then still unknown aspect of American wartime activity.<sup>115</sup> There was subsequently some cursory academic interest in the 'M' Project as part of the reassessments of 1930s American refugee policy undertaken by historians in the late 1960s and early 1970s.<sup>116</sup> More recently several scholars have found in the existence of the 'M' Project further clues as to the shape of mid-century thinking on population management and international networks of expertise as well as the racial essentialism and neo-imperialism underpinning it.<sup>117</sup> But the full story of the 'M' Project itself remains largely untold, its studies unread, its records untapped. Partly this is because it proved so inconsequential, even as an academic exercise. It produced no original research or new findings.<sup>118</sup> The proposal for an 'International Settlement Authority' was itself far from innovative.<sup>119</sup> For Bowman, the value of the work at the time lay 'chiefly in the translations made from other languages ... and in ... enterprising scouting for out-of-the-way material'.<sup>120</sup>

But even if the 'M' Project is seen as nothing more than a rapidly obsolescent database of often obscure research, in its inception and aspirations it is also a study of many of the contemporary biases, preoccupations and obsessions on migration and settlement, and the enduring myth of 'vacant places' that had inspired its creation. As a huge intellectual vanity project that satisfied a later-life interest in population politics and development economics, the 'M' Project provides further insight into FDR's way of operating and thinking as well as his ambitions for the post-war world. In determining the extent to which FDR actually took a close and sustained interest in the work of the 'M' Project – rather its broadest outlines – we really only have the word of 'M' Project staff to go on.<sup>121</sup> Yet FDR did make sure to the end of his life that the project received the necessary funds and authorization to continue operating, a lifeline that he did not extend to all of his secret projects.<sup>122</sup> For the staff on the 'M' Project, and those outside of it who were aware of its existence, its significance became clearer with hindsight. FDR was 'prophetic' in anticipating the future dimensions of the refugee problem, the broader population problems it formed part of and the need for large-scale and long-range coordinated action through international agencies to tackle it.<sup>123</sup> The 'M' Project, then, was further demonstration of his greatness as a president, war leader and humanitarian, and of his determination to provide a 'New Deal for the World', riven by war, as he had for a United States cast down by economic depression.<sup>124</sup>



'If FDR had lived,' Field wrote in the mid-1970s, 'he would have implemented these ["M" Project] proposals ... on each of the five continents.'<sup>125</sup> But the work of the 'M' Project also reflected more broadly held assumptions that informed group settlement proposals: the durability of the popular myth of 'vacant places', which defied academic opinion; the faith in the transformative power of modern science, planning, technocratic expertise and the bureaucratic state to harness, channel and apply the resources needed to overcome the challenge of settling vast numbers of people over huge distances in these 'vacant places'; the attraction of mass refugee resettlement as a development project, which was as appealing to American New Deal modernizers as it was to European powers interested in opportunities for exploiting colonial possessions more effectively and reviving the colonial project more generally; and the racial essentialism that underpinned the whole debate on group resettlement, from questions of the suitability of the tropics for White settlement to the very notion of 'empty lands' when applied to areas with established indigenous populations.<sup>126</sup>

Ideas that preoccupied the 'M' Project also inspired the way in which with Europe's displaced populations were handled by international organizations post-war. UNRRA dealt with the relief and repatriation not the resettlement of populations, and was an ad hoc international organization, which, as with its interwar forebears, was created to tackle what was seen as a temporary problem. But the very fact that there was a concerted international effort to handle displaced persons in the aftermath of the war and that the preparations for this were made well *before* the end of the hostilities spoke of the impulse for planning and coordinated action, which was also at the centre of 'M' Project thinking.<sup>127</sup> Neither UNRRA nor its successor IRO resembled the permanent international migration agency for coordinating worldwide migration (including the resettlement of refugees and 'surplus population') that the 'M' Project had called for.<sup>128</sup> Both UNRRA and IRO, moreover, dealt with only one aspect of Europe's population problems and just a part of the wider refugee problem. The increasing emphasis on resettlement by the late 1940s as a durable solution to the ongoing 'DP' problem, as the Cold War made the repatriation politically unacceptable and refugees as potential immigrants more ideologically palatable, nevertheless established the logistical networks and institutional framework for the assisted migration of just over one million refugees between 1947 and 1951 under IRO auspices, the vast majority of whom were settled *outside* of Europe once the US, Canadian and Australian DP Acts of 1947–8 and the creation of Israel in 1948 opened up possibilities for overseas resettlement that were unthinkable in the 1930s, and had been distant possibilities when the 'M' Project was examining the issue.<sup>129</sup>

The idea of group resettlement, however, did not play a part in this increasingly globalized solution to the European refugee problem. It was as individual migrants that these European refugees were admitted to countries of immigration outside the Continent. Even if there was still a preference for agriculturalists as potential immigrants, it was nevertheless to established sites of settlement, not to marginal lands or 'vacant places', where these refugees were directed. If anything, then, the post-war period further underscored the limits of group resettlement. For all their work in seeking out potential areas of settlement worldwide, researchers on the 'M' Project had understood almost from the outset that the contribution that group resettlement



could make to Europe's population problems would be extremely limited. By amply demonstrating the continuing impracticality of such schemes and the fallacy of the idea of 'vacant places', the 'M' Project was essentially engaged in a time-consuming 'process of elimination' of 'regions ... being persistently extolled as havens of the uprooted peoples of Europe ... which seem[ed] to have little more to recommend them as areas of prospective settlement than the lack of interest heretofore showed [*sic*] by the colonial powers.'<sup>130</sup> Having quickly realized that there were in fact few places suitable for European mass settlement overseas – and with those that supposedly were (East Africa or Australia, for example) ruled out for political reasons –<sup>131</sup> staff on the 'M' Project understood that efforts at coordinating and managing international migration had to be focused on directing individual migrants to existing areas of settlement. As one of the project's earliest summaries pointed out, 'A revision of the immigration policies of the great immigration countries [wa]s [therefore] the only means for accommodating the bulk of would-be overseas emigrants.'<sup>132</sup>

Post-war Europe nevertheless did see group resettlement on an unprecedented scale, but this occurred *within* the Continent and was primarily aimed at redressing the maldistribution of population in Europe that had arisen as a consequence of the redrawing of frontiers at the end of the First World War and the continued presence of large, dispersed national minorities who had been the object of irredentist designs and the cause of international tension and conflict – so-called 'geopolitical problem children' in 'M' Project terminology.<sup>133</sup> Agreements reached between Nazi Germany and its allies, including the Soviet Union, between 1939 and 1941, and the Soviet Union and its western neighbours and allies shortly before the end of and in the aftermath of the Second World War for the resettlement of national minorities in east-central Europe (so-called 'population transfers') drew on the same thinking that informed schemes for overseas group settlement – a rational and planned, state-directed and scientific handling of a population problem – even if the focus was on, as in the 1920s with Greece (which partly served as model for these transfers), the concentration rather than the dispersal of population in order to engineer more homogenous nation-states.<sup>134</sup> A willingness to move whole population groups en masse and a preparedness to justify this on political *and* humanitarian grounds were shared by authoritarian and liberal states alike by the 1940s. Given his enthusiasm for group settlement projects and the very existence of the 'M' Project, it should therefore come as no surprise that FDR readily endorsed wartime proposals for the mass transfer of minorities within Europe.<sup>135</sup>

As a result of mass transfers of national minorities and the creation of new categories of refugees with the onset of the early Cold War, just as many new refugee problems were caused within Europe in the aftermath of the Second World War as were solved through international initiatives to re-home the wartime displaced. Post-war displacement within Europe, moreover, not only underscored how interconnected these movements of populations were but also prompted further debate about the need for long-range solutions that looked beyond the Continent to tackle Europe's broader population problems of which these post-war displacements formed part. The mass flight, expulsion and transfer of 12–14 million Germans from east-central and south-eastern Europe into the reduced territory of occupied post-war Germany

raised acute concerns within western Europe – particularly among the French – about German ‘surplus population’ and led to revived interest in group settlement schemes. Most notably, this found expression in the proposal by the French foreign minister, Georges Bidault, at the Moscow Conference of the Council of Foreign Ministers in March 1947, that steps be taken by the United Nations to provide for the assisted settlement of several million Germans overseas in order to reduce the threat to European security and economic and political stability caused by overcrowding in western Germany.<sup>136</sup> The so-called ‘Bidault Plan’ – which included an offer to take in up to two million Germans into France – came to nothing, but ongoing anxieties about new population imbalances in Europe exacerbated by post-war population transfers on the Continent ultimately led to initiatives like the Intergovernmental Committee for European Migration (ICEM) in the 1950s, which in an unwitting nod to the work of the ‘M’ Project dealt with the interconnected problem of wartime refugees, ‘surplus population’ and displaced former minority groups through overseas resettlement on an individual basis.<sup>137</sup> In the case of the millions of Germans displaced since the end of the Second World War, however, the number of people who found a new life overseas thanks to ICEM was just a fraction of the total absorbed into the German Federal and Democratic Republics.<sup>138</sup> As critics of large-scale overseas group resettlement and the myth of open spaces and ‘vacant places’ had long pointed out, the European refugee problem would eventually have to be resolved *within* Europe or at least within the industrialized world.<sup>139</sup> It was as immigrants in crowded places, therefore, not as pioneer settlers in empty lands, that a ‘durable solution’ was found for refugees during Europe’s forty years’ crisis.

## Notes

- 1 Katy Long, ‘Rethinking “Durable” Solutions’, in Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long and Nando Sigona (eds), *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: Oxford University Press, 2014), 475–6.
- 2 John Hope Simpson, *The Refugee Problem: Report of a Survey* (London: Oxford University Press, 1939), v–vi.
- 3 For what follows, see *ibid.*, 522–45. Simpson also listed ‘prevention’ as a fourth measure, which included international minority protection as well as the promotion of social and economic development in refugee-generating countries.
- 4 *Ibid.*, v–ix.
- 5 See Claudena Skran, *Refugees in Inter-War Europe: The Emergence of a Regime* (Oxford: Oxford University Press, 1995), 13–30; Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013), 1–13.
- 6 Simpson, *Refugee Problem*, v, 1–2.
- 7 On the response of Western democracies, see Frank Caestacker and Bob Moore (eds), *Refugees from Nazi Germany and the Liberal European States* (Oxford: Berghahn, 2010); Louise London, *Whitehall and the Jews: British Immigration Policy, Jewish Refugees and the Holocaust, 1933–1948* (Cambridge: Cambridge University Press, 2000); Richard Breitman and Alan M. Kraut, *American Refugee Policy and European Jewry, 1933–1945* (Bloomington: Indiana University Press, 1987).

- 8 John Hope Simpson, *Refugees: Preliminary Report of a Survey* (London: Royal Institute of International Affairs, 1938). On FDR and refugees, see Richard Breitman and Allan J. Lichtman, *FDR and the Jews* (Cambridge, MA: Harvard University Press, 2013).
- 9 Dorothy Thompson, *Refugees: Anarchy or Organization?* (New York: Random House, 1938), 93.
- 10 On Evian, see S. Adler-Rudel, 'The Evian Conference on the Refugee Question', *Leo Baeck Institute Yearbook*, 13 (1968), 235–73; Henry L. Feingold, *The Politics of Rescue: The Roosevelt Administration and the Holocaust, 1938-1945* (New Brunswick, NJ: Rutgers University Press, 1970), 22–44. On the conference as a 'Jewish Munich', see Shlomo Z. Katz, 'Public Opinion in Western Europe and the Evian Conference', *Yad Vashem Studies*, 9 (1973), 105. On the much-publicized resignation of the League of Nations High Commissioner of Refugees in December 1935 and his criticism on these grounds of the international response to the plight of refugees coming from Germany, see Richard Breitman, Barbara McDonald Stewart and Severin Hochberg (eds), *Refugees and Rescue: The Diaries and Papers of James G. McDonald, 1935-1945* (Bloomington: Indiana University Press, 2009), 70–104; James G. McDonald, *Letter of Resignation of James G. McDonald, High Commissioner for Refugees (Jewish and Other) Coming from Germany: Addressed to the Secretary General of the League of Nations* (London, 1935). See also Barbara Metzger's chapter in this book.
- 11 Simpson, *Refugee Problem*, 550.
- 12 See Tommie Sjöberg, *The Powers and the Persecuted: The Refugee Problem and the Intergovernmental Committee on Refugees (IGCR), 1938-47* (Lund: Lund University Press, 1991).
- 13 Lord Winterton's statement to the IGCR, 18 October 1939, in Johns Hopkins University (JHU), Milton S. Eisenhower Library, Baltimore MD, Bowman Papers, 9/40.
- 14 A useful summary of the different proposals is contained in 'Projects for Jewish Mass Colonization', *Jewish Affairs*, 1, 4 (1941), 1–15.
- 15 See Allen Wells, *Tropical Zion: General Trujillo, FDR and the Jews of Sosúa* (Durham, NC: Duke University Press, 2009).
- 16 David H. Popper, 'A Homeland for Refugees', *Annals of the American Academy of Political and Social Science*, 203 (May 1939), 168.
- 17 Simpson, *Refugee Problem*, 549.
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- 28 Simpson, *Refugee Problem*, 533; Popper, ‘Homeland’, 168.
- 29 Popper, ‘Homeland’, 168.
- 30 Simpson, *Refugee Problem*, 527.
- 31 For what follows, see *ibid.*, 479ff.
- 32 *Ibid.*, 485.
- 33 Jeffrey Lesser, ‘Jewish Immigration to Brazil’, in Samuel L. Baily and Eduardo José Míguez (eds), *Mass Migration to Modern Latin America* (Wilmington: Scholarly Resources, 2003), 246–57.
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- 39 *Ibid.*, ix. The book was written in 1939 and revised for publication in 1940–1.
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- 59 Irving M. Abella and Harold Troper, *None is Too Many: Canada and the Jews of Europe, 1933-1948* (Toronto: Lester & Orpen Denny, 1982), 48.
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- 61 'Address at the Meeting of the Officers of the Intergovernmental Committee on Political Refugees', 17 October 1939. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*: <http://www.presidency.ucsb.edu/ws/?pid=15826> [last visited 31 March 2016].
- 62 Ibid.
- 63 Six months later, officials were still at a loss as to who was responsible for the statement. See JHU, Bowman Papers, 2/31/McDonald: Memorandum of a conversation with James G. McDonald, 23 March 1940. Bowman Papers, 9/3: Memorandum of visit from Stephen V. C. Morris, 25 March 1940.
- 64 Franklin D. Roosevelt Library (FDRL), Hyde Park, New York, President's Secretary's File (PSF) 1933-45, Box 76: FDR to Welles, 4 December 1939.
- 65 JHU, Bowman Papers, 9/3: Memorandum of visit from Stephen V. C. Morris, 25 March 1940.
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- 67 JHU, Bowman Papers, 2/38/Roosevelt: FDR to Bowman, 2 November 1938. Bowman Papers, 2/31/McDonald: Bowman to McDonald, 11 November 1942. See also the account of meeting with FDR during which the president wrote out in hand the names of countries and colonies he wanted further information on in relation to refugee settlement, in JHU, Bowman Papers, 2/32/Morgenthau: Bowman memorandum, 16 November 1938.
- 68 See Feingold, *Politics of Rescue*, 126–66; David S. Wyman, *Paper Walls: America and the Refugee Crisis, 1938-1941* (New York: Pantheon, 1985), 67–98.
- 69 There is no written record of the meeting.
- 70 Smithsonian Institution Archives (SIA), Washington DC, Hrdlička Papers, Box 176: Hrdlička to FDR, 27 May 1942.
- 71 SIA, Hrdlička Papers, Box 176: Hrdlička to FDR, 14 July 1942.
- 72 SIA, Hrdlička Papers, Box 176: Memorandum for Dr Hrdlička, 30 July 1942.
- 73 FDRL, PSF 1933-45, Box 98: Cater memorandum for Miss Tully – Hrdlicka correspondence, 3 August 1942. SIA, Hrdlička Papers, Box 176: 'Institute', undated.



- 74 FDRL, PSF 1933-45, Box 98: Memorandum for Dr Ales Hrdlicka – Presidential directive, 7 August 1942; Carter to Hrdlicka, 7 August 1942; FDR memorandum for Carter, 4 August 1942.
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- 76 FDRL, PSF 1933-45, Box 98: 'Redistribution of Populations' [5 August 1942].
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- 79 Ladislav Farago, 'Refugees: The Solution as FDR Saw It', *United Nations World*, June 1947, 14–5, 64.
- 80 FDRL, Small Collections: John Franklin Carter Interview, 9 February 1966.
- 81 FDRL, PSF 1933-45, Box 99: Annual Report of 'M' Project for the Year 1943, 4 January 1944.
- 82 FDRL, PSF 1933-45, Box 99: J. F. Carter, 'Report on Ethnological and Resettlement Studies', 7 May 1943. It began to be referred to habitually as the 'M' Project from around July 1943 onwards. FDRL, PSF 1933-45, Box 99: Field to Tully, 9 July 1943.
- 83 FDRL, PSF 1933-45, Box 99: J. F. Carter, 'Report on Research Project on Settlement and Migrations', 10 May 1943.
- 84 As of 8 May 1943, the staff on the project were: Robert Strausz-Hupé, Sergei Yakobson, Stefan T. Possony, Anthony F. Balasay and Robert M. W. Kempner. In addition, there were two stenographers and a German translator. See FDRL, PSF 1933-45, Box 99: Plan for Continued Research – Staff, 8 May 1943. Cf. JHU, Bowman Papers, 9/4/Folder 1: Language facilities of 'M' Project [undated]. For an indication of the backstory of an 'M' Project member of staff, see Robert Strausz-Hupé, *In My Time* (New York: Norton, 1965), 190–216.
- 85 FDRL, PSF 1933-45, Box 99: J. F. Carter, 'Report on Research Project on Settlement and Migrations', 10 May 1943; 'Report on Progress in the Bowman-Field-(Hrdlicka) Project', 9 July 1943.
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- 89 FDRL, PSF 1933-45, Box 99: 'Mass Settlement', 1 May 1943. Cf. JHU, Bowman Papers, 9/4/Folder 1: 'Outline: Anatomy of Settlement – Experience, Methods, Possibilities', 12 December 1943.
- 90 FDRL, PSF 1933-45, Box 99: 'Mass Settlement', 1 May 1943.
- 91 FDRL, PSF 1933-45, Box 99: Annual Report of 'M' Project for the Year 1943, 4 January 1944.
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- 93 JHU, Bowman Papers, 2/42/Strausz-Hupé: Strausz-Hupé to Yakobson, 16 August 1943. For an overview of those given access to 'M' Project report and who acted as consultants, see JHU, Bowman Papers, 2/15/Field, Henry: Regular and Special Distribution Lists, 17 April 1945.
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- 95 JHU, Bowman Papers, 2/15/Field: Strausz-Hupé to Field, 15 and 28 January 1944. Cf. JHU, Bowman Papers, 2/15/Field: Progress Report covering 31 December 1943 to 31 January 1944.
- 96 JHU, Bowman Papers, 2/15/Field: Strausz-Hupé to Field, 15 and 28 January 1944. Bowman Papers, 9/3/Folder 13: Draft of a Report Submitted by 'M' Project, 19 January 1944. Cf. Bowman Papers, 9/4/Folder 10: References for Draft Report [19 January 1944].
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- 103 JHU, Bowman Papers, 2/15/Field: Field to Bowman, 2 October 1945.
- 104 JHU, Bowman Papers, 2/15/Field: Dorr (USNR) to Field, 2 May 1945; Field to Bowman, 2 October 1945; Field to Doty (War Dept., Military Intelligence Service), 13 November 1945.
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- 106 JHU, Bowman Papers, 2/15/Field: Field to Bowman, 1 November 1945.
- 107 JHU, Bowman Papers, 2/15/Field: Doty to Field, 3 November 1945.
- 108 JHU, Bowman Papers, 2/15/Field: Field to Bowman, 1 November 1945.
- 109 JHU, Bowman Papers, 2/15/Field: Carter to Bowman, 14 December 1945.
- 110 The 'M' Project archive and undistributed reports were stored at Johns Hopkins University, where Bowman was president, and were later transferred to Bowman's personal files. See JHU, Bowman Papers, 2/15/Field: Field to Bowman, 7 December 1945; Jakobson to Bowman, 11 December 1945; Carter to Bowman, 14 December 1945. FDRL, Field Papers, Box xx2, 'M' Project 1974: Field to D. K. Adams (Keele), 19 May 1974. An incomplete set of reports was added to the collections of the Library of Congress in 1958. See letter from LOC to Field, 2 November 1961, in Field, *'M' Project*, vi. Full or almost full sets of the 'M' Project studies are available at the Franklin D. Roosevelt Library (for a list including those missing see: [http://www.fdrlibrary.marist.edu/archives/pdfs/findingaids/findingaid\\_field-bowmanreports.pdf](http://www.fdrlibrary.marist.edu/archives/pdfs/findingaids/findingaid_field-bowmanreports.pdf), last visited 12 April 2016), and in the Henry Field Papers at the University of Miami: <http://proust.library.miami.edu/findingaids/?p=collections/findingaid&id=96> [last visited 12 April 2016].
- 111 Field, *'M' Project*, 5.
- 112 Ladislav Farago, 'Refugees: The Solution as FDR Saw It', *United Nations World*, June 1947, 14–5, 64. Farago worked during the war in US Naval Intelligence and it was in this capacity that he received information about the 'M' Project. See FDRL, Field Papers, Box xx2, 'M' Project 1974: Field to Professor D. K. Adams (Keele), 19 May 1974; Field to Monty Penkower (Bard College), 16 January 1974.
- 113 JHU, Bowman Papers, 2/15/Field, Henry: Farago to Field, 15 July 1947.
- 114 JHU, Bowman Papers, 2/15/Field, Henry: Field to Bowman, 29 July 1947.
- 115 FDRL, Field Papers, Box 46: Field to Robert G. Bowman, 29 March 1960. See Field, *'M' Project*.

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- 118 As Alison Bashford rightly points out, the 'M' Project 'reworked much of the expertise on land and population that geographers and demographers had covered over the prior twenty years'. See Bashford, *Global Population*, 131.
- 119 See JHU, Bowman Papers, 9/4/Folder 10: References for Draft Report [19 January 1944].
- 120 JHU, Bowman Papers, 2/18/Grew: Bowman to Grew, 19 April 1945.
- 121 See various accounts by Field, all highly embellished, of a cosy fireside chat he had at Shangri-La, the presidential retreat, just prior to the Tehran Conference, in which FDR discusses the 'M' Project and the value of its work: Henry Field, 'How FDR Did His Fieldwork', *Saturday Review*, 8 July 1961; idem., *Track of Man: Adventures of an Anthropologist* (New York: Doubleday, 1953), 342–8; idem., 'M' Project, 327–9; idem., *The Track of Man, Volume 2: The White House Years, 1941-1945* (Miami: Banyan Books, 1982), v–vii.
- 122 FDRL, PSF 1933-45, Box 99: Tully memorandum for the President, 9 June 1944; Tully file memorandum, 28 June 1944. On the fate of the 'S' Project, another secret White House operation involving Carter and Field, which attempted to utilize the former Nazi émigré and confidant of Hitler, Ernst 'Putzi' Hanfstaengl, for US intelligence purposes, see Christof Mauch, *The Shadow War Against Hitler: The Covert Operations of America's Wartime Secret Intelligence Service*, trans. Jeremiah M. Riemer (New York: Columbia University Press, 2003), 48–57. Cf. FDRL, Small Collections: John Franklin Carter Interview, 9 February 1966.
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- 124 For the idea of an 'international' New Deal, see Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge, MA: Harvard University Press, 2005).
- 125 FDRL, Field Papers, Box xx2, 'M' Project 1974: Field to Adams, 19 May 1974.
- 126 For further discussion of this last point in particular, see Smith, *American Empire*, 293–316; Robinson, 'Le Projet M', 65–82.
- 127 On UNRRA, see the chapter by Jessica Reinisch in this book.
- 128 See various calls for a 'International Refugee Authority', 'International Migration Authority' or 'International Committee for Migration and Settlement', in Sir Herbert Emerson, 'Postwar Problem of Refugees', *Foreign Affairs*, 21 (January 1943), 215; JHU, Bowman Papers, 9/4/Folder 3, 'For Which We Fight', presentation by Francis A. Kettaneh at Thirty-Fourth Annual Convention of Rotary International, May

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- 134 For permutations of the 'vacant land' argument in support of post-war population transfers, see Stalin's comments at the Potsdam Conference: Fifth Plenary Meeting, Dept. of State and Cohen Minutes, 21 July 1945 in *Foreign Relations of the United States, Potsdam 1945*, ii (Washington DC: US Government Printing Office, 1960), 208–31; Record of Fifth Plenary Meeting, 21 Jul. 1945, in R. Butler and M. E. Pelly (eds), *Documents on British Policy Overseas*, ser. 1, i: *The Conference at Potsdam, July-August 1945* (London: HMSO, 1984), 505–12 [No. 219]. See also the case presented by the Czechoslovak delegation at the 1946 Paris Peace Conference in support of a mass transfer of Hungarians, in 'The Czechoslovak-Hungarian Problem – Its Solution: A Contribution Towards Peace' [1946], in *Archiv ministerstva zahraničních věcí*, Prague, GS-A 1945–54, k. 88.
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## Old Wine in New Bottles? UNRRA and the Mid-Century World of Refugees

Jessica Reinisch

By the end of the Second World War, millions of people had been forcibly displaced from their homes. Malcolm Proudfoot, who served in the headquarters staff of the Allied Supreme Command in Germany, estimated in 1945 that over 60 million Europeans were involuntarily moved during the war and the immediate post-war period.<sup>1</sup> Well over 10 million forced labourers of Allied nationality found themselves stranded on the territory of the defeated German Reich. In addition, around 13 million ethnic Germans were being expelled from countries in Eastern and Southern Europe.<sup>2</sup> The numbers of uprooted people created by the war exceeded those of any previous crises.

The United Nations Relief and Rehabilitation Administration – UNRRA in short – was the first international body set up during the Second World War to make arrangements for the care and return of some of these uprooted people to their home countries. UNRRA was not created specifically as an agency to tackle refugee problems, but its work with displaced persons was crucial to its overall mandate to manage the transition from war to peace and to create the foundations for a new, peaceful world. Throughout the ‘forty years’ crisis’ reviewed in this book, a series of organizations, set up by both governments and voluntary private groups, attempted to handle refugee problems. By the time of its creation in 1943, UNRRA was the biggest, boldest, best-funded international organization working on refugee matters the world had seen. In its five-year lifespan it organized the repatriation of millions of people, provided them with food, housing, welfare and health care, and opportunities for training and employment, and administered hundreds of DP camps – and thereby helped to define and redefine mid-century approaches to rehabilitation, repatriation and resettlement.

The scholarly literature on UNRRA’s work with refugees has grown significantly in the last decade. We have by now a wealth of academic studies, including those on experiences by particular national groups and in particular DP camps,<sup>3</sup> as well as broader surveys.<sup>4</sup> This chapter draws on this work and UNRRA’s own sources so as to place the organization into the framework of the ‘forty years’ crisis’ developed in this book. UNRRA existed as an organization in a long line of largely piecemeal and provisional organizations, instruments and mechanisms. The chapter seeks to understand it as one particular solution, or set of solutions, to the seemingly perpetual refugee problem in Europe, developed at a crucial hinge point within the four decades

after the end of the First World War. The chapter discusses how UNRRA's work with refugees was planned and prepared during the Second World War on the back of these earlier efforts, and identifies features that marked it out from both its predecessors and successors.

## Planning for peace

UNRRA was a direct product of Allied discussions about a world after and without war. By the early 1940s, when post-war planning began in earnest, influential assessments ascribed the world's descent into economic depression, famine, ruthless racial conflicts and a second bloody world war to a number of factors. Chief among them was the United States' retreat to isolationism and resulting absence from the international institutions created after 1919. Analysts pointed to shortcomings not just of existing political institutions of the parliamentary democracies, but of the post-1919 international structures much more generally. The League of Nations had evidently failed to transcend the great powers' national interests, and as a result failed to secure agreement on collective problems such as disarmament and migration. Other factors included the Allied powers' failure to formulate an effective policy on Germany; European states' failures to manage ethnic heterogeneity, particularly German minorities across Europe; and states' widespread lack of engagement with regional underdevelopment, poverty and food insecurity.<sup>5</sup>

When American and British planning staffs began to prepare for likely post-war scenarios, they were reminded that the mistakes of the aftermath of the First World War were not to be repeated. They rejected the idea of formally resurrecting the old League early on, and instead started to draw up blueprints for a new international organization that could be created in its place. This new body would have to be supported by the 'Four Policemen': the United States, the Soviet Union, Britain and China. Efforts to commit both big and small powers to a new international organization were boosted in January 1942, when twenty-six governments signed the 'Declaration by the United Nations', pledging to uphold the Atlantic Charter and agreeing not to accept a separate peace with the Axis countries. For the rest of the war, the term 'United Nations' described the joint efforts by the Allied nations to defeat fascism and Nazism.

Much of this preparatory work focused on creating a permanent new successor to the League of Nations. In autumn 1944, the Big Four agreed the first blueprint of the new formal United Nations organization during the Dumbarton Oaks conference. Further details of the new United Nations were debated and finalized at meetings in the following year, and in April 1945 the United States was born in San Francisco. The Preparatory Commission of the United Nations was established a few months later to make practical arrangements for bringing such a vast new body to life. Its Executive Committee met for the first time in August 1945 in London.<sup>6</sup>

But in the course of discussions about the permanent new international diplomatic and peace-keeping structures, it became clear that no collaborative effort, however ambitious, could even begin to implement any grand new vision for a world without war while millions of people were still uprooted, homeless, undernourished, sick and



without hope for a better future. With a range of academic studies and data at their disposal, several Allied organizations began to prepare for likely post-war scenarios, and drafted programmes for the immediate emergency phase – expected to last from the moment of liberation of the territories under Axis control until at some point after the armies were demobilized and the majority of civilians had returned to their homes. Most important among them was the Inter-Allied Committee on Post-War Requirements (known as the Leith-Ross Committee, named after its Chairman Sir Frederick Leith-Ross), established in London in September 1941, which tabulated the needs and requirements of the liberated territories in Europe.<sup>7</sup> The Office of Foreign Relief and Rehabilitation Operations of the US Department of State (OFRRO) was established in November 1942 under the leadership of Herbert H. Lehmann (former governor of New York) to coordinate the provision of basic supplies to civilian populations; some hoped that it would recreate Herbert Hoover's relief missions after the First World War.<sup>8</sup> OFRRO provided relief in French North Africa, though on a relatively small scale. A year of this work provided ample evidence that the enormous problems of relief in war-torn areas would require international collaboration on a much wider platform than hitherto present.

UNRRA's immediate origins lay in these deliberations. British and American planners were coordinating agendas at least since the creation in 1941 of the Combined Chiefs of Staff Committee, responsible to both the American president and British prime minister.<sup>9</sup> By April 1943, when OFRRO's director Herbert Lehman and his special assistant Hugh Jackson went to London to meet with a range of Allied civilian and military representatives, including from the Soviet government, those channels of communication were well established.<sup>10</sup> George Woodbridge, UNRRA's official historian, credits these early meetings with laying the foundations for a 'mutual understanding of the preparations for the postwar relief program on both sides of the Atlantic.'<sup>11</sup> Both the Leith-Ross Committee and OFRRO assembled sizeable groups of expert advisers. OFRRO, in particular, proved to be 'a magnet for progressive reformers originally drawn to Washington by the New Deal.'<sup>12</sup>

UNRRA was founded on 9 November 1943 in Washington, when forty-four nations formally agreed on the structure of a new relief organization. Its main tasks were to 'plan, co-ordinate, administer or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter and other basic necessities, medical and other essential services.'<sup>13</sup> It was to offer countries assistance in the resumption of urgently needed agricultural and industrial production, and the restoration of essential services. Finally, it was to make arrangements for the return of prisoners and exiles to their homes.<sup>14</sup> The 'Agreement' gave UNRRA the authority to plan, coordinate and implement measures for the relief of war victims in areas liberated from Axis control. In areas still under military control, UNRRA was obliged to obtain consent from the military authorities. Elsewhere, UNRRA had to be invited by the government of the area concerned; UNRRA would then negotiate an agreement, which specified the kinds and amounts of supplies it would bring and the services it would provide. National governments were UNRRA's clients and it worked through and for them, and only at their request.<sup>15</sup>

Administratively, UNRRA was an extension of a number of other bodies. Particularly in its infancy in Washington, before the beginning of any practical field work or the growing importance of UNRRA's regional headquarters, the US State Department in general and OFRRO in particular provided UNRRA with staff (not least Herbert Lehman, whom Roosevelt appointed as UNRRA's first director general), ideas and plans. In UNRRA's Washington headquarters, both the 'layout of offices and of major positions within them' drew significantly on plans drafted by OFRRO staff.<sup>16</sup> OFRRO, in turn, relied on League of Nations' experts – by now a group of them had moved to Princeton – for advice on staff recruitment and the management of relations between the various international organizations.<sup>17</sup> OFRRO bequeathed a 'vast body of material' to the US delegation to UNRRA, which, according to Woodbridge, 'exercised a major influence on the work of the Council in its First Session and subsequent developments within UNRRA, if not directly, at least by virtue of the fact that many of the individuals who worked on its preparation also had key positions on the various committees of the First Session and later in the Administration.'<sup>18</sup> OFRRO was, in essence, UNRRA's 'path-breaker', and soon turned into the US component of UNRRA.<sup>19</sup> Nonetheless, while UNRRA's structural and administrative origins were reasonably clear, the heritage of its ideas about relief and rehabilitation, and, importantly, its refugee mission, were more complex.

## UNRRA and the DPs

While the war was still being fought, UNRRA's staff of planners and relief workers in Washington and London spent much of their time anticipating, planning and preparing for likely scenarios, and presenting them at Allied conferences. For as long as much of the continent was still under Axis control they had little to do other than theoretical planning. Planners read academic studies about the state of Europe and its uprooted peoples, along with news, intelligence reports and statistics coming from the occupied territories. By late 1943, a number of detailed studies of the European refugee problem had been published and widely circulated. Among them was a survey compiled in 1938 by Sir John Hope Simpson, the former vice president of the Greek Refugee Settlement Commission, on behalf of the Royal Institute for International Affairs, which discussed the consequences, in population terms, of the First World War, Russian Revolution and the ongoing persecution of German Jews. In this and subsequent reports he identified three groups of refugees who demanded attention: those Russians, Armenians and others who had come under the aegis of the original Nansen Office; the refugees fleeing Nazi persecution in Germany and Austria who now came under the auspices of the High Commissioner for Refugees from Germany; and Italian, Spanish, Portuguese and other refugees fleeing persecution at home, who lacked any kind of international protection and support.<sup>20</sup>

In the future, Simpson argued, economic development in rural stretches of eastern Europe would be a crucial 'prophylactic treatment' for preventing Jewish (and other) emigration from those areas. But for those masses of existing refugees for whom any such economic development would come too late, Simpson argued, the League had to

radically extend its scope if it was to continue to be the main refugee agency. One point was clear, he argued: 'The main lesson emerging from a study of League assistance is the overriding necessity to treat the refugee service as primarily technical, and to minimise the political features of its existence. Extraneous political interests have repeatedly invaded the refugee work of the League.' In any future arrangement, divisive political positions of leading officers and 'political sectionalism' had to be avoided. The refugee problem was 'clearly so political in character that it can never be treated as entirely neutral and technical'. But it was 'all the more important for that reason that every administrative and constitutional step possible should be taken to minimise its political associations and to emphasise its technical character.'<sup>21</sup> This sentiment was to become one of UNRRA's guiding themes. Listening to Simpson lecturing on the subject, Norman Bentwich, a former attorney general of Mandatory Palestine and director of the League's High Commission for Refugees from Germany, thought the talk had given him 'the strongest impression ... that the refugee problem was manageable.'<sup>22</sup>

Another scholar offering pertinent insights into the refugee problem in Europe was Louise Holborn, a German-born émigré political scientist who worked as a research analyst for the US Office of Strategic Services during the war, and published a series of papers, including on the League of Nations' arrangements for the protection of certain groups of refugees.<sup>23</sup> In a 1939 survey of the international organizations which took an interest in refugees, she noted that because the League had become 'too weak' to stand up to Germany and Italy, 'the weight of moral and political authority' for the protection of refugees had shifted to the newly created Intergovernmental Committee on Refugees (IGCR).<sup>24</sup> The IGCR was set up in the aftermath of Germany's annexation of Austria in the previous year, as a continuation of the efforts of the conference at Evian in July 1938 to find solutions for the thousands of Jews in Germany and Austria trying to emigrate.<sup>25</sup> It was the first international refugee agency to be created outside of the League's apparatus. It was also the first to be set up on a 'permanent' basis (though finally disbanded in 1947), and the first to include a mandate for 'potential' refugees: people who had not yet been displaced, but whose displacement in the face of ongoing discrimination and ethnic conflict was likely and imminent. Holborn could not yet know that a reorganization of the IGCR in 1943 would introduce government funding for refugee maintenance 'for the first time in the history of international refugee assistance.'<sup>26</sup> But already in 1939 Holborn was hopeful that the IGCR was able to manoeuvre in ways other existing organizations had not been able to. Nonetheless, she went on, the legal apparatus for the status of refugees created by the League remained crucial, and the IGCR could only be successful if it coordinated closely with other existing bodies and drew on 'the experience and accumulated knowledge of those who have been engaged in the work for refugees.'<sup>27</sup>

The new Allied planning organizations also began to pay closer attention to the problem of refugees as a key component of any post-war scenarios. Among the steady output of papers by the Leith-Ross Committee was a preliminary study of the immediate post-war period, published less than a year after it began to meet, which reviewed a series of issues to consider in the planning of relief operations. One of them concerned population movements. The movements of both war refugees and foreign prisoners in Germany, it proposed, would have to be regulated as soon as hostilities had ceased,

‘if serious disorders are to be avoided’. The report provided few concrete details or numbers of likely population movements, but insisted that refugees would have to be treated in the broader context of post-war relief and rehabilitation measures. Its main recommendation concerned the administration of the refugee problem: a new body would have to be created specifically ‘to deal with problems affecting expelled persons, recruited labour, and, so far as they are not covered by existing bodies, refugees; in other words, with all those stranded at the end of the war’. In order to be at all effective, such an agency would have to be launched by the ‘principal Allied Powers, and authorised (i) to apply to the competent authorities of the Occupation for the necessary supplies and priorities; and (ii) to enlist the cooperation and where necessary coordinate the activities of existing organisations’. A ‘Director of international standing’ would have to be appointed to lead it, and he would have to be advised by both the Allied powers and the ‘important existing organizations, voluntary or international. ... The nucleus of the League of Nations Secretariat remaining at Geneva might perhaps be invited to co-operate in this task.’<sup>28</sup>

A few months after this report was released, a meeting at the Fabian Society in London aired further predictions and proposals by a number of well-known British public intellectuals, among them Harold Laski and Julian Huxley. In the published report, one author, Kenneth G. Brooks, gave dire warnings about the scale of the refugee problem – ‘the biggest human problem with which we shall be faced in re-ordering the world after the end of the war’ – the magnitude of which was ‘such as to cause the heart to sink and beside it the re-organization of the world’s economic life may well seem a simple matter.’<sup>29</sup> Although most of those uprooted would wish to return home as soon as they could, Brooks argued, repatriation would have to be tightly controlled, in the interest of preventing both the spread of infectious diseases and transport bottlenecks that could mean starvation for communities dependent on food imports. Like Holborn, Brooks thought about the agencies best placed to manage this crisis, and he concluded that the existing piecemeal, ad hoc organizations were no longer appropriate for a problem of this magnitude. Thirty-nine voluntary organizations dealing with refugees from Germany had been represented at Evian and were in close contact with the League’s High Commissioner for Refugees and the IGCR. However, he went on: ‘The work of the voluntary organisations has been mostly of a case-work nature and although the need for the sympathetic and individual help they have been able to give will continue, it is clear that the time has come for international direction on a governmental level.’<sup>30</sup> After the war, the return and resettlement of the displaced people would best be managed by an inter-allied body ‘working in close conjunction with the Supreme Economic Council which will be set up as the directing authority in the reorganisation of European economy.’<sup>31</sup> Ultimately, the vast refugee problem was part of an even bigger problem of the rehabilitation of European agriculture and industry. Regardless of whether it could ultimately be solved through repatriation on one hand or ‘colonization and assimilation’ on the other, both required significant amounts of capital for rehabilitation and economic development.<sup>32</sup>

Perhaps the most influential study available to UNRRA’s planners was Eugene Kulischer’s *The Displacement of Population in Europe*, commissioned and published by the International Labour Organization in 1943.<sup>33</sup> Drawing on an enormous range of

sources, Kulischer estimated that over 30 million Europeans had been displaced since the beginning of the war, including at least 6.5 million foreign labourers employed in Germany. To that number had to be added the millions of men serving in the Axis military, many of them stationed abroad or taken prisoner, as well as an un-estimated number of people drafted to work in the fascist-occupied territories, and millions of Germans and Italians evacuated from bombed cities. Elsewhere, Kulischer and others estimated that those around 6.5 million civilian workers were joined by at least 2 million prisoners of war working on German soil.<sup>34</sup> 'If all these movements could be properly taken into account,' Kulischer continued, 'the result would certainly be a grand total of over forty million.'<sup>35</sup> By breaking down this mass displacement into different categories of people on the move, Kulischer hoped to 'indicate ... the magnitude of the task involved in straightening out the population tangle caused by war and occupation.' This was crucial because, he added, the 'permanent resettlement of all these uprooted people will be one of the most urgent tasks of post-war reconstruction. It is an undertaking which will require the greatest possible amount of international organisation and collaboration.'<sup>36</sup>

Although 'resettlement' in principle could involve a move to either old or new countries, Kulischer argued that repatriation to their countries of origin would be the 'obvious solution' for most refugees – but it would require great effort and coordination of strained transport systems and competing needs of occupation armies, civilians and economic rehabilitation. If they were not repatriated quickly, he explained, 'the highways of Europe' would be 'blocked by long processions of destitute exiles, enduring every kind of privation in an effort to return unaided to their homes'. Even once returned, repatriates would continue to require assistance to find housing, training and work. As such, repatriation required a long view that was part of a much bigger problem of rehabilitating the liberated countries – comprising 'not only the reconstruction of the devastated areas, the re-equipment of industry, and restocking with cattle, seed, fertilisers and raw materials, but the reorientation of economic life as a whole.'<sup>37</sup> UNRRA took this on almost word for word.

Soon after its formal creation, a number of committees and expert groups were formed within UNRRA and began to make more concrete preparations.<sup>38</sup> An early example, which allows glimpses into how UNRRA policy and procedures was taking shape, is a report by the 'Sub-Committee on Policies with respect to Assistance to Displaced Persons' submitted after the first session of UNRRA's Council – its policy-making organ – in Atlantic City in November 1943.<sup>39</sup> The committee brought together well-known experts on refugee matters. Its chair was the Cuban Gustavo Gutierrez Sanchez,<sup>40</sup> other members included the British diplomat Sir George Rendel,<sup>41</sup> and the US State Department's Adviser on Displaced Persons and Refugees, George L. Warren.<sup>42</sup> The report began by sketching out 'the various categories of persons likely to be affected by the repatriation activities of UNRRA'. They included, as Kulischer had already identified, UN nationals who had left their homes 'because of the war' and were now stranded on liberated or conquered territory, as well as people displaced within their own countries. Only 'enemy nationals' were formally excluded from UNRRA's reach at this stage. The report estimated that in Europe alone there would be 'tens of millions of displaced persons who will need to be repatriated to their homes'.

There was no doubt about the urgency of their repatriation. The report's authors assumed that the displaced populations would attempt to return home as soon as their current or previous homes were liberated from enemy control, even before any 'adequate machinery to control or organise it' could be set up. The greatest danger was chaos. UNRRA's most important job was to organize these movements, in liaison with the Allied military authorities, and 'to establish some uniform system of dealing with these persons, during both the military and the subsequent periods'. The other reason for urgency, the report added, came from 'the medical aspect of the problem', already explained in the Leith-Ross findings, and UNRRA's work with the displaced had to proceed 'in the closest association' with that of its medical and health staffs. Overall, UNRRA's purpose was one of overseeing, coordinating and organizing mass movements, and bringing people 'home'.<sup>43</sup>

In the following months, as Allied manuals supplemented these insights with further instructions, they suggested that UNRRA should be guided by a basic division between 'refugees', a label here given to civilians uprooted by war but still within their own countries, and 'displaced persons', or DPs – a term in wide circulation by 1943 – as civilian refugees of Allied nationality uprooted and outside their countries.<sup>44</sup> UNRRA's DP operation was to focus on the latter kind of person, while at the same time, though not spelt out here, UNRRA's missions in the receiving countries were undoubtedly going to encounter the former.<sup>45</sup>

One issue – already raised by Holborn in 1939 and periodically touched on by UNRRA's planners, but far from conclusively solved by 1943 – concerned UNRRA's relationship with the various existing agencies active in refugee work. How could all this work be coordinated, and what was UNRRA's place within it? As one UNRRA memorandum from November 1943 explained, at the time, there were at least 'four official international bodies and one semi-official agency concerned with the problem of displaced persons': the International Labour Office (*sic*, ILO) and its Migration Section; the High Commissioner for Refugees coming under the Protection of the League of Nations; the Intergovernmental Committee on Refugees, and the International Committee of the Red Cross. And, it continued, in both function and organization they would appear to overlap.<sup>46</sup>

The memorandum went on to highlight just how much the refugee problem in Europe had generated piecemeal, fragmented and provisional solutions, and a string of organizations with remits broken down into particular refugee groups as defined by nationality and circumstance. Indeed, it explained, "The term "refugee" has varied meanings. There are, for instance, the so-called Nansen refugees resulting from World War I, central European refugees who are mostly Jewish and stateless, and war refugees who have fled from military action.' Similarly, the term 'displaced person' included 'prisoners of war, political prisoners, forced laborers, civilian internees, evacuees, displaced populations and eventually residuals of these groups of those for whom new places of settlement must be found'. UNRRA had to grapple with the fact that 'each of these categories of refugees presents a different problem requiring different treatment'; and 'each of the foregoing organizations has come into being to meet a specific need': ILO's main interests lay with migrant labourers' conditions of work. The high commissioner represented the original so-called 'Nansen refugees' as well as those fleeing Germany, Austria and the Sudetenland. The League had 'always considered its



interest in refugees of a temporary nature and with a few notable exceptions has never assumed responsibility for relief to refugees. Its services have been predominantly that of improving the legal status of refugees through provision of Nansen certificates and of securing rights of residence and work and the benefits of social security legislation. One ad hoc solution led to another: Because the high commissioner had a restricted mandate of dealing only with refugees already outside of their countries of origin, the Evian Conference then created the IGCR, with its focus on the Jews still inside Germany and Austria and likely to become refugees soon. At this stage, the memo concluded, UNRRA was the 'logical body' to be responsible for all matters of repatriation and provision of relief to refugees, and only the 'residuals' would eventually be passed back to the IGCR. Above all, the current situation demonstrated just how much of a need there was for a new international body charged with 'developing plans which Governments may support'.<sup>47</sup>

The question of UNRRA's relationship with other organizations with overlapping interests in refugees continued to cause confusion, in spite of further attempts to explain it.<sup>48</sup> Often the division of responsibilities hinged on artificial remits or technical definitions that were difficult to enforce in practice. Eventually, two principles were established: UNRRA's work was to be defined by a focus on repatriation, and UNRRA was to be given the authority to supervise and coordinate the work of other relevant organizations. The IGCR was to step into action only for those refugees not falling within UNRRA's remit, who could not be repatriated and for whom new host countries had to be found. As Sir Herbert Emerson, director of the IGCR since January 1939, explained to George Warren, the IGCR was *supplementary* to UNRRA. 'In countries where UNRRA has not a programme of general relief, but is carrying out special measures of assistance to displaced persons,' Emerson explained, 'the definition of a displaced person as laid down by the Council of UNRRA is a person who has been displaced as a result of the war. There are, therefore, many persons displaced before the war who are not eligible for relief by UNRRA, but who do come within the mandate of the Intergovernmental Committee, and are in desperate need of assistance.' Moreover, Emerson added, since UNRRA was likely to be active only in the short term, IGCR could always pick up again after UNRRA's closure. He seemed to assume that the refugee problem was likely to continue beyond UNRRA's existence.<sup>49</sup>

From its inception, then, UNRRA drew on and synthesized a number of assumptions about the nature of past and present refugee crises, as articulated by Simpson, Kulischer, Holborn and others. A first assumption concerned the fact that any large and disorganized movements of displaced people and refugees would have disastrous consequences. They were likely to harm the ongoing war effort and post-war demobilization of troops, contribute to the spread of diseases and put millions of lives at risk, and significantly limit any possibility of the rehabilitation, recovery and reconstruction of Europe and the world after the war. By the mid-1940s, nobody had to spell out (but some did) that refugees in general meant trouble and a drain on resources. For these reasons, any refugee movements had to be anticipated, limited and coordinated as much as possible. A single organization – UNRRA – had to coordinate the work of the myriad of organizations with diverse interests in refugees, and, crucially, provide essential relief, chiefly food, shelter, clothing, medical supplies and transport.



Second, a necessary consequence was that any solution of the refugee problem could not be limited to individual countries, but instead required a broad treatment of the whole of Europe – or indeed the world. Reports by the Leith-Ross Committee were at pains to emphasize that ‘Europe’ would have to be treated ‘so far as possible as a whole from the beginning’, even if such a perspective would ‘demand an important intellectual and moral effort of the more favoured peoples.’<sup>50</sup> In Washington, George Warren agreed that ‘the problem’ was

European in scope and should be dealt with as European. The displaced persons come from most European countries, south and west as well as east, so that a plan which covers only part of Europe will not be a satisfactory settlement as it will leave large numbers of discontented aliens still displaced, a probable source of international disturbance and of political dispute between governments. The problem in western Europe is comparatively manageable to that of eastern Europe where questions of boundaries and confusion with respect to nationality will arise. The desideratum of agreement on a European scale can only be met with the agreement of the Soviet authorities.<sup>51</sup>

Importantly, although to many this appeared to be a clear and convincing tenet, the extent to which such a wide and deliberately ‘non-political’ geographical scope would be feasible in the post-war world of trials, retribution and reparations was, at this point, before the end of the war, still up for discussion. Many relief workers soon pointed to a basic contradiction in UNRRA’s remit: although relief was to be distributed internationally as a means of treating and eradicating causes of poverty, ethnic conflict and war, the nations and nationals politically and geographically at the centre of the war were excluded from its reach. No amount of urging by Simpson, Leith-Ross and UNRRA’s planners that refugees were best dealt with as a ‘technical’ problem and to be kept away from destructive politics could disguise the fact that the political realities of a defeated Germany were paramount. Similarly, the question of how far multilateral or unilateral action on refugee matters was possible or even desirable, and just how much the United States should not just provide the bulk of funds and personnel but also dictate the terms remained a matter of debate. George Warren later remembered that he ‘disagreed with Governor Lehman who insisted that this problem of refugees had to be handled through the country organizations that UNRRA now was setting up. I said, “Governor this is an unusual problem that supersedes any country interest. You’ve got to handle it with a separate organization, directly responsible to you.”’<sup>52</sup> In 1943, Lehman and others won the case for a multilateral arrangement, but the argument was repeated in the creation of UNRRA’s successors, with different results.

Third, at least since the Bermuda Conference in April 1943 most planners assumed that the vast majority of those displaced by the war would seek to return home as soon as possible; UNRRA’s main function was to oversee their repatriation.<sup>53</sup> Although the dream of a mass resettlement of uprooted peoples to new countries or newly colonized land never went entirely off the table, repatriation to their countries of origin appeared to be a more desirable, feasible and realistic option for the bulk of refugees under review in a world where sovereign states would very likely still form the basic unit of the international order.<sup>54</sup> The principle of repatriation then became further entrenched

by the agreements at the Moscow Conference in October 1944, and again at Yalta in February 1945, that Soviet citizens were to be returned to the Soviet Union at the earliest moment, against their will if necessary, and by a widely shared understanding that nation-states had a right to demand the return of their citizens, and that it was the moral duty of citizens to return and take part in their country's reconstruction.<sup>55</sup> UNRRA's planners also tended to assume that nationality would surpass ethnicity or religion, particularly as far as displaced Jews were concerned. As far as UNRRA was concerned, the problem was a logistical one, requiring above all the physical restoration of transport networks and the coordination of different and clashing needs. In practical terms, UNRRA was 'grafted onto' existing arrangements for allocation and procurement of supplies.<sup>56</sup>

To be sure, even in UNRRA's early preparations there were hints at the complexity such an insistence on repatriation would entail, particularly for the Jewish survivors of the war. 'To assume that all displaced persons may desire to return to their countries of origin will undoubtedly prove to be an oversimplification,' an early memorandum warned.

Even though nationality may be restored to the stateless, memories of the horrors and privations of expulsion from their home countries will remain. It is to be hoped that those who find their families scatted in many countries and who desire to rejoin them to start life anew in some other country will not be forced against their will by the operation of rigid procedures to resume residence in a country which offers no attractions or opportunities for them. The opportunities of immigration in the postwar world may admittedly be limited, but it will be a sorry world indeed if places cannot be found for those so situated.<sup>57</sup>

Others pointed to the host of legal and definition problems involved.<sup>58</sup> Nonetheless, it was its focus on repatriation that defined UNRRA's mandate and distinguished it from other organizations such as the IGCR. Relief workers were given clear instructions about the agency's remit: it was to gather up the Allied DPs and organize their return; along the way, repatriates had to be fed, clothed and given medical aid, and until transport was feasible, provided with welfare services, training and employment.

Finally, Simpson, Kulischer and others had begun to suggest just how much the problem of mass displacement was part and parcel of bigger problems of economic development, particularly in Europe, but also further afield, and had to be treated in conjunction. Without the repatriation or resettlement of the mass of uprooted people, no post-war rehabilitation and reconstruction programmes could hope to succeed, and another war would surely be on the horizon. In this way, UNRRA's conception of the refugee problem as ultimately an economic one was quite different from earlier attempts to identify and tackle the 'root causes' of migration, which had foregrounded primarily the League's responsibilities to prevent war, protect ethnic minorities and secure certain rights.<sup>59</sup> In reality, the stipulation, right from the beginning of UNRRA's existence, that the agency was to be a temporary one, active only in the twilight zone between war and peace, and without the option of assuming 'continuing responsibility' in the longer term, created severe limitations on such broad and ambitious proposals from the start.<sup>60</sup> Nonetheless, even in its temporary life UNRRA was to take on the

refugee problem, as far as it concerned those displaced by the war, as part and parcel of the problem economic development and agricultural and industrial rehabilitation.

## Into the field

UNRRA's work with DPs began in earnest in May and June 1944, when it took over the British-run refugee camps in Egypt, Palestine and Syria, containing mostly displaced Greeks, Yugoslavs and Poles waiting to be repatriated.<sup>61</sup> In the following spring, just weeks before Germany's unconditional surrender, UNRRA 'spearhead teams' accompanied General Eisenhower's staff (the Supreme Headquarters Allied Expeditionary Force, or SHAEF) into Germany, and, after SHAEF's dissolution in July 1945, the individual American or British Army groups. As a direct consequence of the geography of the Third Reich's wartime exploitations, the vast majority of DPs found themselves on German soil. By late April 1945, more than fifteen UNRRA teams had gone 'into the field' to find them; by June there were 322 teams, ready to start their work.

At the same time and in parallel, UNRRA's country missions made their way into the receiving countries – sixteen of them in total, 12 of them in Europe, most of them setting up shop in late 1944 or the first half of 1945. All of them organized the reception and rehabilitation of the returning DPs. They also encountered other refugees; everywhere, people were 'out of place' and 'not yet returned'. The Polish mission, for example, was heavily involved in the reception of Polish citizens returning from abroad and their subsequent integration into Polish life. It also assisted the Polish government's efforts to resettle the over one million ethnic Poles from the Eastern Borderlands to the so-called Recovered Territories in the West.<sup>62</sup> Nonetheless, some missions were more preoccupied with explicitly 'refugee questions' than others. Most of the receiving countries' governments went to UNRRA on the one hand for supplies for their home populations (including returned DPs), and on the other for the care and repatriation of their own citizens still abroad – but not for matters which concerned refugees of other nationalities still on their territories. The Yugoslav government, for example, tended to bypass UNRRA entirely in its dealings with the foreign DPs on Yugoslav soil. Its methods were, by one account, 'direct and designed to eliminate camps. The refugees were simply sent to their countries of origin without delay or enquiry beyond that necessary to determine their home place.'<sup>63</sup>

All parts of UNRRA thus dealt extensively with refugees and the millions of displaced, uprooted, often homeless people of the war's aftermath. But only UNRRA's DP operation is usually identified as a 'refugee agency' as such, in that it did not concern itself with other population groups. This DP arm of UNRRA's activities – also the focus of this chapter – was by far most active in the western occupation zones of Germany, but it also ran smaller operations in Austria and Italy. It did not operate at all in the Soviet zones of Germany and Austria; no official DP camps were set up there since refugees of Allied nationality were expected to be repatriated quickly. UNRRA's DP headquarters were set up in Hoechst, near Frankfurt, and placed under the command of Lieutenant General Sir Frederick Morgan, Chief of Operations in Germany and former Deputy Chief of Staff of SHAEF.

For the arriving UNRRA teams in Germany, the first and most urgent task was to begin the process of gathering up the uprooted people of non-German nationality still roaming the countryside, and to take stock of who they were, what category of 'refugee' they fell into and where they should go next. UNRRA's formal responsibility, as defined initially, concerned those UN nationals who had been forced to flee their homes or deported to the Reich during the war, and excluded enemy nationals. Subsequent Council Resolutions extended this eligibility to 'ex-enemy and stateless persons who had been displaced by the action of the enemy "because of their race, religion, or activities in favour of the United Nations"'.<sup>64</sup> But most former enemy nationals, including the ethnic German expellees, never became eligible for UNRRA care, nor did those of other nationalities for whom there was evidence that they had collaborated with the Axis powers. In practice, before UNRRA screening boards could get to work to identify their 'DPs' from the others, the mass of displaced humanity had to be moved out of the way of military traffic and congregated into camps (formally referred to as 'assembly centres'), where they could be registered, fed, deloused and vaccinated, and their future transport planned. Camps made use of whatever housing facilities were available, and as a result they varied greatly in physical size, type of accommodation and DP population.<sup>65</sup> They were often extremely makeshift in character, 'frequently an euphemism designating an open field, or a bomb-gutted building, or a few tents'.<sup>66</sup>

There is by now an extensive historiography on how these camps came into being, how they were run and eventually – though later than anticipated – dissolved, and how the DPs themselves organized their lives while in UNRRA's care.<sup>67</sup> For the purposes of this chapter, it is worth noting primarily the sheer size and scale of the DP operation. The numbers of DP camps fluctuated continually, as small units were consolidated into larger ones, and as groups of DPs left and new ones arrived. In December 1945, there were roughly 252 camps in operation in Germany and Austria; a year later the number had risen to 951. By the time UNRRA withdrew from the field in June 1947, there were still 762 camps in operation, including 8 in Italy.<sup>68</sup> UNRRA was responsible for the majority of these camps. By the end of December 1945, UNRRA supervised about 263 of the total 323 assembly centres, and was responsible for the vast majority – 81.4 per cent – of the camp population, as well as a significant share of DPs not resident in camps.<sup>69</sup> An enormous number of staff were required to carry out this work: over 8,000 so-called Class I personnel (those recruited outside Germany) worked at UNRRA's DP operation in its first year in Germany. They were assisted by over 2,000 Class II (locally recruited staff) and Class III personnel (staff loaned from voluntary agencies), as well as over 100,000 displaced persons 'actively engaged in the administration of more than 300 camps with a population of nearly 800,000'.<sup>70</sup> According to UNRRA's own figures, in July 1945 UNRRA cared for close to 2 million DPs in Germany alone.<sup>71</sup>

In 1945, this was the largest refugee relief programme to date. However, the scale of war, foreign occupation and ethnic conflict had not only convinced planners that an organization such as UNRRA was vital, but also presented challenges not encountered by previous or subsequent refugee organizations. Some of those challenges were no doubt similar to those faced by other bodies, even if experienced by UNRRA on a different scale. For example, like many of the projects emerging from the Allied wartime planning machinery, UNRRA's work in the field was shaped by a fundamental

mismatch between planners' instructions and aspirations on one hand, and the post-war realities they encountered on the other.<sup>72</sup> Part of this mismatch stemmed from contradictory impulses. UNRRA was supposed to enact an internationally coordinated solution to Europe's refugee crises, strictly taken out of the realm of high politics, while at the same time it was subject to political decisions, many already made before 1943, on those refugee categories that were deemed to fall into its remit and those that were not. Other problems arose because many aspects of UNRRA's DP operation did not seem to have been planned at all, and in practice were the product of an almost constant process of improvisation. This necessarily created a few U-turns. To mention one, although earlier reports had been clear about the undesirability of a reliance on voluntary organizations' limited, 'case-worker' approach, by 1945 UNRRA did not only work with, but also outsourced responsibilities to, precisely such voluntary organizations. Formally, it coordinated the activities of dozens of voluntary welfare agencies, including the Red Cross, the Friends Ambulance Unit, the Joint Distribution Committee, the Organization for Rehabilitation through Training, and many others – and by the end of 1945 they were given growing opportunities to work independently.<sup>73</sup>

But perhaps the biggest source of problems, at least initially, stemmed from the nature of UNRRA's relationship with the occupying armies, or the practicalities of a non-military relief project of this scale in countries under military occupation – and in this feature, UNRRA was unique.<sup>74</sup> 'I always did wonder,' wrote one frustrated UNRRA worker after almost two years in Germany, 'whether the UNRRA high pontiffs who conceived the plan of forming such heterogeneous teams were most childish optimists, or whether they lacked even the most elementary conceptions of the very special and difficult conditions under which teams in the field would have to work and live.' As a 'civilian undertaking' whose aims were not 'even remotely connected with the military occupation,' the commentator went on, problems were inevitable from the start.<sup>75</sup> In reality, it was less a case of planners' optimism and more one of their attempts to shelve questions that could be dealt with at a later time, but the resulting complications were undeniable.

On paper, the instructions were clear enough. On their way into the field, relief workers were briefed that they and their organization were subject to the authority of SHAEF in all newly liberated areas. In areas under Allied military control, UNRRA was to operate 'only for such a time and for such purposes as might be agreed with the military authorities, and subject to their control.'<sup>76</sup> The assumption that this could not be otherwise, at least for an interim period, had already been made in earlier policy instructions about the armies' role in so-called 'civil affairs', which predated UNRRA. As US secretary of war, Henry Stimson explained to Herbert Lehman (as director of OFRRO) in June 1943:

During the period of military government complete responsibility for all matters within the theatre of operation is necessarily vested in the Commanding General of the theatre. This does not, however, preclude delegation by the Commanding General, at any time in his discretion, of administrative authority to civilian agencies. ... In regard to supply, transportation and distribution arrangements, there is full appreciation of the fact that these must come under the control of the

military, and that all communications during the period of military government must pass through military channels.<sup>77</sup>

The DP camps thus remained formally under military government control, who were responsible for organizing the required housing, supplies and transport.

In practice, this meant a severe limitation of UNRRA's supposedly vast scope and promise, far from the notion of an all-powerful organization dreamt up as an answer to the problem of mass displacement and the limitations of existing piecemeal solutions. One commentator in 1945 pointed to 'a considerable whittling down in the scope of UNRRA since the days of its planning by American and British officials in 1942 and 1943'. Although UNRRA 'was first conceived of as an agency of more or less supreme authority, empowered to assist in large-scale industrial and agricultural rehabilitation projects', he went on, it was already clear that it 'has only marginal authority, first because it operates only at the request of both military authorities and liberated national governments and, secondly, because it lacks supplies whose allocation must wait upon decisions of national supply agencies and the Combined Boards of the United States and Great Britain.'<sup>78</sup> In administrative terms alone, this was a difficult undertaking. UNRRA was 'at best a "junior partner"', one relief worker observed in 1947. Field personnel had to take orders simultaneously from the armies' DP-PWX branches and military government detachments, and UNRRA's headquarters. As a result, the 'teams had to serve two "masters"... a condition that was never resolved in UNRRA's favour.'<sup>79</sup>

UNRRA nonetheless carried out the bulk of practical relief work by providing the personnel for running the DP camps and the so-called 'services' – such as health and welfare, recreation, education and training – which were well out of the military's remit. Relief workers did not just 'clothe and feed and house' the DPs, 'as the military might have done,' but rather attempted 'to teach them to organize themselves and to build up their interest in life and their sense of self-respect, and to provide and promote education facilities, medical attention, and care of children.'<sup>80</sup> Some scholars have argued that UNRRA's greatest achievement concerned the institution of a 'system of democratic self-management' within the DP camps.<sup>81</sup> DPs were recruited from the start to co-run their own affairs, and 'national leaders' were appointed or elected to represent their cohort, giving rise to a fiction of DP camps as 'model community of nations.'<sup>82</sup> Their care became a formidable task once repatriation slowed down, and the ranks of the DPs were swelled with new arrivals from countries now under Soviet control.

UNRRA's relationship with the military authorities nonetheless remained strained for the duration of their coexistence. One source of friction concerned the requirement that all field personnel sent into a military area were required to wear uniform. Army officials were quick to criticize the relief workers' 'lax attitude' (including, in the face of clothing shortages, their mixing and matching of UK and US uniforms), while relief workers resented having to comply with army regulations.<sup>83</sup> From UNRRA's perspective, a constant strain were also the accusations that relief personnel were engaged in black market activities, which became, according to one report, 'a form of folk-lore among military personnel' and 'persisted throughout the operation', even though periodically proven as unfounded.<sup>84</sup>

Relief workers also resented the military's lack of empathy with the DPs, which seemed to grow in direct proportion with the occupation troops' prospering relationships with the German population. Captain C. E. Jack from the American zone's DP headquarters observed that

through no fault of his own, the D.P. makes a poor outward impression on [a military government] officer. His wardrobe is usually what he wears plus a few pieces of clothing stuffed in a bag. He has developed a defensive attitude as protection against German brutality. He has learned to steal to supplement the German starvation diet. He has learned to distrust promises and pieces of paper. His world revolves around food and shelter. In American slang he looks and acts like a 'bum.' In contrast, the German is well-dressed, better fed and is living in a home. He is very correct in his manner when addressing an American Officer.<sup>85</sup>

In this light, UNRRA's field workers in Germany increasingly defined themselves as advocates for the DPs, many of whom had survived horrific treatment at the hands of the Nazis, they pointed out, and now deserved special care. 'The original principle that the DPs were to be given preferential treatment by the occupation authorities was seldom given more than lip service even under terrific pressure from UNRRA,' one relief worker noted, 'and quite officially, even though indirectly, this original principle was forgotten.'<sup>86</sup> At the same time, the army pointed out that their units had 'neither the training or interest in the D. P. problem. Tactical unit Officers were trained for combat and do not consider that it is appropriate for them to be engaged in welfare work. Furthermore, their sole interest is in going home.'<sup>87</sup> Unlike UNRRA, as Major General John H. Hilldring explained to the US State Department, 'The Army is not a welfare organization. It is a military machine whose mission is to defeat the enemy on the field of battle. Its interest and activities in military government and civil affairs administration are incidental to the accomplishment of the military mission.'<sup>88</sup>

The UNRRA-military clashes were perhaps ultimately a problem of UNRRA's own public relations. Although UNRRA considered 'public information' as crucial for its success, and a staff of several hundreds of people were dedicated to persuading Western taxpayers to keep funding UNRRA, in practice they had a rough ride. Public information officers struggled to bring across the limits of UNRRA's responsibilities and room for manoeuvre. The organization was repeatedly criticized for shortages and bottlenecks in transport, shelter and supplies over which it had no control. In reality, as one report concluded, a large share of the blame lay with the military authorities, who 'were constantly changing their policies, inviting UNRRA to come in and then countermanding the request, and later, when they did want UNRRA, failing to secure for it the necessary support from the local commanders who controlled transport. At the same time they were always ready to blame UNRRA if anything went wrong and to complain of its inefficiency.' In practice, 'The military authorities found UNRRA a useful dumping-ground for problems – especially that of the Displaced Persons with which they found it impossible to cope.' Ultimately, 'UNRRA saved the military authorities from much work and worry which they were less fitting than UNRRA to perform, but with which, for humanity's sake and for the preservation of order, they would have had to try to grapple if UNRRA had not been in the field.'<sup>89</sup>



There were a string of other problems that periodically threatened to derail UNRRA's DP operation. But perhaps none was as contested and intractable as the issue of repatriation. Partly this was because the prioritization of refugees' nationality over their religion and ethnicity was ill-suited to several population groups, most obviously the millions of displaced Jews who were unwilling to be repatriated to their former eastern European homes, and instead demanded a new move to Palestine. The case of the Ukrainians also gave the UNRRA authorities significant headaches. Ukraine had not been recognized as an independent state before the war, as a result of which Ukrainian DPs were not recognized as a separate nationality by the Western military authorities (and therefore not by UNRRA either). Instead, Ukrainians were classified by their formal nationality, which for most of them was Polish or Soviet. A number of Soviet Ukrainians attempted to evade forced repatriation by claiming to be of Polish origins, and forged documents accordingly. UNRRA screening boards were instructed to probe into their real origins, but often struggled in practice.<sup>90</sup>

Apart from these conceptual dilemmas, the main problem of repatriation initially seemed to be one of organization and logistics in a world still shaken by war, with many transport and communication networks still severely disrupted and overloaded by demobilizing troops.<sup>91</sup> However, most of the transport logistics were solved relatively easily through heavy reliance on military resources, and repatriation proceeded very quickly during the first weeks after the end of war. By early July, 2,326,000 of the 5,800,000 counted DPs in Germany had been returned to their countries of origin.<sup>92</sup> But while the repatriation of western European nationals proved relatively unproblematic, it soon appeared that a sizeable portion of the DPs of Polish, Baltic and Soviet origin refused to be repatriated to areas now under Soviet or communist control. What was more, during the spring and summer 1945, the DPs already in Germany and Austria were joined by thousands fleeing westwards from eastern European countries, seeking to qualify for the DP status. Faced with the prospect of never-ending streams of newcomers for whom 'repatriation' was patently not a solution, but unwilling to impose a blanket ban on them, UNRRA's mandate was redefined to cover the care and maintenance of those who were 'displaced' by a certain cut-off point in the summer of 1946: all refugees who entered the American occupation zones before 1 July 1946 were granted the DP status if they otherwise complied with the eligibility criteria; in the British zones the cut-off was 1 June 1946.<sup>93</sup>

This redefinition resulted in confrontations between the representatives of the Western and Eastern member governments within UNRRA's Council. As one report put it, UNRRA 'was blamed in the West for repatriating displaced persons to what was described as an uncertain fate in Eastern Europe; it was excoriated in Eastern Europe for caring for collaborationists and quislings.'<sup>94</sup> Soviet representatives insisted on the repatriation of all Soviet citizens, regardless of their arrival dates in Germany, reminding delegates that Roosevelt and Churchill had already agreed with Stalin at the Moscow Conference of October 1944 that all Soviet citizens would have to be returned, forcibly if necessary. Other member states pointed out that repatriation was also necessary from a financial point of view, since UNRRA did not have resources to run the DP camps for an indefinite period of time.

Nonetheless, by the summer of 1945, almost 1.5 million refugees had expressed their unwillingness to be repatriated.<sup>95</sup> By December 1945, UNRRA still supervised 263 of the total 323 assembly centres in Germany, and had responsibility for 57.4 per cent of all DPs in Germany. It also contributed to the care of 17,000 DPs living in camps administered by the British, and to the cost of repatriating those who chose to return to Poland.<sup>96</sup> Twelve months later, repatriation slowed almost to a standstill. In February 1947, there were still 264,000 DPs in the British zone of Germany, 367,000 DPs in the American zone and 36,000 in the French zone.<sup>97</sup> Instructions to UNRRA staff that the repatriation of Soviet citizens was a matter of internationally agreed policy, and had to proceed ‘without regard to their personal wishes and by force if necessary’, did little to solve the immediate dilemma.<sup>98</sup> As one order to UNRRA workers in Germany spelt out:

UNRRA and military authorities are in agreement on the advisability for speedy return of the greatest possible number of displaced persons to their homelands as quickly as possible. This policy represents the substance of resolutions under which UNRRA now operates and is in keeping with the Yalta Agreement, and the projected plans and draft Constitution for an International Refugee Organisation.<sup>99</sup>

The Soviet authorities claimed that UNRRA assistance in fact encouraged DPs to resist repatriation, and demanded that UNRRA desist from giving aid to those who refused to return.<sup>100</sup> But even UNRRA’s institution of a Sixty Day Ration Plan, according to which all DPs willing to be repatriated were issued with food rations for a period of two months at the frontiers of their home countries, had little effect.

As it became clear that many of the refugees would stay longer than anticipated, relief workers in the DP camps began to emphasize ‘care’ over ‘repatriation.’<sup>101</sup> The camps were turned into more permanent installations and equipped with nurseries, schools, vocational training centres, shops, hospitals and specialists clinics, and UNRRA became a major employer of DPs. DPs no longer took part in educational or training courses to ease their impending integration into their home countries or simply to pass the time, but to make themselves employable and appealing to new countries of resettlement, often with good effect.<sup>102</sup> The tensions between the Soviet Union and the Western Allies on this and other issues eventually led London and Washington to conclude that repatriation was no longer a viable solution to the refugee problem. The only means left open was resettlement, which was out of UNRRA’s remit. In response, the International Refugee Organization (IRO) was created as a new, non-permanent, specialized agency of the United Nations that picked up where UNRRA had left off.<sup>103</sup>

### Old wine in new bottles?

UNRRA’s work with refugees was marred by a number of problems, most of them already present in some form from the early planning stages. It was a temporary organization with a limited brief and mandate but an enormous set of tasks; it had to negotiate a crowded field of organizations with overlapping remits; it depended on the goodwill of often unwilling military authorities, to whom it was subordinated; it was supposed to enact a technocratic and internationally coordinated solution to Europe’s

refugee crises while subject to political decisions on the refugee categories it was to work with. Its basic brief of repatriating the millions of Allied nationals who had been displaced as a result of the war became rapidly unpopular and unfeasible in the early Cold War frost. Whereas by some measure, UNRRA, 'as a kind of international Santa Claus, was almost above ordinary criticism,'<sup>104</sup> its DP operation came under heavy fire almost from its inception. As Woodbridge noted, no part of UNRRA's work received as much publicity (positive or negative) as its work with DPs:

No other field operations were to require the employment of so many people. Yet in no operation was so small a portion of the funds of the Administration used. No operation was so misunderstood within the Administration, by member governments, and by the public. In no operation was the early organizational control of the Administration so unsatisfactory. Yet again in no operation did the members of the Administration show such individual initiative and, it may justly be said, display such heroism.<sup>105</sup>

By some criteria, UNRRA fits neatly into a history of refugee organizations that stretches from the first Nansen Office to the UNHCR. UNRRA's work with the DPs in Europe was conceived as an exemplar of a rational, technical and primarily logistical solution to the problem of mass displacement, which, by shared procurement and distribution of supplies, could supposedly sidestep political minefields and save millions of lives. In this manner, although it conducted this work on what was at the time an entirely new scale, it continued prevalent functionalist approaches to population questions. UNRRA, like its predecessors and successors, also lacked a universal category of 'refugees,' but defining refugees as a product of war made the refugee problem appear to be an ultimately temporary and solvable one. This continuity was no coincidence. UNRRA worked with a sizeable body of refugee and relief experts, and built on their insights. In the headquarters and policy committees, people like George Warren had worked as specialist advisers on refugee matters in a number of different setups before advising UNRRA, and continued to do so after UNRRA's demise. On the ground, a significant proportion of relief workers had worked with refugees during and after the First World War, and continued to conduct what they perceived as fundamentally similar work with UNRRA.<sup>106</sup>

But in crucial ways this work was different from earlier and later refugee programmes. The scale and nature of the problems faced by UNRRA – indeed which prompted UNRRA's creation – was without precedent, and so was the political and financial commitment to solve at least one particular set of population upheavals. It is important to remember that UNRRA's overall significance did not lie primarily in its work as a refugee agency. Rather, it lay in its uniquely 'connected' approach, which emphasized that broken infrastructures, economic and agricultural underdevelopment, lack of expert knowledge, and mass displacement were all aspects of the same set of problems highlighted and magnified by the war. Any solutions had to address them in a coordinated, consolidated manner, based on a 'total plan.'<sup>107</sup> In practice, the connections between the different parts of UNRRA's field missions may not always have been entirely clear to everyone on the ground. Members of various country missions at times accused their colleagues in the DP operation that their hesitance

about repatriation was harmful to ‘the long view’ that demanded the integration of returned refugees into rehabilitation and reconstruction projects at home. Without the returned DPs, many receiving countries could simply not be rebuilt and developed.<sup>108</sup> But this long view was nonetheless central to UNRRA’s entire existence.

Driven by fear about a potentially catastrophic fallout from the bloodshed, destruction and racial conflict of the war, the Allies poured unprecedented resources into UNRRA. The body became a uniquely large and capacious vessel for ‘wartime idealism’, as Ben Shephard notes,<sup>109</sup> but one that was able to accommodate a range of different priorities, ambitions and preparations for the future. Many thought that UNRRA represented what the Allies had fought for: ‘freedom from fear, and freedom from want.’<sup>110</sup> UNRRA was one particular product of the fantasies that had also brought to life the M Project and other dreams about overcoming the piecemeal, ad hoc approaches to refugees that had hampered work for decades.<sup>111</sup> But unlike other visions, UNRRA was no mere a pipe dream. Its implementation was possible only at that brief moment in the last years of the war, after the meetings at Casablanca and Tehran in 1943, and during the immediate post-war years, before the wartime alliance was broken up and the tone of all international endeavours fundamentally changed. Unlike its immediate predecessors and successors, UNRRA provided a joint forum for the representatives of big and small nations, including the Soviet Union and the United States. It was explicitly designed as an experiment in international collaboration and as a placeholder for the future United Nations. As William Warbey, Labour MP for Luton, argued in the House of Commons in 1946, UNRRA was ‘a working link between East and West.’<sup>112</sup>

As a result, UNRRA had financial and political resources that dwarfed any previous organizations’ budget for refugee work. Whereas in June 1939, less than three months before the outbreak of war, Herbert Emerson still tried and failed to convince the leading powers of the benefits of international collaboration and agreements on the refugee problem,<sup>113</sup> by 1943 that was no longer under question. Emerson had been allotted measly funds that covered only his salary and a small amount for the office and travelling expenses of a small number of staff in Geneva and London.<sup>114</sup> By contrast, UNRRA’s DP operation had operating expenses of over \$82 million, and drew on an amenity supply programme of a further \$7.5 million,<sup>115</sup> and this expenditure represented only a fraction of UNRRA’s overall budget. Although the financial and material resources could never be enough, and although the United States’ unwillingness to continue to fund it meant it had to wind up long before the twilight phase was over, this nonetheless began a new trend of significantly increased funds and political will put at the disposal of organizations working with refugees. UNRRA’s resources for DPs were immediately dwarfed by the IRO’s annual budget of four times that of the UN, amounting to \$155 million annually.<sup>116</sup> This kind of escalation of resources casts in a new light Zara Steiner’s observation in this book that ‘neither individuals nor governments learn from experience. New institutions may be created but they do not generally develop greater competencies than the ones they replace.’<sup>117</sup> UNRRA is evidence of a deliberate and concrete (if short-lived) attempt to build on previous institutions and learn from their mistakes, at the key mid-century moment when everything still seemed possible.

UNRRA and its DP operation were disbanded in June 1947, and with it UNRRA's self-consciously multilateral approach to relief came to an end. Subsequent arrangements were significantly narrower in scope, vision and extent of political support. The various components of UNRRA's activities were broken up: work with (certain kinds of) refugees was parcelled out to the IRO and later UNHCR; health to the World Health Organization (WHO); children to the United Nations Children's Fund (UNICEF); culture and education broadly conceived to the UN's Educational, Scientific and Cultural Organization (UNESCO); reconstruction (in some western and southern European countries) to the Marshall Plan; development to the World Bank, and, later, the United Nations Development Programme (UNDP). IRO initially had fewer than half of UNRRA's member states on board; no Eastern bloc country or the Soviet Union was ever represented.<sup>118</sup> It was a Cold War organization par excellence, and in crucial ways very different from UNRRA, particularly on the subject of eligibility. UNRRA differentiated between refugees who were entitled to the DP status and those who fell out of its remit, but did not deny that the Polish refugees arriving in Germany after the cut-off date in 1946, or even the German expellees, were 'genuine' refugees by some measures, even if, for political and financial reasons, they could not be 'DPs'. By contrast, IRO's mandate explicitly identified so-called 'bona fide' or 'genuine refugees and displaced persons', for whom it was to arrange registration, care and maintenance, legal and political protection, transport, repatriation or resettlement into countries that were able to house them – thereby making abundantly clear that there were others who were not 'genuine' or 'bona fide'.<sup>119</sup> In these terms, IRO introduced an entirely new approach to eligibility, namely, in Daniel Cohen's words, 'the obligation for asylum seekers to solely bear the burden of proof in their claim of "genuine" political persecution.'<sup>120</sup> IRO operations ended in Germany in 1952. The closing of the last DP camps thus coincided with the signing of the 1951 Convention on Refugees, which defined a 'refugee' in explicitly political terms, and enshrined the distinction between 'genuine' political refugees and all others (including those fleeing poverty) in law. The era of Allied cooperation, multilateral and 'connected' arrangements of refugee care represented by UNRRA, was by then only a distant memory.

## Notes

- 1 See, for example, Director of DP Branch to HQ, Combined Displaced Persons Executive (CDPX), BAOR, 'Liaison notes', 1 September 1945, The National Archives, London, (TNA), FO 1052/302. Malcom Proudfoot, *European Refugees, 1939-1952: A Study in Forced Population Movements* (Evanston: Northwestern University Press, 1956).
- 2 Different scholars' figures for these population groups vary greatly. See, for example, Mark Mazower, *Dark Continent: Europe's Twentieth Century* (London: Allen Lane, 1998); Louise Holborn, *Refugees: A Problem of Our Time: The Work of the United Nations High Commissioner for Refugees, 1951-1972* (Methuen NJ: The Scarecrow Press, 1975), 23; Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (Oxford: Oxford University Press, 1993), 296–345; J. G. Stoessinger, *The Refugee and the World Community* (Minneapolis: University of Minnesota Press, 1956), 45–8.

- 3 On particular refugee group experiences, see, for example, Zeev W. Mankowitz, *Life Between Memory and Hope: The Survivors of the Holocaust in Occupied Germany* (Cambridge: Cambridge University Press, 2002). Avinoam Patt and Michael Berkowitz (eds), *We are here: New Approaches to Jewish Displaced Persons in Postwar Germany* (Detroit: Wayne State University Press, 2010). Angelika Königseder and Juliane Wetzel (eds), *Waiting for Hope: Jewish Displaced Persons in Post-World War II Germany* (trans. from the German by John A. Broadwin, Evanston, Ill.: Northwestern University Press, 2001). Lubomyr Y. Luciuk, *Searching for Place: Ukrainian Displaced Persons, Canada and the Migration of Memory* (Toronto: University of Toronto Press, 2000). Anna D. Jaroszynska-Kirchmann, *The Exile Mission: The Polish Political Diaspora and the Polish Americans, 1939-1956* (Ohio University Press, 2004). Thomas Lane, *Victims of Stalin and Hitler: The Exodus of Poles and Balts to Britain* (Basingstoke: Palgrave, 2004).
- 4 See particularly Wolfgang Jacobmeyer, *Vom Zwangsarbeiter zum heimatlosen Ausländer: Die Displaced Persons in Westdeutschland, 1945-1951* (Göttingen: Vandenhoeck & Ruprecht, 1985). Mark Wyman, *DPs: Europe's Displaced Persons, 1945-1951* (Ithaca: Cornell University Press, 2nd edn 1998). More recent works include Anna Holian, *Between National Socialism and Soviet Communism: Displaced Persons in Postwar Germany* (University of Michigan Press, 2011), and Ben Shephard, *The Long Road Home: The Aftermath of the Second World War* (London: Bodley Head, 2010). Useful chapters on UNRRA appear in, for example, Marrus, *The Unwanted*; and Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013). UNRRA is also discussed in recent essay collections on refugee history, including in Jessica Reinisch (ed.), special issue 'Relief in the Aftermath of War', *Journal of Contemporary History*, 43, 3 (July 2008). Jessica Reinisch and Elizabeth White (eds), *The Disentanglement of Populations: Migration, Expulsion and Displacement in Postwar Europe, 1944-1949* (Palgrave, 2011); Matthew Frank and Jessica Reinisch (eds), special issue 'Refugees and the Nation-State in Europe, 1919-1959', *Journal of Contemporary History*, 49, 3 (July 2014).
- 5 For example, influential critiques include John Maynard Keynes, *The Economic Consequences of the Peace* (1919) and E. H. Carr, *The Twenty Years' Crisis: 1919-1939: An Introduction to the Study of International Relations* (London: Macmillan, 1939).
- 6 See, for example, Clark M. Eichelberger, *Organising for Peace: a Personal History of the Founding of the United Nations* (New York: Harper & Row, 1977), 280.
- 7 Leith-Ross was an eminent British Treasury official: former economic adviser to the British government, director general of the Ministry of Economic Warfare, after 1945 last British governor of the National Bank of Egypt (until 1951), chairman of the Standard Bank of South Africa and Deputy Chairman of the National Provincial Bank. Some commentators credited him with a large role in the creation of UNRRA. The British diplomat Frank Ashton-Gwatkin thought that 'but for Leith-Ross's [generous] impulses and activities, it is doubtful whether UNRRA would ever have seen the light as an international body,' 109. See F. Ashton-Gwatkin, 'The Work of the United Nations Relief and Rehabilitation Administration', [1951], 109, footnote 1, United Nations Archives, New York (UNA), S-1021-0002-07.
- 8 For example, A. Nevins, *Herbert H. Lehman and His Era* (New York: Charles Scribner's Sons, 1963), 225. On OFRRO see, for example, United States, Office of Foreign Relief and Rehabilitation Operations, Division of Public Information, *The Office of Foreign Relief and Rehabilitation Operations, Department of State* (Washington DC, 1943). On the limits of OFRRO, see, for example, League of Nations and United Nations Archive, Geneva (UNOG) R5809/50/42186/42186, 'Problems of Training for the Administration of Foreign Relief and Rehabilitation' [18 June 1943].



- 9 See Jessica Reinisch, *The Perils of Peace: The Public Health Crisis in Occupied Germany* (Oxford: OUP, 2013), 21.
- 10 According to Dean Acheson, Soviet officials were among the first to suggest a new international relief organization, see Dean Acheson, *Present at the Creation: My Years in the State Department* (London: W. W. Norton & Company, 1969), 65; and Dan Plesch, *America, Hitler and the UN: How the Allies Won World War II and Forged a Peace* (I. B. Tauris, 2011), 121.
- 11 George Woodbridge, *UNRRA: the History of the United Nations Relief and Rehabilitation Administration* (New York: Columbia University Press, 1950), Vol. 1, 23.
- 12 James A. Gillespie, 'International Organizations and the Problem of Child Health, 1945-1960', *Dynamis: acta hispanica ad medicinae scientiarumque historiam illustrandam*, 23 (2003), 115-42, 123.
- 13 UNRRA Agreement, Articles 1 and 2.
- 14 *Helping the People to Help Themselves: the Story of the United Nations Relief and Rehabilitation Administration* (H. M. Stationary Office: London, 1944).
- 15 For example, Woodbridge, *UNRRA*, Vol. 1, 12.
- 16 *Ibid.*, Vol. 1, 23.
- 17 Patricia Clavin, *Securing the World Economy: The Reinvention of the League of Nations, 1920-1946* (Oxford: Oxford University Press, 2013), 287.
- 18 Woodbridge, *UNRRA*, Vol. 1, 23, 149, and Vol. 2, 20.
- 19 A. Nevins, *Herbert Lehman*, 225.
- 20 See particularly John Hope Simpson, 'The Refugee Problem', *International Affairs*, Vol. 17, No. 5, Sept-Oct, 1938, 607-28. Sir John Hope Simpson, *Refugees: Preliminary Report of a Survey* (Royal Institute of International Affairs, July 1938). Sir John Hope Simpson, *Refugees: A Review of the Situation Since September 1938* (Royal Institute of International Affairs, August 1939). Also see Peter Gatrell, 'Introduction: World wars and population displacement in Europe in the twentieth century', *Contemporary European History*, 16, 4 (November 2007), 415-26.
- 21 Simpson, *Refugees*, 96-7.
- 22 Discussion of Simpson, 'The Refugee Problem', 622.
- 23 Louise W. Holborn (1898-1975) was born in Berlin, and studied at the University of Heidelberg and German Academy for the Advanced Study of Political Science. In 1933 she emigrated to London, and in 1934 to the United States, where she earned a PhD at Radcliffe College in 1938. Thereafter she taught history, political science, international relations and international law. In 1942, she was a research analyst for the Office of Strategic Services' Civil Affairs Division. She was active in the US Committee for Refugees, and after the war in IRO, UNHCR and other UN projects. See Harvard University Library catalogue, <http://oasis.lib.harvard.edu/oasis/deliver/~sch01341> [accessed 1 November 2016]. She also played an active role in World Refugee Year, see Peter Gatrell's chapter in this book.
- 24 Louise Holborn, 'The League of Nations and the Refugee Problem', *Annals of the American Academy of Political and Social Science*, Vol. 203, Refugees, May 1939, 124-35. See also Louise Holborn, 'The legal status of political refugees, 1920-1938', *The American Journal of International Law*, 32, 4 (October 1938), 680-703. She went on to publish big volumes on the IRO and UNHCR. Louise W. Holborn, *The International Refugee Organization: a specialized agency of the United Nations, its history and work, 1946-1952* (Oxford University Press, 1956). Holborn, *Refugees, A Problem of Our Time*.
- 25 On the IGCR, see particularly Tommie Sjöberg, *The Powers and the Persecuted: The Refugee Problem and the Intergovernmental Committee on Refugees (IGCR), 1938-1947* (Lund University Press, 1999). Also Eric Estorick, 'The Evian Conference and the



- Intergovernmental Committee', *Annals of the American Academy of Political and Social Science*, 203 (May 1939), 136–41.
- 26 Sjöberg, *The Powers and the Persecuted*.
- 27 Holborn, 'The League of Nations and the Refugee Problem', 124–35.
- 28 *Relief and Reconstruction in Europe: The First Steps – an Interim Report by a Chatham House Study Group* (London: Royal Institute of International Affairs, July 1942). Also see 'Immediate post-war measures of relief and reconstruction in Europe', Sir Frederick Leith-Ross (Royal Institute of International Affairs, Chatham House) to Medical Research Council, 9 February 1942, TNA, FD 1/6819; and 'Outline of post-war Relief Problem' [July 1942], TNA, T 188/255.
- 29 Kenneth G. Brooks, 'The Re-establishment of Displaced Peoples', in *When Hostilities Cease: Papers on Relief and Reconstruction Prepared for the Fabian Society* (London: Gollancz, 1943), 99.
- 30 *Ibid.*, 122.
- 31 *Ibid.*, 118.
- 32 Brooks made reference to Roosevelt's call in October 1939 to 'draw up world-wide plans for dealing with ten to twenty million emigrants after the war', and the subsequent work of the president's Advisory Committee for Refugees, 120 – see Matthew Frank's chapter.
- 33 Eugene M. Kulischer, *The Displacement of Population in Europe* (International Labour Office, Montreal, 1943), 163, 160. Kulischer (1881–1956) was born in Kiev, he studied at the University of St Petersburg and fled after the October revolution in 1920 from Russia to Germany. Later he emigrated to Denmark, in 1936 to Paris, and from there to the United States via Spain and Portugal. He became an expert analyst for the Office of Strategic Services, and adviser to ILO, Bureau of Census and Library of Congress. See, for example, Antonio Ferrara, 'Eugene Kulischer, Joseph Schechtman and the Historiography of European Forced Migrations', *Journal of Contemporary History*, 46, 4 (2011), 715–40.
- 34 Malcolm Proudfoot, table 'Foreign civilian workers and working prisoners of war in Germany, 1939–1944', using data of ILO by E. M. Kulischer and J. B. Schechtman, *International Labour Review*, October 1944, 470.
- 35 Kulischer, *Displacement of Population*, 164.
- 36 *Ibid.*, 166.
- 37 *Ibid.*, 166–7.
- 38 One of them was the Standing Technical Subcommittee on Displaced Persons for Europe, which met in London and oversaw a series of six Expert Commissions, each tackling aspects of UNRRA's work with displaced persons, and producing many papers.
- 39 On the event overall, see Philip C. Jessup, 'The First Session of the Council of UNRRA', *The American Journal of International Law*, 38, 1 (January 1944), 101–6, and Woodbridge, *UNRRA*, Vol. 1, 24–32.
- 40 For example, see Gustavo Gutierrez y Sanchez, *El problema de los refugiados (la política de la UNRRA respecto a las poblaciones desarraigadas, y especialmente a los refugiados que se encuentran en los países de América)* (La Habana: Editorial Lex, 1944).
- 41 By 1943, Rendel (1889–1979) already had a significant career as a senior British diplomat behind him. He was of the Foreign Office's Eastern Department from 1930 to 1938. Between 1941 and 1943 he was UK ambassador to Yugoslavia; 1944 and 1947, UK Acting Undersecretary of State in Foreign Office and Representative on UNRRA's Committee for Europe; 1945 and 1947, UK delegate to UNRRA Council Meetings.

- For example, see Reference Division (Foreign Economic Section), 'International Reconstruction Series: Britain and European Reconstruction', 22 August 1946, Imperial War Museum (IWM), 84/47/1. Also see his memoir, Sir George Rendel, *The Sword and the Olive: Recollections of Diplomacy and Foreign Service 1913-1954* (John Murray, 1957).
- 42 George L. Warren (1890–1981) was long-standing US 'Adviser on Refugees and Displaced Persons'. His posts included secretary and consultant to FDR's Advisory Committee on Political Refugees; adviser to the US representative, Myron Taylor, at the Evian Conference; State Department liaison officer to the War Refugee Board; member of US delegations to UNRRA and chairman of UNRRA's Committee on Displaced Persons; US representative to the Intergovernmental Commission on Refugees in Paris and London; delegate to the Executive Committee of the International Refugee Organization; delegate to the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons in Geneva; and US representative to the Council Intergovernmental Committee for European Migration. For example, see biographical summary of George L. Warren Papers, Truman Library, <https://www.trumanlibrary.org/hstpaper/warren.htm> [last accessed 18 November 2016]. Also see his entry on the war refugee problem, *Encyclopaedia Britannica*, 1959, Vol. XVI, 59, 60.
- 43 Committee IV, Subcommittee 4, Report of the Sub-Committee on Policies with respect to Assistance to Displaced Persons, 25 November 1943, National Archives and Records Administration (NARA), 840.50 UNRRA-131.
- 44 See Proudfoot, *European Refugees*, 115. Ben Shephard noted that the precise origin of the term was not clear, but it is likely to have originated in the Leith-Ross Committee. See Shephard, *The Long Road Home*, 37. Also see Gatrell, *The Making of the Modern Refugee*, 95.
- 45 Warren to Acheson, Berle and Dunn, 'Need for action on plan for displaced persons', 3 August 1944, NARA, 840.4016 DP/8-344. Also see Marrus, *The Unwanted*, 300.
- 46 'International Bodies Concerned with Displaced Persons', 2 November 1943, UNA S-1021-0002-06.
- 47 Ibid.
- 48 On the ILO, see 'International Labour Office Migration Section', 16 October 1943, UNA S-1021-0002-06. On the IGCR, see 'The Intergovernmental Committee', 14 October 1943, UNA, S-1021-0002-06. On the US War Refugee Board, see Acheson to American Ambassador in London, stamp 23 February 1944, NARA, 840.50 UNRRA/273 PS/SMS.
- 49 Memorandum, H. W. Emerson to George L. Warren, 3 July 1945, NARA 840.48 Refugees/7-745. Also printed in Foreign Relations of the United States Diplomatic Papers, 1945, General: Political and Economic Matters, Volume II, and online <https://history.state.gov/historicaldocuments/frus1945v02/d538>
- 50 'Immediate post-war measures of relief and reconstruction in Europe', Sir Frederick Leith-Ross (Royal Institute of International Affairs, Chatham House) to Medical Research Council, 9 February 1942, TNA, FD 1/6819.
- 51 WRB/ George Warren memorandum 'Need for action on plan for displaced persons', 3 August 1944, NARA 840.4016 DP/8-344.
- 52 Truman Library's 'Oral History Interview with George L. Warren' conducted in November 1972, <http://www.trumanlibrary.org/oralhist/warrenl.htm> [last accessed 10 September 2015].

- 53 See, for example, Herbert Emerson, 'Postwar Problems of Refugees', *Foreign Affairs*, 21, 2 (1943), 211–20; and Gatrell, *The Making of the Modern Refugee*, 95.
- 54 See, for example, Jessica Reinisch, "'We shall build anew a powerful nation': UNRRA, Internationalism and National Reconstruction in Poland', *Journal of Contemporary History*, 43, 3 (2008), 451–76, esp. 457/8.
- 55 Jessica Reinisch, "'We shall build anew a powerful nation.'"
- 56 For example, British Food Mission cable, 24 November 1943, TNA MAF128/335, notes that UNRRA 'will rely on well established procurement agencies and confine itself to limited development of existing allied system for allocating and procuring supplies.'
- 57 'Statement of the Problem of Displaced Persons' [October 1943], UNA S-1021-0002-06.
- 58 For example, Enclosure dated 1 May 1946, in response to 16 May 1946, Harold W. Mosely, of State-War-Navy Coordinating Committee, Washington, response to enquiry about fate of US citizen of Soviet descent, NARA, 840.4016 DP-5-1646.
- 59 Claudena Skran, *Refugees in Inter-War Europe: The Emergence of a Regime* (Oxford: OUP, 1995), esp. chapter 'The Attempt to Deal with Root Causes.' Also see Barbara Metzger's chapter in this book.
- 60 British Embassy Washington to James Byrnes, 5 January 1946, NARA, 800.4016-DP/1-546.
- 61 Report on the Middle East Relief and Refugee Administration entitled 'MERRA, July 1942 – May 1944' by Elizabeth King Simeon [1945], UNA S-1021-0027-06.
- 62 See, for example, PUR Polish Repatriation Office. S-0527-1084-02, Rusek, 'The State Repatriation Office (P.U.R.) and the Question of Repatriation', 15 March 1946, UNA, S-1400-0000-0005. Also see Jessica Reinisch, 'We shall build anew a powerful nation.'
- 63 Report entitled 'UNRRA Yugoslav Mission – Historical Monograph on Displaced Persons Operation', Dr K. W. C. Sinclair-Loutit, Direct of Relief Services and Health Supplies, Belgrade, May 1947, 1, UNA, S-1021-0025-03.
- 64 UNRRA Council Resolution No. 60 and No. 90 extended eligibility in this manner. UNRRA, Displaced Persons Operation in Europe and the Middle East, Operational Analysis Papers, No. 13, December 1946 (London: UNRRA European Regional Office), 1–2.
- 65 See Wyman, *DPs*, esp. 43–4.
- 66 Dr Sainz de la Pena, History Report No. 23 (Health Division), September 1947, UNA, S-1021-0080-08.
- 67 On the bigger picture, see Wyman, *DPs*, and Shephard, *The Long Road Home*. As an example of DPs' own perspectives, see the remarkable comic strip about camp life by Arnold Sepp and Endel Koks, *Mis teha? Siin ta on = Refugee Life in Pictures* (first published Augsburg, 1947, republished Tallinn: Eesti Diasporaa Akadeemia, 2014).
- 68 Woodbridge, *UNRRA*, Vol. 2, 502.
- 69 *Ibid.*, Vol. 2, 491, 494.
- 70 C. H. Cramer (Chief Personnel Officer, DP Operation, Germany), preface to 'A statistical analysis of Class I Employees in the Displaced Persons Operation, Germany, March 1945 – May 1946' [August 1946], 31 August 1946, UNA S-1021-0078-06.
- 71 Wilhelmina Lutten et al., *UNRRA Displaced Persons Operation in Europe and the Middle East*, Operational Analysis Papers No. 13, December 1946 (Division of Operational Analysis, UNRRA European Regional Office, London), 6–7.
- 72 On the mismatch between Allied plans for the occupation of Germany and the reality after 1945, see Reinisch, *Perils of Peace*, esp. 19–58.

- 73 On the work of voluntary organizations in occupied Germany, see Johannes-Dieter Steinert, 'British Humanitarian Assistance: Wartime Planning and Postwar Realities', *Journal of Contemporary History*, July 2008, Vol. 43, No. 4, 421–35.
- 74 Compare this section with Jessica Reinisch, 'Displaced Persons and Public Health in Occupied Germany, 1944-1947', in J. D. Steinert and Inge Weber-Newth (eds), *Beyond Camps and Forced Labour, Current International Research on Survivors of Nazi Persecution, 60 Years on* (Osnabrück: Secolo Verlag, 2008).
- 75 Letter, [author unclear], Düsseldorf, 25 August 1947, UNA S-1021-0084-07.
- 76 'UNRRA Cooperation with Military Authorities with respect to Displaced Persons Programmes' [1947], UNA S-1021-0078-04. On SHAEF's instructions to UNRRA, see, for example, Supreme Headquarters, Allied Expeditionary Force, *Guide to the Care of Displaced Persons* (revised May 1945). L. Doughty, Chief Program Analysis, 'UNRRA, US Zone Germany, History Report No.7, Relations with Military', May 1947, UNA S-1021-0079-05.
- 77 Stimson to Lehman, 2 June 1943, CAD files, 334, OFRRO (2-5-43) (1), reproduced in Harry L. Coles and Albert K. Weinberg, *Civil Affairs: Soldiers Become Governors – United States Army in World War II, Special Studies*, (Washington: Centre of Military History, US Army, 1964), 99. On the US Army's preparations for 'civil affairs' and the creation of the Civil Affairs Division (CAD), see Reinisch, *Perils of Peace*.
- 78 Theodore A. Sumburg, 'Financial Experience of UNRRA', *The American Journal of International Law*, 39, 4 (October 1945), 698–712, 698.
- 79 Harold A. Jambor, 'UNRRA in retrospect – comments on 26 months in the British Zone', 1 June 1947, UNA, S-1021-0084-06.
- 80 F. Ashton-Gwatkin, 'The Work of the United Nations Relief and Rehabilitation Administration', [1951], 101–2, UNA, S-1021-0002-07.
- 81 For example, Plesch, *America, Hitler and the UN*, 120, 128. For a more critical account of the often ambiguous status of Class II personnel, see, for example, Silvia Salvatici, "'Help the People to Help Themselves": UNRRA Relief Workers and European Displaced Persons', *Journal of Refugee Studies*, 25, 3 (2012), 428–51.
- 82 "'Practical Christianity": Major Heath's Address on German D.P. Camps' [undated], IWM, 98/25/1, quoted in Reinisch, 'We Shall Rebuild Anew a Powerful Nation', 470.
- 83 See discussion about UNRRA's uniforms in, for example, 'UNRRA Cooperation with Military Authorities with respect to Displaced Persons Programmes' [1947], 21, UNA S-1021-0078-04, and L. Doughty, 'UNRRA, US Zone Germany, History Report No. 7, Relations with Military', May 1947, 35, UNA S-1021-0079-05.
- 84 'UNRRA Cooperation with Military Authorities with respect to Displaced Persons Programmes' [1947], UNA S-1021-0078-04.
- 85 Captain C. E. Jack, Headquarters D.P. Section, quoted in L. Doughty, History Report No. 7 (Relations with Military), May 1947, UNA, S-1021-0079-05.
- 86 Harold A. Jambor, 'UNRRA in retrospect – comments on 26 months in the British Zone', 1 June 1947, UNA, S-1021-0084-06.
- 87 L. Doughty, History Report No. 7, UNA S-1021-0079-05.
- 88 Hilldring to Assistant Secretary of State Dean Acheson, 9 November 1943, CAD files, 400.38 (2-20-43) (1) sec.3, reproduced in Coles and Weinberg, *Civil Affairs*, 153.
- 89 F. Ashton-Gwatkin, 'The Work of the United Nations Relief and Rehabilitation Administration', UNA, S-1021-0002-07.
- 90 For example, UNA S-0409-0032-10, [August 1946].
- 91 For example, see 'XVI. Committee on Displaced Persons – Staff Organization on Displaced Persons', 18 October 1943, UNA, S-1021-0002-06.

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- 118 IRO was a product of the UN Economic and Social Council resolution of 16 February 1946 to solve the problem of refugees and displaced persons. IRO was officially established on 20 August 1948, when fifteen states subscribed to the IRO's Constitution. After several extensions, IRO closed operations on 31 January 1952 and went out of existence on 30 September 1953.
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## The United States and the Forty Years' Crisis

Carl J. Bon Tempo

In the wake of the Great War, one of the most admired men in the United States and around the world was Herbert Hoover. He earned this appreciation largely through his efforts to help the Europeans displaced by the conflict. Hoover, of course, entered the history books mainly for other reasons, and while his countrymen and women were aware of the population pressures and problems that wracked Europe in the decades after 1918, they never viewed them as vital to, or determinant of, their country's future.<sup>1</sup>

Yet, Europe's mid-century population problems of refugees and displaced persons – making up what this book calls 'the forty years' crisis' – ultimately played a decisive role in the history of the United States' policies towards newcomers. This chapter first explores three larger themes – immigration affairs, foreign policy and domestic politics – that set the background to American engagement with the forty years' crisis. It then addresses how the United States confronted the Continent's population problems, arguing that the United States' history with the crisis occurred in two eras: 1919–1945 and 1945–1959. Finally, it interrogates the relationship between the United States and the forty years' crisis by answering two questions. First, how did the forty years' crisis influence American policies towards newcomers? Second, how did the United States shape the course of the forty years' crisis?

The answer to the first question is more readily apparent. In the decades after 1945, the United States birthed a formal refugee aid and resettlement policy regime, a development that largely grew from the country's experiences with the forty years' crisis. Quite simply, there would not have been an American refugee regime without the European refugee problems of the mid-twentieth century.

The second question is trickier to answer, in large part because the United States had so little interest in Europe's population problems from the 1920s through the early 1940s. But after the Second World War, the United States determined that it could no longer afford such inattention. In those years, in subtle and not so subtle ways, the United States did influence the forty years' crisis. First, through its leadership and resources, the United States did much to shape the physical, legal, diplomatic and ideological architecture of the post-war refugee crisis. Second, the United States' central role in the Cold War and in the refugee crisis helped meld those two phenomena together, with the former exerting incredible influence upon the latter.

## Historical background to American engagement with the crisis

A few larger factors formed the background to the American response to, and engagement with, Europe's refugee crises between 1919 and 1959.

The first, and most important, element was the politics of newcomers in the United States. The onset of Europe's population problems coincided with the United States constructing the most restrictive immigration laws in its history. During the 1920s, the US Congress passed a series of laws that limited both the numbers of newcomers entering from the Eastern Hemisphere (to about 150,000 annually) and the countries from which they could emigrate. This new system greatly favoured the entry of migrants from north-western Europe while severely restricting those arriving from eastern, central and southern Europe. Immigrants from the rest of the Eastern Hemisphere faced even higher barriers to entry.<sup>2</sup>

This opposition to newcomers – and these laws – reflected deep concerns with the ethno-national origins of immigrants. Opponents of newcomers in the 1920s assumed that the immigration to the United States in the preceding three decades – coming increasingly from outside north-western Europe, which prior to 1890 had been the region that supplied the most immigrants – endangered the nation's identity. Restrictionists contended that only immigrants from north-western Europe could become true Americans who honoured the nation's past and built a worthy future. 'There is little or no similarity between the clear-thinking, self-governing stocks that sired the American people,' asserted Representative Fred Purnell in the early 1920s, 'and this stream of irresponsible and broken wreckage that is pouring into the lifeblood of America the social and political diseases of the Old World.'<sup>3</sup> While ethnicity and national origins formed the basis of anti-immigrant sentiment, it was backstopped by concerns about the arrival of political leftists (communists and socialists) and anti-Catholic and anti-Semitic sentiments. The economic troubles that consumed the United States in the 1930s and periodically reappeared in the 1940s and 1950s added further fuel to the restrictionist fire.

The restrictionist fever only broke in the late 1940s, but in peculiar and incomplete ways. On the one hand, the laws of the 1920s remained on the books until 1965, so the fundamental intent and structure of American immigration law remained the same. Moreover, even as political and policy elites in the mid-1960s launched the successful drive to reform those immigration laws, public opinion polls showed one third of the public supporting a decrease in immigration to the United States – indicative of an ardent restrictionist core in American politics.<sup>4</sup> On the other hand, the xenophobia of the 1920s and 1930s receded, replaced in part by a more pluralist and frankly cosmopolitan conception of the American nation that welcomed immigrants from all of Europe, and even parts of Asia.<sup>5</sup> Nobody better summarized this change than President Harry Truman, who in 1952 decried the laws of the 1920s as 'utterly unworthy of our traditions and our ideals.' He went on to assert that Italians, Turks, Greeks, Poles and Asians all deserved a chance to come to the United States and that they would all make fine citizens.<sup>6</sup>

The second vital factor was the United States' changing place in global politics during the mid-twentieth century. In the decade after the Great War, the United States was powerful, but not deeply engaged in global political, diplomatic or military affairs. (American participation in the global economy did not retreat, it should be noted.) The Americans never joined the League of Nations, despite its birth at the hands of President Woodrow Wilson. American observers did participate informally in almost every major League discussion in the 1920s and 1930s, and were sometimes energetically involved when it came to social, humanitarian or scientific issues. But this was not the same as assuming leadership on pressing global concerns. Likewise, as Europe's fragile peace collapsed in the second half of the 1930s, the Americans remained on the sidelines. Indeed, Congress passed a series of laws – the so-called Neutrality Acts – designed to limit American exposure to the combatants. Public opinion, President Franklin D. Roosevelt learnt, needed to be educated and cajoled into assuming global burdens, a task the White House took up with some alacrity and increasing effectiveness as the 1930s came to a close.<sup>7</sup>

The Second World War, and the Cold War that followed, changed the United States' posture in international affairs. Rather than retreat from the stage, as in the aftermath of the Great War, US diplomats constructed a post-war order. American foreign policymakers began judging their country's interests in the light of events in Asia, Africa and the Middle East, of course, but their attention in the decade after 1945 never wavered long from Europe. American efforts like the Marshall Plan helped rebuild the continental economy. The US-led North Atlantic Treaty Alliance (NATO) embedded American military power in Europe. Through methods fair and foul, the United States supported its political allies in Europe. Finally, American consumer goods flooded European markets and American corporations were held up as models of economic development. From the American point of view, the goal was clear: a stable, democratic, capitalist Europe serving as a bulwark against the Soviet Union and communism.<sup>8</sup> Creating a stable Europe meant working to solve Europe's population problems – a relationship that policymakers understood acutely in the post-war years. In this sense, American engagement with global politics begot engagement with the forty years' crisis in the post-1945 period.

A third factor worth considering, though not as important as the first two, were changes in American politics. While Congress led the turn towards immigration restrictionism during the 1920s, power in the political system generally began to shift towards the president in the next decade. Roosevelt's New Deal invested the Executive Branch and the White House with new prerogatives and strength, a trend that only accelerated with the crises of the Second World War and the Cold War. One manifestation – though certainly not the only one – was presidents more willing to craft immigration legislation and policy, and even to bend the immigration bureaucracy (traditionally fairly responsive to Congress) to their wills. In short, empowered presidents took a more active role in immigration and refugee affairs after 1940.<sup>9</sup>

At the same time, white European ethnics became more important to, and more active in, American politics. The onset of mass immigration to the United States in the late nineteenth century brought large numbers of ethnic Americans into the political system, a trend that led both major parties to develop nationality divisions to court

those voters and their leaders. While these divisions began their work in the 1880s, it only became very apparent how important these voters were in the 1930s, when FDR integrated them into his powerful democratic coalition. (In turn, this political acceptance surely helped produce the cosmopolitanism described earlier.) By the 1940s, both the Democratic and Republican Parties were fighting hard for these white ethnic voters – and immigration and refugee legislation was one way to appeal to them. These ethnic groups, moreover, had developed powerful political organizations, complete with sophisticated leadership and finely tuned lobbying efforts, educational outreach, and large and cohesive memberships. All of these advances allowed them to more effectively make their case for the entry of newcomers in the post-war years.<sup>10</sup>

### A tale of two eras

The historical development of immigration affairs, US foreign policy and domestic politics, if viewed in concert, suggest that American involvement in the forty years' crisis should be understood as occurring in two distinct time periods: 1919–1945 and 1945–1959.

In that first era, the European population problem arose out of the First World War, its aftermath and the reconstruction of the European state system. War and nationalism transformed the political geography and state structures of Europe and the Near East, resulting by the mid-1920s in somewhere between ten and twelve million refugees.<sup>11</sup>

During the war's early years, private American funding underlay the efforts of the Committee for Relief in Belgium (CRB) to help those in France and Belgium, whether they were refugees or those harmed by the war. Once the United States officially declared itself a combatant in 1917, the American government offered nearly \$100 million in cash and supplies to CRB. In the wake of the war, President Wilson created the American Relief Administration (ARA), led by Herbert Hoover. The ARA distributed over a billion dollars of relief supplies (mainly agricultural products) to the hungry and desperate in over twenty countries. When the government stopped funding the ARA, it soldiered on as a private aid organization, though Hoover had to work miracles to win what private support he could. American policymakers, as well as some of the public, supported the ARA programme as much out of self-interest (it found markets for excess agricultural production, which in turn stabilized farm prices in the United States) as from any sustained interest in European reconstruction or deep concern with population pressures. The CRB and ARA were joined by other groups – like the American Red Cross and the American Jewish Joint Distribution Committee – who had much the same mission.<sup>12</sup>

It is important to recognize that the United States' efforts were of a peculiar character: often organized, financed and implemented by private actors (rather than the US government) and often focused on offering aid to the suffering and hungry in Europe (rather than offering entry to the United States). As such, this aid did not target refugees per se, but the larger populations wrecked by the war. Yet, the acclaim that Hoover and others received were just rewards. All in all, during the war and in its immediate aftermath, the United States played a vital role in ameliorating the tremendous suffering in Europe and the Near East.

In other areas, and as the war became more of a memory, the American record was not as strong. This point becomes clearer when one considers the United States' peripheral participation after the war, and throughout the 1920s, in the League of Nations' efforts to solve Europe's population problems.<sup>13</sup> Fridtjof Nansen, the organization's High Commissioner for Refugees, made herculean efforts to address the Russian, Armenian and Greek refugee flows (even as the League offered him only administrative assistance). Hoover and Nansen both searched for solutions to the Russian problem, while the Armenian genocide and refugee catastrophe eluded any solution. The Americans provided help at the margins in both cases. In a different vein, the Greek refugee flows of the early 1920s garnered the most American attention and action. Americans energetically contributed to Greek refugee aid in the early 1920s and the Harding White House helped secure funding for the Greek Refugee Settlement Commission, a League operation headed by the American Henry Morgenthau Sr. that sought to resettle Greeks fleeing upheaval in Turkey. Morgenthau came to the effort through a long background in humanitarianism – both in the United States and while he was ambassador to the Ottoman Empire during the Great War and witnessed the persecution of the Armenian population. The public's attachment to the plight of Greek refugees is harder to explain, though advocates for Greek refugee aid were well organized and well connected. More important, they proved quite adept at generating sympathy and support through a variety of public efforts.<sup>14</sup>

The League's efforts in each of these cases were, in reality, not as great as the task at hand, and American assistance was minimal, except in the case of the Greeks. To a great degree, the Continent's population problems and the European and international efforts to solve them ran headlong into the United States' post-war desire to remove itself from foreign entanglements and seemingly intractable global challenges. The larger point, though, is clear: at the birth of the forty years' crisis, the Americans offered financial aid – though it decreased dramatically once the immediate post-war years passed – rather than active and engaged leadership aimed at solving the burgeoning refugee crisis.

The United States did even less in the critical area of refugee resettlement. The key factor explaining America's failure to offer refugees entry during the 1920s was changes to immigration law: just as the population problem exploded in Europe, the United States began to shut its doors. In 1924, the year the most restrictive immigration law passed Congress, over 706,000 immigrants came to the United States. Through the rest of the decade, annual arrivals never topped 336,000 – and they collapsed below 100,000 per year throughout the 1930s. Even more insidious, those Europeans who would have benefited most from admission to the United States were precisely those nationalities that the new laws excluded. In this political, policy and cultural environment, as regular immigration channels narrowed considerably, proposals for special admissions of refugees independent of immigration quotas had no chance of passage.<sup>15</sup>

As Zara Steiner notes in her chapter, the European population and refugee crisis entered a new phase in the 1930s with the rise of fascism. Hundreds of thousands of Germans fled the Nazis (and many more undoubtedly wanted to) as the regime's policies became more virulent in the mid-to-late 1930s. Hitler's conquest of the Continent led millions more Europeans to look to escape. The outlines of the most

notorious refugee catastrophe are well known, as is the failure of a global response. The nascent international refugee regime proved no match for the growing numbers of homeless and helpless. The League set up the High Commission on Refugees in 1933, led by an American, James G. McDonald, to expedite departures from Germany and find resettlement opportunities. By all accounts, the hardworking and humanitarian McDonald acquitted himself well in a nearly impossible situation. The League limited the High Commission's mandate and powers, and Germany unsurprisingly had little interest in cooperating with McDonald. In the United States, McDonald's contact with the State Department and representatives of the Roosevelt White House revealed the American government's fears that cooperation with the high commission would have one result: the arrival of at least tens of thousands of Jewish refugees. McDonald's high commission, then, produced few results and he resigned in 1935, but not without making his signal contribution. In a public letter announcing his departure, McDonald called attention to the Nazis' frightening abuse of minorities, warned that the situation in Germany would doubtlessly worsen and strongly called for the League of Nations to press for modification of Nazi policies. Writing with morally charged language that left little doubt as to the stakes, McDonald identified the dynamics at work all too well, and in some ways predicted the tragedy that ensued in the coming years.<sup>16</sup>

McDonald's countrymen, of course, paid as little heed to his warning as the rest of the world. The triumph of immigration restriction in the 1920s was the single most important factor that foretold American inaction. Year after year in the 1930s, supporters of European refugees sponsored legislation in Congress to admit those fleeing the terror. Those efforts failed every time, brought low by objections that a refugee programme would denude the national origins quota immigration system, further harm the economy and bring un-American newcomers to the United States.

With no special programme to admit refugees, regular immigration procedures were the chief avenue for entry. The law allowed only 25,957 Germans to enter annually, a relatively large number compared to the quotas for other countries falling under the Nazi yoke; the Austrian quota was just over 1,400 and the Czech quota was about 2,800. In any event, those quotas soon were not large enough to accommodate all who wanted to come. Equally problematic, State Department officials had little interest in admitting refugees. Motivated by anti-Semitism and xenophobia, they argued for a continuing the Hoover administration's strict enforcement of the 'likely to become a public charge' clause in immigration law, which effectively blocked the entry of refugees from Germany. President Roosevelt, concerned with domestic politics, a restrictionist Congress and surging anti-Semitic attacks on the New Deal, left the State Department to its devices during his first term. Only in 1937, safely re-elected and with some new faces in the State Department such as Sumner Welles, did FDR order the bureaucracy to admit more Germans. From 1938 till 1940, the quotas were substantially filled, but key years had been lost and by that late date the line of Germans, Austrians and Czechs hoping to come to the United States had lengthened considerably. Ultimately, the opposition to newcomers so powerful in American politics and culture in the first half of the twentieth century, and embedded in key portions of the government, helped determine the weak American response to the crisis of the 1930s.<sup>17</sup>

Foreign policy concerns also played a role. Those in Congress who wanted to help refugees, as well as President Roosevelt, who sympathized with their plight, were loath to challenge isolationists who contended that any aid would ensnare the United States in Europe's accelerating conflict. Such thinking was part of the State Department's justification for leaving the quotas unfilled, and it was especially important in scuttling special legislation that would have admitted European refugees outside the quotas. The constraints of US foreign policy also hamstrung efforts to craft diplomatic solutions. The Americans brought together dozens of states for a conference at Evian, France in 1938 – where good intentions led to paltry results. The Americans pleaded that they wanted to help resolve the European population problem, but refused to take concrete steps that would have admitted refugees. It should be noted that the other attendees at Evian followed the same line.<sup>18</sup>

After the United States entered the war in 1941, immigration from Europe slowed to a crawl. Between 1941 and 1945, a total of just over 53,000 Europeans came to the United States. This figure is somewhat misleading and overstates American contributions to offering aid when one considers that 13,000 of those arrivals were of English descent.<sup>19</sup> There was a well-publicized effort to bring almost 1,000 Jewish refugees from camps in Italy to the United States in 1944, but this programme was obviously of little consequence given the flood of displaced in Europe as the war began to wind down.<sup>20</sup> In any event, the United States seemed most concerned with winning the war rather than admitting refugees. Yet, there were signs that the Americans would be more interested in population policy and the fate of refugees after the war: the United States took the lead in 1943 in forming the United Nations Relief and Rehabilitation Administration (UNRRA), tasked specifically with tackling the post-war problems of refugees and the displaced that were sure to arise.<sup>21</sup>

Post-war planning during the war proved tragically accurate. The Second World War produced a human catastrophe across the globe, and just as surely in Europe. The Continent's population problems in the wake of the war were as great – if not greater – as they had been at any time in the twentieth century. Anywhere between 7 and 11 million Europeans were displaced. Estimates held that of that population, around 225,000 were Jews in Germany, Austria and Italy, the vast majority victims of the Nazi extermination campaign and in extremely dire straits. The problem was not static, either. As the homeless made their way back home, or to new homes, others took their places – often fleeing the imposition of Soviet control in eastern Europe or the anti-Semitic pogroms that flared after the war. Thus, the population problems long outlasted the conflict and even its immediate aftermath. With the Continent's political and economic institutions wrecked, and the social fabric sundered completely, care for the refugees fell to the United States, its allies and a series of infant international organizations.<sup>22</sup>

The Americans responded with a substantial set of programmes to aid the homeless and to resettle them in the United States. It is important to make a distinction, however. Any frank assessment would admit that the Americans could, and perhaps should, have done more in light of the immensity of the suffering and the population problems. This judgement is more powerful when one considers the unmatched economic and material resources the Americans possessed. But, even with this caveat, the US post-



war efforts were remarkable, viewed against the historical record of the 1920s and 1930s. They also were of a certain cast and type, which illuminated their shortcomings.

In terms of aid delivered to Europe and helping refugees 'on the ground', the Americans backed – sometimes quite significantly – several international organizations. The first was the aforementioned United Nations Relief and Rehabilitation Administration. Three Americans led UNRRA and the United States contributed about 70 per cent of its budget. During its five years (1943–8), it rebuilt infrastructure, provided food and shelter to the hungry, constructed and staffed refugee camps, and repatriated the displaced. This last mission of repatriation put the United States in open conflict with the Soviet Union (another UNRRA member) when the Americans and British decided to halt the return of those Soviet citizens who desired to remain in the West.<sup>23</sup> Despite this controversy, UNRRA managed to shrink considerably the refugee and DP population to something on the order of 1–1.5 million persons.

The International Refugee Organization (IRO) succeeded UNRRA from 1947 to 1952 – though without the participation of the Soviets. Formed by 25 nations and the United States, the Americans contributed just over \$237 million to its budget, about half of the IRO's total expenditures and played key roles in its leadership. Much like UNRRA, the IRO ran refugee camps and organized and assisted in resettlement, but it also made stronger efforts to rehabilitate the displaced through an extensive set of social welfare programmes such as job training. Besides American participation in the IRO's management, a multitude of US-based non-governmental organizations helped care for and resettle the displaced.<sup>24</sup>

Finally, out of the ashes of the IRO came the United Nations High Commissioner for Refugees (UNHCR), which began operations in 1951. According to historian Louise Holborn, the UNHCR offered refugees legal and political safety but, at the United States' insistence, no material help. As a result, the UNHCR was vital in expanding definitions of 'refugee' and studying the global refugee problem, but less effective at ameliorating refugee flows and populations. The American objections to an expansive UNHCR mission symbolized the country's lack of interest in funding large-scale refugee assistance programmes (like the IRO) by the early 1950s, though US dollars continued to be a key part of the organization's budget through the Cold War.<sup>25</sup>

Instead, the Americans increasingly concentrated on bringing select refugees to the United States. On its own, this decision represented a turning point. In the 1920s and 1930s, the Americans provided material and financial aid to refugees massed in Europe and the Near East, all the while largely blocking their entry to the United States. This financial and material aid continued to a degree, as we have seen, in the post-1945 era. But the new emphasis on refugee admissions was clear, as a series of ad hoc policies and programmes brought hundreds of thousands of European refugees to the United States, beginning in the late 1940s.

Shortly after the conclusion of hostilities, American military officials made President Harry Truman aware of the population problems in Europe, and especially the camps that housed hundreds of thousands of Displaced Persons and refugees. By the end of 1945, Truman ordered that half of all immigration admissions from Europe go to refugees, and that immigration officials ease their standards to expedite entry. The immediate effects were paltry – about 5,000 Europeans entered via the programme

– but that failure led Truman to push for his more ambitious Displaced Persons legislation.<sup>26</sup> After a long battle, Truman won Congressional passage of the Displaced Persons Act in 1948. Straightforward in the sense that it provided for the admission of 200,000 refugees over two years, it required that those admissions count against future quotas and that refugees had to be registered in camps by 1945 (which had the effect of lowering the number of Jews and eastern Europeans eligible for the programme). In 1950, Congress renewed the programme for two more years. When the DP Program ended in 1952, about 400,000 Europeans had come to the United States – the vast majority of whom arrived from IRO camps.<sup>27</sup>

Clearly, the first five years after the war were a departure in the United States' engagement with the European crisis. But why? The vital change came in American foreign policy. As the war ended, a sense developed among US leaders that the country would have to be involved in rebuilding Europe. UNRRA – followed by the IRO and the UNHCR – signified recognition of this reality. In this sense, UNRRA (and its successors) arose from the same impulse as the welter of post-war international and American-led agencies and organizations, such as the World Bank and the International Monetary Fund, which set out to reconstruct Europe. It also explains – along with a sense of humanitarianism and justice – Truman's motivation for his December 1945 order. By 1948 and the Displaced Persons programme, the impetus to be engaged in Europe had a new powerful rationale: the Cold War. Policymakers believed the admission of refugees and the displaced would bolster American allies on the front lines of the battle against communism. Equally important, it would serve as a demonstration of American values and munificence in the face of Soviet oppression, and thus constitute a major propaganda victory. In a sense, the DP Program was both backward- and forward-looking. It was inspired both by the desire to ameliorate the suffering created by the Second World War and the perceived post-war threat of the Soviet Union and communism.<sup>28</sup>

The DP Program, though, also grew from changes in American politics. Jewish groups launched an impressive campaign to win the legislation, one that might not have been possible in the first half of the twentieth century before the ethno-national discrimination of national origins policy – and overt and virulent anti-Semitism – had been discredited by Nazism. Working largely behind the scenes – to avoid opening the legislation up to anti-Semitic attacks (which came in any event) – Jewish organizations assembled a broad coalition of support that stretched across religion, ethnicity and class. Equally important, they couched their support of the DP Program in new ways. They made clear the Cold War benefits of admitting European refugees and emphasized the anti-communism of newcomers. At the same time, American Jews framed refugee admissions as a 'social justice' issue, in the words of historian Maddalena Marinari, that gave the campaign a universalist appeal while also thwarting attacks that the programme would only benefit one or two religious or nationality groups. It was a sophisticated effort that bore fruit and showed how ethnic and religious organizations had become vital and effective players in immigration politics and drivers of immigration policy.<sup>29</sup>

The Cold War cast of American engagement with the forty years' crisis only deepened in the 1950s. In that decade, the Americans launched two signature

refugee programmes. The Refugee Relief Program of 1953 brought just over 200,000 refugees to the United States. The rationale for the programme was distinctly Cold War-coloured. President Eisenhower lauded ‘escapees who have braved death to escape from behind the Iron Curtain’ and asserted that those ‘searching desperately for freedom look to the free world for haven.’<sup>30</sup> The programme privileged refugees who were victims of communism – even defining an ‘escapee’ as a person who fled the Soviet Union or communist-dominated territories. Finally, the programme aimed to help ‘friendly’ European nations burdened by refugees, who were described as an ‘economic and political threat of constantly growing magnitude’. Unsurprisingly, then, the vast majority of admissions came from Germany and Italy.<sup>31</sup>

As the Refugee Relief Program ended in late 1956, another refugee crisis began as Hungarians started pouring out of their country, following the failed anti-Soviet revolution of that summer and fall. With great public support, Eisenhower launched an emergency programme that admitted nearly 40,000 Hungarians over the next few months. The Hungarians were hailed as brave ‘freedom fighters’ whose dreams of democracy and freedom had been crushed by Soviet armed force. These victims of communist aggression deserved a new life in the United States, Eisenhower and others contended.<sup>32</sup>

In each of these cases, the Cold War and foreign policy prerogatives pushed the United States to admit refugees. But it was also clear that particular political and cultural conditions eased the acceptance of these policies and programmes. Advocates of immigration reform backed refugee admissions as a way to subvert the nation’s restrictive immigration laws; if they could not overturn what they believed were overtly discriminatory and harsh laws, then they believed refugee admissions would chip away at the edifice of restriction. Moreover, as with the DP Program, ethnic and religious groups pushed hard for the 1953 admissions – so hard that it earned the moniker ‘the church bill.’<sup>33</sup>

These admissions, tellingly, came in the era of the Red Scare, when muscular anti-communism dominated American politics. Supporters of refugees harnessed anti-communism as a powerful rationale for refugee admissions. (It should be noted that opponents of refugee admissions were equally vociferous in their contention that refugee entry would risk the arrival of communists and Soviet saboteurs.) Advocates like Representative Manny Celler painted newcomers in 1953 as ‘refugees streaming in across the line into West Berlin ... from East Germany, coming in from Czechoslovakia, from Poland, and from other subjugated countries’. Celler continued: ‘They understand the meaning of liberty’ and ‘they would be only too happy to come here and understand, know, appreciate all the more, freedom of speech, freedom of press, freedom of religion.’<sup>34</sup> In short, Celler made the case that these refugees deserved admission because of their opposition to communism. It was not the politicians and policy experts alone who picked up this thread. In describing the Hungarians, the popular weekly magazine *Look* declared that the Hungarian refugees would be ‘New Americans’ in no time. The key to this easy transition was not only political, but also their embrace of American material and consumer culture – again the antithesis of life behind the Iron Curtain.<sup>35</sup> Those explaining why the United States should admit refugees had never before possessed such resonant arguments.

The end of the forty years' crisis in Europe coincided with one final push by the United States. In 1957, Congress passed the Refugee-Escapee Act, aimed at bringing thousands of victims of European communist regimes to the United States. A few years later, Congress enacted the 'Fair Share' Refugee Act of 1960. Designed to show American sympathy with the United Nation's World Refugee Year (one of whose goals was closing the European camps that housed hard-core refugees), the law provided for the entry of about 5,000 Europeans, an amount that the United States determined a 'fair share', considering the size of admissions offered by other states.<sup>36</sup>

By many accounts, the forty years' crisis came to a close in 1959 – and that year marked something of a new era in American refugee affairs as well. The catalyst was the Cuban Revolution and the rise of Fidel Castro. As refugees began fleeing Cuba and pressing to come to the United States, they became the centre of American refugee policies. About one million Cubans came to the United States in the fifteen years after 1959. As the Cuban flow slowed in the early 1970s, Indochinese refugees fleeing Vietnam, Cambodia and Laos emerged as the focus of American refugee efforts. None of these refugees was from Europe, obviously, and American attention would never again be focused so intently on the problem of European refugees as it was in the 1940s and 1950s.

## The crisis and the shape of American engagement with refugees

The largest and most important legacy of the forty years' crisis, in regard to the United States, is crystal clear: the American refugee regime. That regime emerged with two distinct parts, and at two distinct times, but altogether in response to the forty years' crisis.

In the decade after the Great War, the Americans began – mostly with private money – to aid refugees in Europe. Those private groups stayed deeply involved in refugee aid ventures during the Second World War and the early years of the Cold War. But in the post-1945 era, the American government assumed a huge financial responsibility, as well as an important leadership role, in refugee aid efforts. The American government emerged as the financial engine behind international refugee aid programmes.

The other part of the regime – refugee admissions – came fully into view in the post-war years. The United States had no coherent entry policies, other than shutting them out via immigration procedures, towards refugees in the 1920s or 1930s. Yet, during the next two decades, the United States developed a series of ad hoc programmes and policies that allowed certain refugees to enter. In the decades that followed, those ad hoc measures transformed into an annual pledge to bring refugees to the United States. That transformation took place in two stages: in 1965, as part of immigration law reform, the United States permitted about 10,000 refugees to enter annually; in 1980, under the Refugee Act, that number grew to about 50,000.

The key period in this story was the 1940s and 1950s, as the European crisis entered its third decade, and American policymakers and politicians determined they could no longer avoid the forty years' crisis. As we have seen, a volatile and historically contingent mix of foreign policy, immigration and domestic political concerns produced an

environment conducive to action. The policymakers' politicians' and public's response – an increased financial and resource commitment and refugee admissions – truly birthed the policy regime that exists to this day, and thus stands as the United States' entry point into global migration issues.

Constructing and implementing a set of refugee policies required moulding the American state to those purposes. This state-building project was multifaceted and another long-term legacy of American engagement with the crisis. Both the State Department and the Immigration and Naturalization Service (INS), often with input from the White House officials charged with the immigration and refugee policy portfolio, established the mechanisms by which refugees would be selected, interviewed, admitted, transported and resettled. Two examples of this state-building stand out. First, American officials designed a set of security checks designed to prevent the entry of politically dangerous refugees. In the Cold War era, this meant denying entry to communists or socialists through rigorous background checks, interviews, and investigations of a refugee's personal and political history. During the Refugee Relief Program of the early 1950s, the barriers to entry were quite high. Those standards lowered in the decade that followed, but they remain a part of American refugee policies today, as can be witnessed in the challenges faced by refugees trying to enter from the Middle East or Africa in the wake of the 9/11 attacks.<sup>37</sup> Second, the US government developed a fruitful relationship with private sector non-government organizations, especially religious groups, to help with the admissions and resettlement of refugees. These groups worked in Europe to prepare refugees for the admissions process – a sort of pre-screening clearance – and helped resettle them with jobs and homes once in the United States. This public-private partnership continued in the 1960s and 1970s, as the Cubans and Indochinese arrived and refugee law and policy moved from ad hoc commitments to guaranteed annual admissions.<sup>38</sup>

The American experience with the forty years' crisis created a peculiar refugee regime in two important respects. First, it gave American refugee admissions policies a Euro centric focus. In many ways, this focus was bound to occur, given American racial and ethnic attitudes at mid-century; the public's and policymakers' tendencies towards racial and ethnic discrimination assured that non-European refugees would not find succour in the United States. But discrimination was not the only impediment. The fact that a European crisis birthed a set of refugee policies and policy goals had the effect of cementing, at the creation, a bias towards offering help to European refugees and to providing less help to (and sometimes neglecting) non-white refugees. Only in 1965, with the civil rights movement in full swing and the national origins quota immigration system of the 1920s disgraced, did this Euro centric focus in admissions waver.

The second peculiarity, anti-communism, proved even harder to shake. American involvement in the forty years' crisis – and the development of admissions policies – accelerated just as the Cold War deepened. This confluence created a link at the heart of American refugee admissions, one that assumed a refugee worthy of entry to the United States had to be a victim of communism and sometimes even an active opponent of communism. Of course, domestic factors – such as the rise of the Red Scare, anti-communist politics, and particular anti-communist notions of national identity in the United States in the late 1940s and early 1950s – also account for

this link. But, again, the forty years' crisis – as a refugee problem in the heart of the European Cold War – offered fertile ground for these associations, which far outlasted the crisis itself. Thus, the Cubans, and to a lesser extent the Indochinese who followed them, were understood and defined by the United States as victims and opponents of communism. In this, at least in American eyes, they were much like their European predecessors of the post-war period. One could go so far as to argue that one important reason why the Cubans and Indochinese were welcomed with relatively open arms was that they cleared the anti-communist benchmarks established by European refugees after 1945.<sup>39</sup> Only in 1980, and with the human rights revolution in full swing, did the United States approve an apolitical and a non-ideological definition of refugee that was not grounded in anti-communism.

### The United States and the shape of the forty years' crisis

In the broadest sense, and unsurprisingly, the vital American imprint on the forty years' crisis came in the Second World War era and beyond, when the United States committed substantial resources and political and diplomatic capital to refugee affairs. Of course, however, the Americans did influence the European crisis in the earlier period. American resources were vital in the war and immediate post-war years in helping to ameliorate suffering. In the 1920s and 1930s, American passivity shaped the European refugee crisis. The end of European mass migration to the United States cut off a major resettlement opportunity, one that Zara Steiner notes had served Europeans – refugees or not – in the centuries before. Put another way, the immigration policy and law changes of the 1920s put the United States on the sidelines of the forty years' crisis for about two decades – and that position did contribute to the perpetuation of the crisis.<sup>40</sup> It is not difficult to imagine a different narrative to the European population problem if the United States maintained its open door in the 1920s. In that scenario, the United States obviously would not have provided the solution to the Continent's refugee problems, but it likely would have lessened them to a decent degree – and an important life-changing degree for those migrants able to resettle in the United States.

In the post-war years, the Americans did admit hundreds of thousands of European refugees, most importantly 400,000 through the Displaced Persons Act, 200,000 through the Refugee Relief Act, and another almost 40,000 in the wake of the Hungarian crisis. (Other programmes, of course, admitted smaller numbers.) These numbers were startling in light of the 1920s and 1930s – and minimal in light of the population crush in post-1945 Europe. Surely, the American post-war refugee admissions did shape the dimensions of the Crisis, but not so profoundly.

In two other areas, though, one might argue for a more forceful influence. First, to a large degree, the architecture of post-war aid and resettlement was devised and funded by the US government. The camps that arose in the immediate wake of the war owed much to the American military, the dominant – and most resource-rich – partner among the Allies. UNRRA and the IRO, the two international agencies tasked with alleviating the refugee problem, were led by Americans – and received much American government funding, resources and staff support. Moreover, as historian



Daniel Cohen notes, American religious, ethnic and social welfare groups between 1943 and 1948 provided immense resources – in addition to what the US government was delivering.<sup>41</sup> American leadership of international refugee aid organizations – and financial and economic support as well – was nothing new; James McDonald headed up the High Commission in the 1930s, after all, and the American government and public contributed resources to the refugee aid campaigns of the 1920s.

The novelty of the post-war period came in the size and scope of American intervention, which touched nearly every aspect of the refugee experience in post-war Europe. Whether this intervention produced a distinctly American post-war refugee experience is difficult to determine. The historian Liz Borgwardt has argued that UNRRA embodied a particular notion of economic rights and stability born during the New Deal reforms initiated by President Roosevelt. To be sure, New Dealers played key roles in the American efforts to construct a post-war order, and they just as surely brought their experiences and biases with them. Yet, the liberal and progressive impulses towards social and economic justice and security that underlay the New Deal – and undergirded New Dealers' conceptions of post-war refugee relief and rehabilitation – were not the province of Americans alone. Instead, they were shared by a large swath of refugee experts and advocates across Europe and the globe, and thus likely would have found voice – although perhaps less powerfully – in whatever post-war schemes developed.<sup>42</sup>

Second, the United States played a major role in giving the forty years' crisis a Cold War-inspired turn and direction. To be sure, European traditions of anti-communism and anti-Soviet policies, as well as the unique geo politics of the post-war moment that pitted West against East, likely would have shaped the population issue even if a Cold War had not developed and even if the United States was not at the centre of it. But, and here Zara Steiner (as well as Peter Gatrell in his grand narrative of refugees in the twentieth century) is on the mark, the whole of refugee affairs in the post-war world took on a Cold War focus – from the legal definitions of refugee, to the public perceptions of refugees, to determining which refugees deserved aid and resettlement, to the perceived diplomatic and public advantages of refugee admissions. The United States was vital in establishing that focus because of the combination of its central role in the coming of the Cold War *and* its essential role in refugee affairs as both a major refugee resettlement destination and a source of aid. In a sense, by being a key player in both arenas, the United States helped wed them.

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Zara Steiner provocatively opens this book, both complicating and approving of the very idea of a 'forty years' crisis' for Europe's refugees and displaced. Her assessment is worth returning to, and especially with this question in mind: does the concept of a forty years' crisis resonate with, and help explain, the American experience with refugees? The answer, of course, is yes, for the multitude of reasons discussed above. And yet, Steiner's instinct to complicate is very useful in the American context as well. That is, from the perspective of the United States, the forty years' crisis is a misnomer. For the United States, it was a fifteen or twenty years' crisis, one that began sometime during the Second World War and ended around 1960. This difference in perspective – the 'Twenty Years' Crisis' – is intriguing on two fronts.



First, the story of greater American action in the field of refugee affairs during and after the Second World War has attained a powerful – and perhaps too powerful – place in how historians write and the public remembers refugee history.<sup>43</sup> For good reason, as this chapter argues, the war marked a turning point in how scholars understand the American narrative. Yet, the American narrative cannot and should not become the hegemonic one when writing the history of refugees. To do so would distort the history of refugees in the twentieth century by overly prioritizing Europe's refugees, privileging the influence of American foreign policy and neglecting the longer pre-1940 history of refugees (which might, to borrow from Steiner, benefit from looking to the decades before 1919 to find the origins of modern refugee problems and international and nation-state solutions). Moreover, the American-centred story can dangerously cast the narrative with a triumphalist and moralist tone, something akin to how American memory emphasizes the Second World War as 'The Good War'. To be sure, the war saw a vital effort to aid refugees and some praise is deserved, but those efforts were also curious and limited products of their time.

Second, this understanding of the forty years' crisis is a useful reminder of the importance of history itself. If a continent's suffering and displacement lasted four decades (or more), but it only garnered the attention of a powerful nation like the United States for fifteen years, then one must look to the peculiarities of historical perspective, historical context and contingency to help explain the gap – and thus the shapes and fates of the lives of tens of millions. On this front, the United States played a vital role, along with others, in confronting – and avoiding, at times – a marker of the modern world: the refugee.

## Notes

I would like to thank Steve Porter, Ryan Irwin and the editors of this book for their advice on this chapter.

- 1 On Hoover, see his biographers William Leuchtenberg, *Herbert Hoover* (New York: Times Books, 2009), 39, 45–7; Glen Jeansomme, 'The Real Hoover', *Historically Speaking*, 12, 4 (September 2011), 26–9.
- 2 For overviews, see Daniel Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton: Princeton University Press, 2002); Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2005); Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants Since 1882* (New York: Hill and Wang, 2004).
- 3 Purnell quoted in Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton: Princeton University Press, 2002), 105.
- 4 Daniels, *Guarding the Golden Door*, 233.
- 5 Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge, MA: Harvard University Press, 2005), 76–86; Gerstle, *American Crucible*, 187–267.

- 6 Harry S. Truman: 'Veto of Bill to Revise the Laws Relating to Immigration, Naturalization, and Nationality', 25 June 1952. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*: <http://www.presidency.ucsb.edu/ws/?pid=14175> [accessed 25 August 2016].
- 7 On the United States and the League, see Warren Kuehl, *Keeping the Covenant: American Internationalists and the League of Nations, 1920-1939* (Kent, OH: Kent State University Press, 1997), 107–64. On the Neutrality Acts, see David Kennedy, *Freedom from Fear: The American People in Depression and War* (New York: Oxford University Press, 2001), 381–464.
- 8 Melvyn Leffler, *A Preponderance of Power: National Security, the Truman Administration, and the Cold War* (Stanford: Stanford University Press, 1992); Richard Kuisel, *Seducing the French: The Dilemma of Americanization* (Berkeley: University of California Press, 1996); Michael Hogan, *A Cross of Iron: Harry S. Truman and the Origins of the National Security State* (New York: Cambridge University Press, 2000); Borgwardt, *A New Deal for the World*, especially chapters 3–6.
- 9 Tichenor, *Dividing Lines*, 176–218; William Leuchtenberg, *Franklin D. Roosevelt and the New Deal* (New York: Harper Perennial, 2009), esp. 326–48; Arthur Schlesinger, *The Imperial Presidency* (New York: Houghton Mifflin, 1973).
- 10 Maddalena Marinari, 'Liberty, Restrictionism, and the Remaking of Italians and Eastern European Jews, 1882-1965', PhD Dissertation, University of Kansas, 2009; Louis Gerson, *The Hyphenate in Recent American Politics and Diplomacy* (Lawrence: University of Kansas Press, 1964).
- 11 The classic overview is Michael Marrus, *The Unwanted: European Refugees from the First World War Through the Cold War* (New York: Oxford University Press, 1985), 52–81. For a more recent overview of the period, see Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013).
- 12 Marrus, *The Unwanted*, 85–7; Leuchtenberg, *Herbert Hoover*, 41–5; Clements, *The Life of Herbert Hoover*, chapters 1 and 4; Frank Surface and Raymond Bland, *American Food in the World War and Reconstruction Period* (Stanford: Stanford University Press, 1931), 1–14; Julia Irwin, *Making the World Safe: The American Red Cross and a Nation's Humanitarian Awakening* (New York: Oxford University Press, 2014).
- 13 Scholarship on international governance and refugees and migration – including the League of Nations and its role in population displacement issues – has proliferated in recent years. Some of the best treatments can be found in Mark Mazower, *Governing the World: The History of an Idea* (New York, NY: Penguin, 2013); Patrick O. Cohrs, *The Unfinished Peace after World War I: America, Britain and the Stabilisation of Europe, 1919-1932* (Cambridge: Cambridge University Press, 2006); Carole Fink, *Defending the Rights of Others: The Great Powers, the Jews, and International Minority Protection, 1878-1938* (Cambridge: Cambridge University Press, 2004).
- 14 Kuehl, *Keeping the Covenant*, 132; Marrus, *The Unwanted*, 96–106. On the chief Greek refugee advocacy group, Near East Relief, see James Barton, *The Story of Near East Relief* (New York: Macmillan, 1930).
- 15 US Bureau of the Census, *Statistical Abstracts of the United States, 1933* (Washington, DC: US Government Printing Office, 1933), 92: <http://www.census.gov/library/publications/1933/compendia/statab/55ed.html> [accessed 25 August 2016]; US Bureau of the Census, *Statistical Abstracts of the United States, 1944-45* (Washington, DC: US Government Printing Office, 1945), 109. <http://www.census.gov/library/publications/1945/compendia/statab/66ed.html> [accessed 25 August 2016].

- 16 On McDonald, see Marrus, *The Unwanted*, 161–5; James G. McDonald, 'Letter of Resignation', *The Christian Century*, 15 January 1936, 101–4; Haim Genizi, 'James G. McDonald: High Commissioner for Refugees, 1933–1935', *Weiner Library Bulletin*, 30, 43/44 (1977), 40–52; Richard Breitman and Alan Lichtman, *FDR and the Jews* (Cambridge, MA: Harvard University Press, 2014), 81–2.
- 17 The literature on the American response to Nazi persecution of minorities in Europe is immense. My narrative is based on a few of the best accounts: David Wyman, *Paper Walls: America and the Refugee Crisis, 1938–1941*, 2nd edition (New York: Pantheon, 1985); Daniels, *Guarding the Golden Door*, 59–97; Tichenor, *Dividing Lines*, 150–67; Claudena Skran, *Refugees in Interwar Europe: The Emergence of a Regime* (Oxford: Oxford University Press, 1995); Marrus, *The Unwanted*, 122–295. The most recent noteworthy entry into this scholarship is Breitman and Lichtman, *FDR and the Jews*.
- 18 *Ibid.*; Louise Holborn, *The International Refugee Organization, A Specialized Agency of the United Nations: Its History and Work, 1946–1952* (New York: Oxford University Press, 1956), 11–2.
- 19 The 1941–45 figures are from US Bureau of the Census, *Statistical Abstract of the United States, 1950* (Washington, DC: US Government Printing Office), 99: <http://www.census.gov/library/publications/1950/compendia/statab/71ed.html> [accessed 25 August 2016].
- 20 Daniels, *Guarding the Golden Door*, 86–7.
- 21 On UNRRA planning during the war, see Ben Shephard, "'Becoming Planning Minded": The Theory and Practice of Relief 1940–1945', *Journal of Contemporary History*, 43, 3 (2008), 405–19, and Jessica Reinisch's chapter in this book.
- 22 Statistics from Daniels, *Guarding the Golden Door*, 98. For a panoramic overview of conditions, see Tony Judt, *Postwar: A History of Europe Since 1945* (New York: Penguin, 2005), 13–62.
- 23 UNRRA has received recent scholarly attention. See, for instance, Jessica Reinisch's chapter in this book, as well as Jessica Reinisch, "'We Shall Rebuild Anew a Powerful Nation": UNRRA, Internationalism and National Reconstruction in Poland', *Journal of Contemporary History*, 43, 3 (2008), 451–76; G. Daniel Cohen, 'Between Relief and Politics: Refugee Humanitarianism in Occupied Germany 1945–1946', *Journal of Contemporary History*, 43:3 (2008), 437–49; William Hitchcock, *Bitter Road to Freedom: A New History of the Liberation of Europe* (New York: Free Press, 2009).
- 24 The best recent history of IRO is G. Daniel Cohen, *In War's Wake: Europe's Displaced Persons in the Post-War Order* (New York: Oxford University Press, 2011). Still very useful on IRO is Holborn, *International Refugee Organization*.
- 25 The best history of the UNHCR is Gil Loescher, *The UNHCR and World Politics* (New York: Oxford University Press, 2001). See also Holborn, *International Refugee Organization*, 561–2; Marrus, *The Unwanted*, 345, 354–8.
- 26 Daniels, *Guarding the Golden Door*, 103–4.
- 27 On the DP Program and IRO, see Holborn, *International Refugee Organization*, 410–14. The best histories of the DP Program can be found in Stephen Porter, 'Defining Public Responsibility in a Global Age', PhD Dissertation, University of Chicago, 2009, esp. chapters 4 and 5; Haim Genizi, *America's Fair Share: The Admission and Resettlement of Displaced Persons, 1945–52* (Detroit: Wayne State University Press, 1994); Leonard Dinnerstein, *America and the Survivors of the Holocaust* (New York: Columbia University Press, 1982).

- 28 For the clearest analysis of how the Cold War shaped the global refugee problem and the actions of nation-states, international organizations and non-governmental organizations, see Peter Gatrell, *The Making of the Modern Refugee*, 85–282.
- 29 Maddalena Marinari, 'Liberty, Restrictionism, and the Remaking of Italians and Eastern European Jews', 190–250. On pluralism in politics in the post-war years, see Gary Gerstle, *American Crucible*, 238–67; Mae Ngai, 'The Unlovely Residue of Outworn Prejudices', in Michael Kazin and Joseph McCartin (eds), *Americanism: New Perspectives on the History of an Idea* (Chapel Hill: University of North Carolina Press, 2006), 108–27.
- 30 Dwight D. Eisenhower, 'Letter to the President of the Senate and to the Speaker of the House of Representatives Recommending Emergency Legislation for the Admission of Refugees', 22 April 1953. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*: <http://www.presidency.ucsb.edu/ws/?pid=9821> [accessed 25 August 2016].
- 31 Carl Bon Tempo, *Americans at the Gate: The United States and Refugees during the Cold War* (Princeton: Princeton University Press, 2008), chapter 2.
- 32 *Ibid.*, chapter 3.
- 33 *Ibid.*, 40.
- 34 Celler quoted in *ibid.*, 43–4.
- 35 *Ibid.*, 75–81.
- 36 On the 'Fair Share' law, see Linda W. Gordon, 'The Origins and Initial Resettlement Patterns of Refugees in the United States', in David W. Haines (ed.), *Refugees in America in the 1990s: A Reference Handbook* (Westport, CT: Greenwood Press, 1996), 338–9. On World Refugee Year, see Peter Gatrell, *Free World? The Campaign to Save the World's Refugees, 1956-1963* (Cambridge: Cambridge University Press, 2011).
- 37 See Bon Tempo, *Americans at the Gate*, chapters 3, 5 and epilogue.
- 38 For the definitive treatment of this private-public partnership, see Stephen Porter, 'Defining Public Responsibility in a Global Age'.
- 39 For this comparison, see Carl Bon Tempo, *Americans at the Gate*, chapters 3 and 5.
- 40 It is only fair to note that several other nations – including Canada and Australia – enacted similar restrictionist immigration policies in the early twentieth century, and thus also were enmeshed in this dynamic. As the global economic depression set in during the 1930s, other countries too closed their doors, again perpetuating Europe's population problems.
- 41 Cohen, *In War's Wake*, 60.
- 42 Borgwardt, *A New Deal for the World*, 133–4.
- 43 A number of books and articles use the war as a jumping off point for discussions about the international refugee regime. See, for instance, Bon Tempo *Americans at the Gate*. For another perspective that decentres the American experience and expands the chronology – while still seeing the Second World War as a turning point – see Peter Gatrell, *The Making of the Modern Refugee*.

## The Empire Returns: 'Repatriates' and 'Refugees' from French Algeria

Claire Eldridge

From 1954 until 1962, France fought a protracted and brutal colonial war in an attempt to retain control over the territory of Algeria. There were many reasons why France sought to deny the forces of the National Liberation Front (FLN) the independence they were seeking, among them were Algeria's geographical proximity; its unique status as an integral part of the nation since 1848 rather than just a colony; the importance of a global territorial reach to France's post-1945 claims to great power status; and the presence of over one million Europeans who regularly and forcefully made clear their ardent wish that Algeria remain part of France. Infamous for the extreme tactics used by both sides, including the systematic use of torture by the French army, this politically destabilizing conflict brought down the Fourth Republic, occasioned the return to power of General Charles de Gaulle in 1958, and led to the creation of the Fifth Republic. Arousing strong emotions, the Algerian War pitted French men and women against each other in ways that transcended traditional political, religious and social cleavages, even prompting some to commit illegal acts in the name of their beliefs. Consequently, as Algerians celebrated their hard-won independence on 5 July 1962, the predominant feeling in France was one of relief that the conflict was finally over.

For others, however, a new drama was beginning as one million people abandoned their homes in Algeria and crossed the Mediterranean to France.<sup>1</sup> Dominated by the European settler population, or *pieds-noirs*, this migratory wave also included 100,000 Jews and tens of thousands of Muslim Algerians who had served the colonial power in some capacity, notably the *harkis* who had been enrolled as auxiliaries in the French army. Summarizing the difficulties categorizing this diverse group of people, one journalist wrote at the time: 'Repatriates, migrants, evacuees, the destitute, the dispossessed, they're a bit of everything.'<sup>2</sup> Forced to abandon their homes as a result of political events and amid a climate of intense violence, those who left Algeria in 1962 can be regarded as part of an estimated twelve million refugees created in Africa alone as a result of decolonization.<sup>3</sup> In this sense, they exemplify the changing character of the 'refugee problem', straddling the transition in international preoccupations from the European to the non-European world.

## The reception of refugees in France

As the self-styled 'land of liberty', France had traditionally welcomed large numbers of refugees. Yet such decisions were often driven more by practicalities – a need for foreign workers – than principles. This is reflected in the fact that refugees were subject to the same legal regime as foreign workers with no special administrative measures attesting to their specific status. The criteria for obtaining a residence permit, for example, made no distinction between labour migrants and refugees. Assessments were based on the individual's perceived suitability to reside in France rather than their need for humanitarian protection. In the early 1920s, refugees were thus addressed in terms of foreign labour and, since the economy was sufficiently buoyant to absorb and support additional workers, their presence was not a problem. However, as the economy faltered in the mid-1920s and into the 1930s, attitudes changed. Amid anxieties about jobs and security, as well as a resurgence of fears of national decline, those seeking refuge were increasingly cast as threats rather than assets – people to be excluded rather than embraced. The result was a progressive closing of French borders and a curtailment of refugee rights at the very moment that the numbers seeking asylum were rising dramatically across Europe.<sup>4</sup>

Having decided that neither the French workforce nor the French population could accommodate additional refugees, in 1933 the government declared that it would offer only temporary passage rather than settlement to those fleeing fascist persecution. Although the left-wing Popular Front government signed the League of Nations' provisional arrangement for refugees in July 1936, which recognized refugees as a specific legal category of people as well as committing France to existing international norms of protection, the nation's borders remained closed to new arrivals. Entry restrictions were further tightened by successive decree laws in May and November of 1938, which also put in place additional measures to police those refugees already present in France.<sup>5</sup> The hardening of attitudes and policies over the course of the 1930s was most starkly illustrated by the treatment of almost half a million Spanish refugees who streamed across the border into France in early 1939 as General Franco's forces emerged victorious. The French state, for the first time ever, responded to this influx with a policy of mass internment, confining the Spanish refugees in a series of camps where men were separated from their families and which became notorious for their terrible conditions as overcrowding, malnourishment and disease all took their toll.<sup>6</sup> These same spaces would subsequently be used during the Second World War by the Vichy government to intern a variety of refugee populations including Germans, Jews, Spaniards and Hungarian gypsies, alongside French Jews, anarchists and communists.<sup>7</sup>

The inadequacies of French responses to the various refugee populations of the 1930s and 1940s were recognized at the end of the Second World War when the newly constituted Fourth Republic reaffirmed France's commitment to human rights and willingness to participate in the creation of an international refugee regime.<sup>8</sup> Nonetheless, this support was tempered by a determination to retain as much control as possible over who was entitled to asylum in France so as not to open the nation to a 'flood' of post-war refugees. During negotiations over the 1951 Convention on the Status of Refugees, French delegates consequently insisted that the remit be restricted



to the pre-1951 era and to Europe. This stance was strongly influenced by a wider concern to keep the UNHCR and, by extension, the international community, out of France's increasingly turbulent colonial affairs; something the government regarded as a purely domestic matter.<sup>9</sup>

In 1954, not long after the 1951 Convention became law in France, the Algerian conflict erupted. This was also the year in which French Indochina – present-day Vietnam and parts of Laos and Cambodia – was 'lost' in the wake of the Battle of Dien Bien Phu, prompting the first in a series of large-scale population displacements as decolonization gathered pace. As the World Refugee Year got underway in June 1959, pressure mounted, particularly from the growing Third World block in the United Nations, to refocus the remit of the UNHCR on African and Asian refugees. At the same time as resisting such moves, France stepped up its attempts to retain control of Algeria through a carrot-and-stick combination of economic development initiatives and large-scale military repression. Less than two years later, however, Algeria was independent and France was faced with a one million strong migratory population that was simultaneously European and North African.

Yet, although clearly connected to the evolving nature of the 'refugee problem', the novel context of decolonization and the unique characteristics of the Algerian situation meant that the one million migrants of 1962 also stood outside recent refugee history. In particular, those who left Algeria, irrespective of their religion or ethnicity, were French citizens. Following the French conquest of Algeria in 1830, settlers migrated to the new colonial territory from across Europe during the nineteenth century. Concerned about the loyalties of this multinational population, the state passed laws in 1889 and 1893, making these Europeans and their descendants into French citizens. This complemented the 1870 Crémieux Decree, which had unilaterally naturalized Algeria's 34,500 Jewish inhabitants. Citizenship had notionally been open to Algeria's Muslim population since 1865, but very few were able or wanted to take this step. Not until 1944 did the law affirm that 'Muslims' in Algeria were 'French citizens', although not with the same rights as other citizens. Full equality was only introduced with the 1958 Constitution of the Fifth Republic, which guaranteed the same rights and duties to all French citizens, whether in metropolitan France or the empire. The collective result of these legal developments was that those on the move in 1962 were defined not as refugees, but rather as 'returning' French citizens or 'repatriates', even though many had never previously set foot in metropolitan France.

The distinction between refugees and repatriates would prove crucial in shaping the response of the French state to the migrants from Algeria. Determined to avoid the negative socioeconomic consequences usually associated with refugee status, the government put in place an unprecedented raft of measures designed to integrate the repatriates into the national body as swiftly as possible. Here, Europe's recent refugee history served as a warning, one the government sought to heed as it embarked upon a deliberately new and alternative path.<sup>10</sup> At the same time, although framed with respect to universal values and notions of national solidarity, these measures were heavily driven by economic imperatives, continuing the traditional association in French policy between asylum and employment. However, when it came to dealing with those classed as 'Muslim French repatriates', primarily the *harkis*, a different strategy was



adopted. Despite theoretical equality with other repatriates, *harkis* increasingly found themselves referred to in official discourse in ways that emphasized their difference, including the use of the term ‘refugees’. More than just semantics, this differentiation translated into treating *harkis* not as individual citizens, but as a group apart who were confined to camps in isolated rural locations where they were deprived of basic rights and freedoms. The historical echoes of such treatment were particularly strong, given that many of these sites had earlier housed twentieth-century refugee populations such as Spanish Republican exiles and Jews fleeing Nazi Germany. It was also in keeping with the French practice of dealing with refugees instrumentally on a case-by-case basis, even going so far as to treat those with the same national origins differently according to when they arrived in France.

Prior experience of the ‘refugee problem’ therefore informed and framed the French state’s dealings with those repatriated from Algeria in the 1960s. In exploring these, often inconsistent, responses, this chapter will show how the end of empire prompted modes of thinking about large-scale population movements that broke new ground, while simultaneously referring back to established ideas and methods. The first half of the chapter will discuss ‘French repatriates’, that is to say the European settlers, while the second half will address the situation of *harkis*. By focusing on both official policies and the experiences of the migrants themselves, this case study allows for reflection on the often-blurred lines between the categories of ‘refugee’ and ‘repatriate’ at a crucial historical juncture when the ‘refugee problem’ was increasingly conceived of in global terms.

## Resettling the settlers

The French repatriates from Algeria were only the latest in a series of citizens displaced by decolonization to arrive in France. Between 1952 and 1962, an estimated 1.3 million individuals migrated back to metropolitan France as a result of events in Indochina, Egypt, Morocco, Tunisia and Guinea.<sup>11</sup> In the late 1950s and early 1960s, there was no standardized repatriation policy in France. Rather, what one commentator called the ‘human factor’ of decolonization was dealt with by the French authorities in a piecemeal fashion that varied depending on the territory in question, the circumstances of departure, whether the repatriate was a government or private employee and the decisions of the relevant embassy or consular officials.<sup>12</sup> Assistance consisted of emergency financial aid and limited support aimed at economic reintegration. As a result, charitable institutions played a considerable role in the resettlement process, providing a set of services similar to those they had historically offered to refugees.<sup>13</sup> By contrast, there was no involvement from the French Office for the Protection of Refugees and Stateless Persons (OFPRA), the body in France responsible for ensuring the application of international measures protecting refugees. As these population movements were regarded as domestic matters, there was no international repatriation regime equivalent to the UNHCR.

The rising number of repatriates placed an increasing strain upon these partial mechanisms, even after reforms in 1957 and 1958. With one eye firmly on developments

in Algeria, in 1961 existing measures were consolidated into a new and comprehensive regime to be overseen by a dedicated secretary of state. The legal cornerstone of this approach was the Boulin Law of December 1961. Named after the first Secretary of State for Repatriates, Robert Boulin, the law simplified and broadened the definition of those able to benefit from state aid to all Frenchmen and women 'having or expecting to have to leave, as a result of political events, a land where they were settled and which was previously placed under the sovereignty, protectorate or administration of France'. The law also expanded the type of assistance available. In place of emergency aid, the state now promised 'a collection of measures' to 'integrate French repatriates into the social and economic structures of the nation' in conformity with the principle of 'national solidarity'.<sup>14</sup> What exactly repatriates were entitled to was clarified on 10 March 1962 in a decree that also formally extended the provisions of the Boulin Law to the French of Algeria.<sup>15</sup> Paradoxically, the generosity of the proposed provisions was designed to encourage the settler community to remain in Algeria by reassuring them that, if the worst came to pass, they would be taken care of. As Louis Joxe, Minister for Algerian Affairs, noted on 28 March 1961 during preparatory discussions for the Boulin Law, 'The certainty given to the French who feel threatened in Algeria of finding in metropolitan France an efficient welcome, available housing and, above all, the possibility of professional reintegration would serve to calm the anxieties of most and remove the reasons for political agitation.'<sup>16</sup> But such reassurances proved insufficiently convincing in the face of the escalating violence that marked the final months of the Algerian conflict and which, ultimately, pushed the majority of the European population to leave.

In response to the unprecedented scale of the migration from Algeria, the foundational measures of the Boulin Law and the decree of March 1962 were supplemented by a further 323 legal texts between 1962 and 1970 as the state refined and expanded its support for the substantial numbers of 'returning' citizens now within its metropolitan borders. This support included a range of measures, but was principally centred on the three elements outlined by Joxe: an effective welcome, housing and economic integration. Perhaps the most significant innovation was the provision of a monthly cash subsidy of 350 francs, slightly above the minimum wage, for up to one year. This was designed to alleviate pressure on those seeking work, enabling them to search for employment commensurate with their skills and experience rather than being forced to take the first job that came along. This was in addition to regular forms of social aid for metropolitan French citizens that were made available to repatriates without the usual stipulations regarding residency periods and documentation. Extra financial aid was provided to those unable to work or in other vulnerable situations. By 1970, an estimated ten billion francs had been spent on monthly benefits and social aid, alongside another twelve billion francs on diverse grants and subsidies and a further four billion on aid loans.<sup>17</sup>

Underpinning these exceptional measures was the French citizenship of the repatriates. Above all, the authorities were concerned to protect the repatriates from the risks of pauperization that mass displacement inherently carried and to ensure that, as French citizens, they were not treated as if they were foreign immigrants or refugees. The importance of nationality becomes apparent when the situation of the

repatriates is compared to that of the 60,000 individuals from Algeria who did not possess French citizenship. These ‘foreign repatriates’ were entitled to benefits for three months, but, beyond this temporary aid, were reduced to the same restricted levels of assistance provided to non-French immigrants.<sup>18</sup> While willing to support the most socioeconomically vulnerable, the state did not want thousands of ‘dependent’ citizens on its hands, hence the emphasis on inserting repatriates into appropriate positions in the workforce as quickly as possible. This was not only for the sake of national prosperity. The French state equally wanted to limit any dissent or protest on the part of the repatriate population. Such fears were well grounded: during and immediately after the Algerian War, radical settlers had vented their anger at decolonization in the form of terrorist violence against the state, most famously through the Secret Army Organization (OAS) who were determined to keep Algeria part of France at all costs. Finally, government assistance was seen as a way to hasten the assimilation process, helping to overcome any lingering collective cultural particularities.

The French state was fortunate that, in contrast to the 1930s, the last time France had been called upon to absorb large numbers of migrants, the economy was booming in the early 1960s, enjoying average growth rates of 5.7 per cent a year between 1955 and 1968.<sup>19</sup> This prosperity helped allay many of the anxieties surrounding the incorporation of the French from Algeria, not least by providing much of the finance for government schemes. Moreover, the state was keen to emphasize the ways in which the repatriates represented an asset to the nation as opposed to a drain on its resources. One of the most frequently drawn parallels was with post-1945 West Germany whose successful absorption of over twelve million refugees and expellees was seen to lie at the heart of the ‘German miracle’ of economic growth in the 1950s.<sup>20</sup> Boulin’s successor, Alain Peyrefitte, used this example when seeking to persuade a somewhat sceptical President de Gaulle that ‘one million repatriates’ could also ‘be an opportunity for an expanding France’, providing that their integration was actively managed and supported by the state.<sup>21</sup> Consequently, although the state drew to some extent on philosophies that had been applied to previous migrant populations – such as the importance of economic integration as a motor for broader assimilation – the treatment of repatriates from Algeria was distinct. In particular, the level of cross-party political will behind the project was unique, driven by the status of the repatriates as French citizens as opposed to ‘foreigners’. This, in combination with the vast numbers involved, compelled the state to create a repatriation policy that was unparalleled in its reach. In spite of gaps and problems, especially in early years when the demands placed upon these new structures were at their most acute, the state succeeded in its fundamental aim of avoiding the marginalization of the repatriates; within a decade there was no discernible socioeconomic difference between a repatriate from Algeria and a metropolitan French person.

## Experiential continuities

At the cultural level, however, the sense of otherness, of not quite belonging in spite of their legal status as Frenchmen and women, lingered long after socioeconomic

data indicated assimilation had occurred. This legacy created experiential similarities between the repatriates and refugee communities. Of course, French repatriates from Algeria were at no point denied the protection of the nation-state to which they belonged. Nor were they ever outside the territory of their nation, thus excluding them from contemporary international definitions of refugee status. However, many did flee their homes owing – in the words of the 1951 Convention – to a ‘well-founded fear of being persecuted’ since, ironically, levels of violence in Algeria actually increased following the signature of ceasefire accords at Evian on 19 March 1962. This was due primarily to the scorched earth policy undertaken by the OAS in a bid to derail ongoing independence negotiations between France and the FLN. After 19 March, OAS violence became more indiscriminate, targeting both French and Algerian civilians as they sought to provoke the FLN into retaliatory acts that would nullify the peace deal, while also terrifying the settlers into remaining, as a way of displaying their authority over the community. In the post-ceasefire period, more Europeans were killed in Algeria than in the previous seven years of conflict. Coming on the back of years of violence which had already strained settler nerves to breaking point, this climate of terror left the community feeling as if their only choice was, to use the common phrase of the time, ‘the suitcase or the coffin’.

After the decision to leave had been taken came the arduous process of physically departing. The sheer scale of the population movement, which saw 355,000 people leave in June 1962 alone, meant queuing, often over several days, to secure passage to France and doing so under constant fear of attack, particularly as by this point the OAS was targeting ports and airports.<sup>22</sup> Each passenger was restricted in the amount of luggage they could take, leaving families trying to cram entire lives into two allotted suitcases. Photographs show people bundled up in jumpers, hats, scarves and winter coats even though it was the height of summer as they sought to wear what they could not pack. The Algerian-born writer Jules Roy gave a particularly vivid account of the toll departure took on his fellow settlers when he stated:

Dazed, silent, despondent, they can't grasp what is happening to them with this brutal uprooting. Mothers no longer have the energy to watch their children, old men remain immobile, their suitcases at their feet, as if they have nowhere to go and their life has stopped there ... tears run down their leathery and wrinkled cheeks which they don't even bother to brush away with their hand.<sup>23</sup>

Those who flew to France were at least assured of a seat since there was a strict passenger limit for each aircraft. Those who travelled by boat, however, faced unpleasant and dangerous levels of overcrowding as they crossed the Mediterranean. On 7 June 1962, seven ships docked in Marseille, disembarking a total of 10,437 passengers. This included the *El Djezaïr*, which carried 1,627 people, in spite of an official capacity of only 984, and the *Kairouan*, whose 2,630 voyagers were more than double the ship's stipulated 1,172 places.<sup>24</sup>

The iconography of this well-documented population movement, which included long queues and large crowds of visibly distressed men, women and children clutching their meagre possessions, inevitably recalled previous waves of refugees into France. Keen to avoid historical comparisons and thus any link in the public imagination

between the repatriates from Algeria and refugee populations such as the Spanish Republican exiles of 1939, officials consistently downplayed the significance of what was happening. This strategy included claiming that rather than an exceptional and permanent displacement, the number of departures was in line with normal patterns of summer travel. Speaking to the council of ministers at the end of May 1962, Boulin asserted that press reports of 'a flood of pathetic refugees, destitute and without shelter' were untrue. Supporting his argument with statistics, Boulin compared the 100,000 departures from Algeria registered that month with 71,500 in May 1960 and 99,500 in May 1961. His claims prompted the Education Minister Pierre Sudreau to ask: 'Are they holidaymakers, as the Secretary of State would have us believe, or refugees, or repatriates?'<sup>25</sup> Boulin's denials formed part of a broader governmental mindset which proved unwilling to accept that, contrary to their initial plans and hopes, the majority of settlers were not going to remain in Algeria and, having largely been spared the mass migrations of the post-1945 era, France would now face a substantial and disruptive influx of people.

These denials were also a political tactic whereby the loss of Algeria was reconfigured not as a humiliating blow to national prestige, but rather as an opportunity for France to divest itself of cumbersome colonial commitments so as better to turn its attention to modernization and Europe. Within this schema, the governments of Michel Debré (January 1959 to April 1962) and Georges Pompidou (April 1962 to July 1968) interpreted the migration of the repatriates from Algeria as 'the logical integration of a population into its country of origin' and therefore of limited political and national consequences.<sup>26</sup> For the French repatriates, however, 'return' was experienced as a 'rupture', especially given that a large proportion had no ancestral connection to metropolitan France, nor had they spent much time there, if any. Although the legal designation of repatriate brought with it protection and the promise of financial assistance, it was also not a label that sat easily with individuals who felt themselves to have been 'expatriated' in 1962. 'I don't use the term "repatriates,"' explained former settler Nicole Giraud, 'because we are not repatriates, we are the de-patriated and refugees.'<sup>27</sup> In common with other 'exiled' communities, repatriate accounts stressed the trauma of losing their emotional and material bearings, of suddenly being deprived of everything that had constituted the daily fabric of their lives. More than simply having been forced from a land they considered their own, what repatriates found particularly destabilizing was the sense that, with Algerian independence, their country of birth no longer existed.

In seeking to assuage the grief of this irreversible loss, many repatriates looked to their metropolitan compatriots for support. Writing in the weekly newspaper of ANFANOMA, one of the largest repatriate associations of the time, Paul Coste-Floret argued for the union of all French people so that the 'difficult world' of the exodus could 'transform into a fraternal and heart-warming welcome.'<sup>28</sup> His appeals were echoed by the government and by the mainstream press, both of which repeatedly emphasized the 'Frenchness' of the repatriates and their right to solidarity and hospitality on this basis. Raised 'with the idea that Algeria is France, like Brittany or Alsace', repatriates like Philippe Mendes equally had expectations regarding how they would be received.<sup>29</sup> The problem with homecomings is that the imagined return almost always falls short

of the reality, not least in terms of the reactions of those to whom one is returning.<sup>30</sup> For repatriates, this sentiment was exacerbated by the gap between the language of 'return' and their actual sense of belonging and attachment, which lay outside of France. Equally, for the metropolitan population, there was a disjuncture between people they were told were French, just like them, and the repatriates in front of them whose appearance, accents and behaviour they found to be distinctly foreign.

Consequently, in spite of government propaganda, the dominant sentiment among repatriates in 1962 was one of rejection. Everyday treatment revealed the hollowness of the rhetoric of national solidarity as repatriate status repeatedly proved insufficient to grant full access to public hospitality.<sup>31</sup> Instead, as the repatriate Monsieur Ferreira explained, 'We felt rejected as if we were foreigners.'<sup>32</sup> The scale of the migration from Algeria magnified all the usual fears associated with an influx of unknown 'foreign' peoples. This was particularly true in Marseille, which bore the brunt of the arrivals, stretching local resources and tempers to breaking point. Suddenly forced to compete with thousands of additional people for access to shops and services, residents of Marseille resented the disruption caused by the repatriates, especially when this was manifested in rising prices and crime rates. The vocal expression of these frustrations left repatriates feeling distinctly unwelcome, if not actively victimized. 'They blame everything on us,' complained one man. 'If there's a robbery, it's a repatriate, if traffic is difficult, it's because of repatriates. If rents go up and the cost of a weekly shop becomes unaffordable, again, it's because of us.'<sup>33</sup> In a bid to ameliorate tensions, the local press reportedly suppressed stories of clashes between the two communities. However, as *France-Observateur* noted, that did not stop the inhabitants of Provence and the Languedoc 'passing on by word of mouth stories about the cheeky, loud, rude, always dissatisfied "pieds-noirs." They complain about their insolence; they complain about their forwardness with women; above all, they complain about their presence.'<sup>34</sup>

In the face of local hostility, repatriates came together in informal groups in places such as the Place de la Bourse in Marseille. Although comforting, assembling in this way only heightened their visibility, strengthening the hand of those questioning the ability and willingness of the repatriates to integrate. For Aline M., suspicions about her Frenchness translated into her classmates repeatedly asking her to take off her shoes so they could see if she really did have 'pieds-noirs' (black feet).<sup>35</sup> Even more forthright was an anonymous, handwritten pamphlet distributed in the Bouches-du-Rhône area and attributed, by the repatriate association ANFANOMA, to the local Communist Party:

Out of France ... foreign scum  
Fuck off back where you came from  
We don't want you here.<sup>36</sup>

Anxieties surrounding the presence of repatriates were enhanced by the connection drawn in metropolitan minds between the French from Algeria and the OAS, the terroristic remnants of which were still active on both sides of the Mediterranean. Earlier in the year, a survey revealed that 57 per cent of the metropolitan French believed that over half the settlers were affiliated to the OAS.<sup>37</sup> It is true that many within the settler community initially supported the organization's fundamental aim,

which was to keep Algeria as part of France. However, this largely symbolic support waned as the violence of the OAS intensified and became more indiscriminate in the spring and summer of 1962. Nonetheless, as Sung Choi notes, ‘The political climate was hardly propitious to receive the very same individuals most metropolitans believed were involved in threatening the lives of the French on the continent.’<sup>38</sup>

The sense of rejection by their fellow countrymen, on top of their own sense of displacement, disorientation and loss, led to significant psychological trauma among the repatriates. There were numerous accounts of people committing suicide on the voyage to France by throwing themselves into the sea, while Daniel Leconte claims that obituary notices for repatriates during the winter of 1962–63 failed to specify that many of these deaths were self-inflicted.<sup>39</sup> Academic studies conducted at the time also drew explicit parallels between psychological symptoms displayed by repatriates – severe anxiety, depression, paranoia and delirium – and conditions observed among refugee populations in the aftermath of the Second World War.<sup>40</sup> These challenges notwithstanding, there was still an important difference between repatriates from Algeria and refugees. The French state could not erase the emotional trauma of exile, but the legal protection afforded by repatriate status and the far-reaching measures accompanying this did shield the French of Algeria from the worst material hardships of displacement. This, in turn, lessened the psychological toll imposed by migration.

### Marginalizing ‘Muslim repatriates’

The relatively privileged position of the French from Algeria becomes particularly apparent when their fate is compared to that of the ‘French Muslim Repatriates’, especially the *harkis* and their families. Recruited systematically by the French army from February 1956 into mobile units to undertake offensive military operations against the FLN, the number of *harkis* had reached 61,600 by January 1961. As the Algerian War progressed and France drew more heavily upon indigenous manpower in both civilian and military capacities, *harki* became a generic term signifying all native auxiliaries, which is the sense in which it is used here. The number of *harkis* so defined fluctuated throughout the war, peaking at 210,000 in 1958, but falling considerably in the final months of the conflict.<sup>41</sup> Principally of rural origin, illiterate and unskilled, *harkis* were motivated to enrol in the French army by a combination of factors including financial necessity, fear of FLN violence, family loyalties, and coercion or entrapment.

When the ceasefire was proclaimed, *harkis* were given three options: engage in the regular French army, which would mean going wherever the army went, resign with a small financial payment, or enrol for six months on a civilian contract. Even amid considerable concern for their safety in a soon-to-be FLN ruled Algeria, *harkis* were reluctant to leave their lives and families. Clauses in the Evian Accords offering general guarantees of safety for civilians, in combination with the substantial number of French troops still present and promises of protection from senior military officials, proved sufficiently reassuring for 21,000, or 81.2 per cent of those still in active service, to accept their final pay and hand over their uniforms.<sup>42</sup> Never having wanted to get



caught up in the war in the first place, these men were keen to return to the lives they had been forced to suspend. Sadly, such hopes were quickly shattered as waves of terrible revenge violence broke out across the country, much of it believed to be carried out by *marsiens*, last-minute FLN recruits. Beginning in April 1962, the massacres of the *harkis* and their families were most intense during July and August. Between 60,000 and 75,000 are believed to have been killed, although the exact death toll will never be known.<sup>43</sup>

In the face of such persecution, *harkis* sought refuge in France. This should have been relatively straightforward since the *harkis* possessed French nationality and, as the Evian Accords promised, no French person would be deprived of citizenship against that person's wishes. The April decree that extended the provisions of the Boulin Law to inhabitants of Algeria further stipulated that 'anyone in Algeria wishing to return to metropolitan France, will be able to benefit from repatriate status.'<sup>44</sup> In practice, however, legal equality was progressively undermined by government rhetoric and policy, which cast the *harkis* as different, both from other repatriates and from the metropolitan French.<sup>45</sup> One of the clearest signs of this was the disappearance of the phrase 'Muslim repatriates' along with that of 'citizens' from official documentation and its replacement with terms such as 'refugees' or 'harkis', labels with no obvious link to either citizenship or Frenchness. Even de Gaulle asserted on 25 July 1962 that 'obviously' the term 'repatriate' did not apply to 'Muslims', adding 'in their case, we are dealing only with refugees'.<sup>46</sup> Todd Shepard regards this change in language as an attempt by the government to bring the legal situation into line with the popular and official belief that 'Muslims' from Algeria could not be French, even though this position contradicted the Evian Accords, the Boulin Law and long-standing colonial rhetoric.<sup>47</sup> On 21 June 1962 these semantic practices were codified in a new law which differentiated between 'French of European origin' (FSE) – essentially the settlers and the naturalized Jewish population – and 'French of North African origin' (FSNA). The former were allowed to keep their nationality following Algerian independence, while the latter were stripped of their citizenship. Now classed as Algerians, *harkis* were informed that if they wished to reclaim French nationality they would have to request this before a judge in France.<sup>48</sup> As a result, rather than 'returning' citizens possessed of equal rights, by the summer of 1962, the *harkis* were presented as 'outsiders whom the French Republic welcomed and assisted only out of charity and only in unavoidable circumstances'.<sup>49</sup>

The practical consequences of this differentiation were far-reaching. The most immediate impact in the summer of 1962 was to make it difficult for *harkis* to flee the violence sweeping Algeria. Correspondence reveals that officials were well aware of the dangers faced by *harkis* with reports in June describing the 'tragic' situation whereby 'kidnappings, summary executions, ostracism, forced labour in prison camps have made [the *harkis*] into pariahs'.<sup>50</sup> But the need to help those who had rendered the nation considerable service and who were now in danger was balanced against the French state's desire to control the flow of *harkis* into France and their hope that the majority would remain in Algeria. Directives were thus issued to ensure that those who came to France did so only via official channels and were 'genuinely' in danger, as opposed to extremists, of either FLN or OAS persuasion, who might pose a threat

to domestic security, or opportunists looking for ‘work that Algeria cannot provide.’<sup>51</sup> Individual officers who, out of a sense of loyalty and responsibility, attempted to bring *harkis* to France on their own initiative were warned on 12 May through a top-secret telegram from Louis Joxe that ‘all auxiliaries landing in the metropole outside of the official repatriation programme will be sent back.’<sup>52</sup> It was this perceived need to maintain order in France that prevailed over humanitarian concerns, especially as the numbers of *harkis* seeking refuge in France rose rapidly. In any case, humanitarian concerns and the responsibility to intervene were limited by the fact that those in danger were now regarded as Algerians being menaced by their fellow countrymen rather than French citizens.<sup>53</sup> When deciding which *harkis* to admit to the metropole, officials also took into account factors such as age, fitness and perceived ability to assimilate. For historian François-Xavier Hautreux this indicates that, in addition to an operation to welcome refugees, the state saw the transfer of the *harkis* to France as an economic migration whose costs and benefits to the nation needed to be factored in.<sup>54</sup> Moreover, the existence of any explicit selection process belies the ways in which the treatment of the *harkis* differed from that of other repatriates. As Shepard pointedly notes, the authorities were much more concerned about OAS infiltration within the settler population than among *harkis*, yet there was never any suggestion that certain Europeans should be refused right of entry on grounds of national security.<sup>55</sup>

As with the number of *harkis* killed, it is not possible to determine exactly how many made it to France; estimates range from 65,000 to 100,000.<sup>56</sup> Whereas the goal of the state with respect to the European repatriates was to integrate them into the wider French population as quickly as possible, the *harkis* and their families, especially those who came via official channels, were grouped together and kept apart. Initially, *harkis* were placed in two former military camps: Larzac (Puy-de-Dôme) and Bourg-Lastic (Auvergne). Both these spaces quickly exceeded their maximum capacities, prompting the creation, in autumn 1962, of four ‘accommodation camps’ in the isolated, rural locations of Rivesaltes (Pyrénées-Orientales), Saint-Maurice-l’Ardoise (Gard), Bias (Lot et Garonne) and La Rye Vigéant (Vienne). Several of these sites had long histories of housing those the Republic deemed ‘undesirable’, often ‘foreign’ populations that the state wished to keep separate from the rest of society. The Rivesaltes camp, for example, opened in May 1939. Over the next two decades it housed Spanish Civil War exiles, German and Jewish refugees, Jews awaiting deportation, German POWs, FLN prisoners and, finally, the *harkis*. Placing them in such spaces symbolically connected the *harkis* to these previous populations, strengthening the idea that they were refugees rather than citizens. On the basis that ‘one must adapt them gradually to a totally different way of life’, camps were advocated by officials so that the *harkis* might ‘continue to benefit from a certain supervision [*encadrement*] in their work and accommodation’. As a result, the aid to which the *harkis* were entitled was not distributed to them on an individual basis as it was to other repatriates. Instead, it was retained by the authorities and used to pay for running the camps, including the costs associated with social and cultural education programmes to hasten the assimilation process.<sup>57</sup>

Historical parallels with other refugees extended beyond geographical coincidences. Unprepared for the large influx of *harkis*, conditions in the camps were rudimentary at best. Georgette Berthes, a social assistant who had accompanied

*harki* families from Algeria to France, was shocked to discover upon arrival at Larzac that 'nothing has been prepared for receiving our brave people. The huts were in a pitiful state, windows broken, doors missing, brambles climbing the walls.'<sup>58</sup> At first, however, most *harkis* were housed not in permanent structures but in tents even as autumn approached and the weather worsened. Conditions in the barracks into which the *harkis* were moved by January 1963 were little better, with neither heat nor electricity. Even after funds were unlocked for renovations, significant issues still remained. One persistent problem was overcrowding. All camps held more than their maximum capacity at certain points. In January 1963, 5,542 inhabitants were resident in Rivesaltes, a space designed for no more than 4,000.<sup>59</sup> As with previous populations, overcrowding inevitably led to insanitary conditions, ill health and the rapid transmission of diseases such as TB.<sup>60</sup>

The organization and administration of the camps subjected the *harkis* to constant surveillance and interference from state agents, reminiscent of the measures used to control refugee populations in these same spaces. Equipped with everything from schools and medical facilities to post offices, the camps were self-enclosed worlds. Military discipline, including being present for the raising of the flag in the morning, was combined with set times for meals and showers, electricity only between specified hours, and post being opened and read by camp staff. Permission was required to leave the camps, even temporarily, while the barrack-like accommodation surrounded, in some cases, by barbed wire served as constant reminders for their *harkis* of the lack of control over their lives. Contact between *harkis* and wider French society was strictly regulated, inhibiting the integration process the camps were supposed to be effecting. Upon discovering conditions at Rivesaltes, Dalila Kerchouche's parents were among several *harki* families prompted to ask: 'Why have they put us in prison? What crime have we committed?'<sup>61</sup>

In total, an estimated 42,500 people passed through *harki* camps between 1962 and 1969.<sup>62</sup> Although most camps were closed in the mid-1960s, Saint-Maurice-l'Ardoise and Bias remained open until the mid-1970s. In 1974, more than a decade after arriving in France, 16,000 people were still resident on these two sites.<sup>63</sup> The number of *harkis* who spent a sustained period of time in one or more camps was small. However, often departure simply signalled a transfer to alternative institutional environments such as forest hamlets, temporary estates or purpose-built social housing. Although each of these settings had different purposes, all adhered to the principle of treating the *harkis* as a collective entity and keeping them physically and socially separate from mainstream society. In particular, the forest hamlets maintained similarly strict rules and monitoring processes to the camps. Typical was the experience of the Kerchouche family who passed through a number of sites including Bourg-Lastic, Rivesaltes and the forest hamlet of Lozère, before finally moving into their own home in 1974.<sup>64</sup> The repercussions of these initial exilic and isolated years in France continue to this day, particularly among descendants of *harkis*, many of whom have struggled to integrate in spite of their French citizenship. This explains the sustained campaigns waged by *harki* children, who have demanded material assistance alongside official recognition of the history of their community, particularly the sacrifices made by their fathers for France.<sup>65</sup>

The placement of the *harkis* within the prison-like spaces of the camps underlines the extent to which they were viewed as ‘aliens’ and outsiders whose status most closely resembled that of refugees. Yet the *harkis* were never formally granted refugee status, which would at least have afforded them certain rights and protections under the aegis of the UNHCR.<sup>66</sup> Instead, they were left stranded in a no man’s land between the categories of repatriate and refugee. By comparison, although questions were posed about the ‘Frenchness’ of the former settlers, the hostility that greeted this community in 1962 was primarily connected to the scale and suddenness of their arrival and the disruption it caused. Even outside of government and press exhortations to welcome the repatriates as fellow countrymen, there was sufficient racial and cultural similitude for assimilation to never really be in doubt. Nor, crucially, was their legal status as citizens ever disputed. Instead, this privileged position gave them access to exceptional levels of state support that were denied to the *harkis*. Official and popular distinctions made between European repatriates and the *harkis* thus split the ‘exodus’ from Algeria into two components, assigning different, often racialized, attributes and values to each.

The ways in which the *harkis* were first rhetorically and then legally detached from their French citizenship was both a cause and consequence of reservations about their ability to assimilate. These reservations were indicative of wider anxieties about the prospect of large numbers of formerly colonized peoples migrating to France as decolonization globalized conceptions of the ‘refugee problem’. For while the Algerian case was unique in many ways, France was not the only imperial power to be faced with the ‘return’ of sizeable numbers of its overseas citizens alongside other inhabitants from the ex-colonies. Although settlers in the British territories of Kenya and Rhodesia largely opted to remain after independence or to relocate elsewhere within Africa, Europeans in both Dutch and Portuguese colonies overwhelmingly made their way back to their respective metropolises. Between 1975 and 1976, for example, half a million *retornados* (returnees) from Angola and Mozambique swelled the Portuguese population by approximately 7 per cent, the largest increase of any postcolonial repatriation.<sup>67</sup> Like the repatriates from Algeria, these men and women also felt rejected by their fellow countrymen who bristled at the additional burdens their sudden arrival placed upon the already scarce national resources.<sup>68</sup> Moreover, a distinction was made by the state and the general population between white *retornados* who were able, through considerable personal effort, to integrate themselves back into the national fold, and returnees with African heritage whose ‘Portugueseness’ was denied. Instead, they were marginalized, placed within the same category as black immigrants from ex-colonial territories such as Cape Verde who had no citizenship rights. This, Stephen Lubkemann argues, was part of a process of postcolonial identity construction whereby Portugal sought to stake a claim to influence and leadership over the wider Lusophone world without acknowledging the impact of its former colonies upon its own national composition and identity.<sup>69</sup>

In many respects the Algerian case study stands at odds with the narrative set out by Zara Steiner in her chapter in this volume, not least because the men and women concerned were never legally defined as refugees. At a moment when international structures and regimes were becoming increasingly formalized, migration from Algeria was treated by the French as a purely domestic matter. However, keen

international interest in the unfolding situation in Algeria, combined with astute diplomatic manoeuvring by the FLN, enmeshed the War of Independence, and those who were displaced as result of it, in the politics of both decolonization and the Cold War, highlighting the overlap between these two pivotal historical processes.<sup>70</sup> The *pièdes-noirs* and *harkis* furthermore serve as an exception to Steiner's observation that, at least at first, those on the move in Africa as empire ended 'barely affected Europe'. In the wake of decolonization, 'returning' citizens from across the European empires, dubbed 'invisible migrants' by Andrea Smith, emerged as sites of negotiation, even contestation, in their respective metropolises.<sup>71</sup> Their presence provoked similar anxieties and debates within European nations that were forced to grapple anew with questions of identity, belonging, exclusion and diversity as they sought to redefine themselves as postcolonial entities. The Algerian case study is therefore not alone in demonstrating that, during the closing stages of the 'forty years' crisis, it was not only the composition of the populations on the move that had undergone a shift but also the priorities – social, political, economic, cultural and racial – of the European nations who were attempting to come to terms with the realities of a reconfigured postcolonial international system and their own place within this.

## Notes

The author would like to thank Emile Chabal and Scott Soo for their comments and suggestions. All translations are by the author unless otherwise stated.

- 1 In 1962, 1,064,000 people arrived in France from Algeria, with the months of May through to August comprising the peak transit period. Of these, 421,000 returned to Algeria, at least temporarily, leaving more than 650,000 in France at the end of the year. This was in addition to over 100,000 who had departed prior to 1962 and the further 200,000 who would leave between 1963 and 1967. Jean-Jacques Jordi, 'L'été 62 à Marseille: tensions et incompréhensions', in Jean-Jacques Jordi and Emile Temime (eds), *Marseille et le choc des décolonisations*, (Aix-en-Provence: Edisud, 1996), 66.
- 2 'Le temps de retour', *Le Monde*, 16 May 1962, 3.
- 3 Jean-Louis Miège and Colette Dubois (eds), *L'Europe retrouvée: les migrations de la décolonisation* (Paris: L'Harmattan, 1994), 9.
- 4 Greg Burgess, *Refuge in the Land of Liberty: France and its Refugees from the Revolution to the End of Asylum* (Basingstoke: Palgrave, 2008), 145–63.
- 5 Burgess, *Refuge in the Land of Liberty*, 166–98; Mary Dewhurst Lewis, *The Boundaries of the Republic: Migrant Rights and the Limits of Universalism in France, 1918-1940* (Stanford: Stanford University Press, 2007), 155–87.
- 6 For further discussion of the Spanish case study, see Scott Soo, *The Routes to Exile: France and the Spanish Civil War Refugees, 1939-2009* (Manchester: Manchester University Press, 2013).
- 7 Jeanette E. Miller, 'A Camp for Foreigners and "Aliens": The Harkis' Exile at the Rivesaltes Camp (1962-1964)', *French Politics, Culture and Society*, 31, 2 (2013), 22.
- 8 Gérard Noiriel, *Réfugiés et sans papiers: la République face aux droit d'asile, XIXe-XXe siècle* (Paris: Fayard, 1998, reprinted 2006, 2012).
- 9 Noiriel, *Réfugiés*, 150.

- 10 This was also the case for the French Jewish community who, conscious of their shortcomings in the 1930s when faced with their European co-religionists in flight, sought to actively welcome Jews from Algeria. Unfortunately, the experiences of Algerian Jews are beyond the scope of this chapter, but for further discussion see, in particular, Sarah Beth Sussman, 'Changing Lands, Changing Identities: The Migration of Algerian Jewry to France, 1954-1967', PhD Dissertation, Stanford University, 2002; Colette Zytynski, 'L'accueil des Juifs d'Afrique du Nord par les institutions communautaires (1961-1965)', *Archives Juives*, 31, 2 (1998), 95–109.
- 11 This figure includes 100,000 settlers who left Algeria prior to 1962. Colette Dubois, 'La Nation et les Français d'outre-mer: Rapatriés ou sinistrés de la décolonisation?', in *L'Europe retrouvée*, 76.
- 12 Jean Vacher-Desvernaix, *L'Avenir des Français d'outre-mer* (Paris: Presses Universitaires de France, 1962), 10.
- 13 Dubois, 'La Nation', 98–9.
- 14 Loi 61-1429, *Journal Officiel de la République française*, 28 December 1961.
- 15 Since Algeria had been legally part of France since 1848, inhabitants were initially excluded from repatriate status on the grounds that any movement by them would technically consist of migrating from one part of the nation to another, rather than 'returning' from an overseas territory.
- 16 Yann Scioldo-Zürcher, 'La loi du 26 décembre 1961: une anticipation du rapatriement des Français d'Algérie', in Abderahmane Bouchène et al. (eds), *Histoire de l'Algérie à la période coloniale (1830-1962)* (Paris: La Découverte, 2012), 569.
- 17 Yann Scioldo-Zürcher, *Devenir métropolitain: politique d'intégration et parcours de rapatriés d'Algérie en métropole (1954-2005)* (Paris: Éditions EHESS, 2010), 300.
- 18 Exceptions were made, mostly for military service or other examples of 'exceptional devotion' to the nation, but these were limited in number. *Ibid.*, 198.
- 19 *Ibid.*, 300.
- 20 For a comparative discussion of *Vertriebene* and settlers from Algeria, see Jan C. Jansen and Manuel Borutta (eds), *Vertriebene and Pieds-Noirs in Postwar Germany and France: Comparative Perspectives* (Basingstoke: Palgrave, 2016).
- 21 Alain Peyrefitte, *C'était de Gaulle* (Paris: Gallimard, 2002), 266.
- 22 Jordi, 'L'été 62', 67.
- 23 Jules Roy, 'Rapatriés: la panique', *L'Express*, 31 May 1962, 23.
- 24 Jordi, 'L'été 62', 69.
- 25 Peyrefitte, *C'était de Gaulle*, 152; Guy Pervillé, 'Robert Boulin secrétaire d'État aux Rapatriés', in Hubert Bonin et al. (eds), *Robert Boulin: itinéraires d'un gaulliste (Libourne, Paris)* (Brussels: Peter Lang, 2011), 136.
- 26 Yann Scioldo-Zürcher, 'Reflections on Return and the "Migratory Projects" of the Français d'Algérie', in Scott Soo and Sharif Gemie (eds), *Coming Home? Vol. 2: Conflict and Postcolonial Return Migration in the Context of France and North Africa, 1962-2009* (Newcastle-upon-Tyne: Cambridge Scholars Publishing, 2013), 53.
- 27 Nicole Giraud in Dominique Fargues, *Mémoires de Pieds-Noirs* (Paris: Flammarion, 2008), 201.
- 28 Paul Coste-Floret, 'L'exode', *France Horizon*, 46 (June 1962), 24.
- 29 Philippe Mendes in René Domergue, *L'intégration des pieds-noirs dans les villages du Midi* (Paris: L'Harmattan, 2005), 34–6.
- 30 Fran Markowitz, 'The Homes of Homecoming', in Fran Markowitz and Andres H. Stefansson (eds), *Homecomings: Unsettling Paths of Return* (Lanham MD: Lexington, 2004), 23.



- 31 On this point, see Sung E. Choi, 'From Colonial Settler to Postcolonial Repatriate: The Integration of the French from Algeria, 1962 to the Present', unpublished doctoral dissertation, UCLA, 2007, 127.
- 32 Monsieur Ferreira in Domergue (ed.), *L'intégration des pieds-noirs*, 34–6.
- 33 Jordi, 'L'été 62', 71.
- 34 'Isolement des pieds-noirs', *France-Observateur*, 643 (30 August 1962), 4.
- 35 Aline M. in Philippe Bouba, *L'Arrivée des pieds-noirs en Roussillon en 1962* (Canet: Trabucaire, 2009), 128.
- 36 It is probable that ANFANOMA's own strongly anti-communist leanings influenced their decision to reproduce this tract in full as part of a wider argument that much of the hostility the repatriates were still facing in 1964 was ideologically driven. 'Les "cocos" n'aiment pas les Pieds-Noirs', *France Horizon*, 63 (March 1964), 24.
- 37 Bouba, *L'Arrivée*, 145.
- 38 Choi, 'From Colonial Settler', 117.
- 39 'La France est aussi leur patrie', *L'Aurore*, 7 May 1962, 1; Jean-Jacques Jordi, '1962: l'arrivée des Pieds-Noirs', *Français d'ailleurs, peuple d'ici*, Special Issue 81 (1995), 26; Daniel Leconte, *Les pieds-noirs: histoire et portrait d'une communauté* (Paris: Seuil, 1980), 244.
- 40 Jean-Jacques Jordi, *De l'exode à l'exil: rapatriés et Pieds-Noirs en France* (Paris: L'Harmattan, 1993), 187.
- 41 Charles-Robert Ageron, 'Le "drame des Harkis": mémoire ou histoire?', *Vingtième siècle*, 68 (2000), 3.
- 42 *Ibid.*, 4.
- 43 William B. Cohen, 'The Harkis: History and Memory', in Patricia M. E. Lorcin (ed.), *Algeria and France 1800-2000: Identity, Memory, Nostalgia* (New York: Syracuse University Press, 2006), 168.
- 44 Dubois, 'La Nation', 99.
- 45 Yann Scioldo-Zürcher, 'Les harkis sont-ils des rapatriés comme les autres?', *Les Temps modernes*, 666 (November–December 2011), 90–104; Todd Shepard, 'La République face aux harkis: questions aux historiens', *Les Temps modernes*, 666 (November–December 2011), 53–64.
- 46 Peyrefitte, *C'était de Gaulle*, 209; Todd Shepard, *The Invention of Decolonization: The Algerian War and the Remaking of France* (Ithaca and London: Cornell University Press, 2006), 231.
- 47 Todd Shepard, 'Excluding the Harkis from Repatriate Status, Excluding Muslim Algerians from French Identity', in Hafid Gafaiti et al. (eds), *Transnational Spaces and Identities in the Francophone World* (Lincoln, NE: University of Nebraska Press, 2009), 95–8.
- 48 François-Xavier Hautreux, *La guerre d'Algérie des harkis, 1954-1962* (Paris: Perrin, 2013), 367–8; Shepard, 'Excluding the Harkis', 103.
- 49 Shepard, 'Excluding the Harkis', 101.
- 50 Hautreux, *La guerre d'Algérie*, 329.
- 51 Peyrefitte, *C'était de Gaulle*, 263. See also Hautreux, *La guerre d'Algérie*, 306–22; Chantal Morelle, 'Les pouvoirs publics français et le rapatriement des harkis en 1961-1962', *Vingtième siècle*, 83, 3 (2004), 113–9.
- 52 Shepard, *The Invention of Decolonization*, 233.
- 53 *Ibid.*, 232.
- 54 Hautreux, *La guerre d'Algérie*, 321–2.
- 55 Shepard, 'Excluding the Harkis', 106.



- 56 The largest disembarkations were in 1962. After this point there was a steady stream of arrivals, including spikes in 1965 and 1968 when many *harkis* taken prisoner by the FLN were released. Cohen, 'The *Harkis*,' 169; Hautreux, *La guerre d'Algérie*, 340–5.
- 57 Peyrefitte, *C'était de Gaulle*, 187; Hautreux, *La guerre d'Algérie*, 377.
- 58 Maurice Faivre, *L'Action sociale de l'armée en faveur des musulmans, 1830-2996* (Paris: L'Harmattan, 2007), 136.
- 59 Abderahmen Moumen, 'Camp de Rivesaltes, Camp Saint-Maurice-l'Ardoise: l'accueil et le reclassement des *harkis* en France', *Les Temps modernes*, 666 (November–December 2011), 107.
- 60 Miller, 'A Camp for Foreigners and "Aliens"', 30.
- 61 Dalila Kerchouche, *Mon père, ce harki* (Paris: Éditions du Seuil, 2003), 56.
- 62 Catherine Wihtol de Wenden, 'Harkis: le paradoxe identitaire', *Regards sur l'actualité*, 175 (November 1991), 36.
- 63 Miller, 'A Camp for Foreigners and "Aliens"', 37.
- 64 Kerchouche, *Mon père*, 15.
- 65 Among the rapidly growing body of literature on this topic, see Stéphanie Abrial, *Les enfants de harkis de la révolte à l'intégration* (Paris: L'Harmattan, 2001); Claire Eldridge, "'We've never had a voice": Memory Construction and the Children of the *Harkis*, 1962-1991', *French History*, 23, 1 (2009), 88–107; Régis Pierret, *Les filles et fils de Harkis: entre double rejet et triple appartenance* (Paris: L'Harmattan, 2008); Vincent Crapanzano, *The Harkis: The Wound that Never Heals* (Chicago: University of Chicago Press, 2011).
- 66 Miller, 'A Camp for Foreigners and "Aliens"', 27.
- 67 Stephen C. Lubkemann, 'Unsettling the Metropole: Race and Settler Reincorporation in Postcolonial Portugal', in Caroline Elkins and Susan Pedersen (eds), *Settler Colonialism in the Twentieth Century: Projects, Practices, Legacies* (London: Routledge, 2005), 259.
- 68 Underlining the importance of context, the serious economic crisis of the mid-1970s and political turbulence in the wake of Salazar's overthrow meant that Portuguese *retornados* were afforded only minimal state support, leaving them heavily reliant on their own family and kinship networks. *Ibid.*, 259.
- 69 *Ibid.*, 268.
- 70 For further discussion of this, see Matthew Connelly, *A Diplomatic Revolution: Algeria's Fight for Independence and the Origins of the Post-Cold War Era* (Oxford: Oxford University Press, 2002); Mathilde von Bülow, *West Germany, Cold War Europe and the Algerian War* (Cambridge: Cambridge University Press, 2016); Yahia Zoubir, 'U.S. and Soviet Policies towards France's Struggle with Anticolonial Nationalism in North Africa', *Canadian Journal of History*, 30, 3 (1995), 439–66.
- 71 Andrea L. Smith (ed.), *Europe's Invisible Migrants* (Amsterdam: Amsterdam University Press, 2003).

# Colonialism, Sovereignty and the History of the International Refugee Regime

Glen Peterson

## Approaching the history of the international refugee regime<sup>1</sup>

Why is it that, with a few carefully delineated exceptions, there were no non-European ‘refugees’ until the post-Second World War era?<sup>2</sup> This chapter attempts to answer this question by examining the origins and evolution of the international refugee regime from a global rather than a strictly European perspective. Refugees, we are sometimes told, are the ‘inevitable consequence of the modern system of nation-states’ that results when there is a ‘breakdown in the state-citizenship relationship’.<sup>3</sup> Building upon recent scholarship in the history of international law, I suggest that this perspective is incomplete and, in certain key respects, ahistorical because it fails to take into account why some states were excluded from the modern international system to begin with and why some non-European nation-states, even though nominally sovereign, could not produce ‘refugees’ in the juridical sense that was reserved almost exclusively for European refugees in international law. During the twentieth century, assigning or withholding the ‘refugee’ label came to involve complex processes of inclusion and exclusion based on multiple legal, bureaucratic and political calculations. I argue that these processes of inclusion and exclusion cannot properly be understood by focusing exclusively on the evolution of refugee policies and practices, while taking concepts like the ‘modern system of nation-states’ and the ‘modern international system’ at face value as unproblematic, historical givens. Instead, as Mark Mazower has reminded us, we need to take seriously the ideological contexts in which the ‘modern international system’ and the ‘international community’ were imagined and constructed in the first place, and, especially, what their architects at the time believed they were doing.<sup>4</sup> The goal of this chapter is to propose an outline for an alternative history of the international refugee regime, one in which the non-European and colonial worlds are not invisible or peripheral but rather central to the main narrative.

Let us begin with an anecdote from the early 1950s. On a hot summer evening on 24 June 1952, a crowd of more than a thousand gathered at the Municipal Sports Stadium in the southern Chinese port city of Guangzhou to denounce the persecution and

atrocities allegedly committed by British colonial troops in Malaya against members of the Malayan Communist Party (MCP) and their sympathizers. According to the rally's organizers, these included simulated drowning, electric shocks, sleep deprivation, pulling out of fingernails with iron forceps, trussing up prisoners so that they were forced to walk on all fours, and hanging prisoners up naked in public places for hours at a time. The rally was organized by the city's recently established 'Committee for Handling Returned Overseas Chinese Refugees' (归国难侨处理委员), and those attending included a large number of Malayan Chinese who had recently arrived in Guangzhou.<sup>5</sup> They were among the thousands of Malayan Chinese British subjects who were 'deported' to China during the more than decade long Malayan Emergency (1948–60), when British colonial authorities attempted to crush an insurrection led by the ethnic Chinese-dominated MCP.

The anecdote just described – involving ethnic Chinese who were persecuted by a colonial state and ended up in revolutionary China – is significant because it highlights the limitation of conventional refugee narratives. During the Cold War conventional wisdom in the West held that communist states were producers of refugees, while Western states offered sanctuary to those fleeing communist persecution.<sup>6</sup> Yet in this instance the roles were curiously reversed. The source of persecution was not communist totalitarianism but a European colonial state employing armed force and terror against its own subjects. Likewise, the refugees who found themselves in communist China were not moving towards 'freedom', at least not in the conventional sense in which that term is generally understood in the West. And they were welcomed not only as 'refugees' (难民) in need of succour, but also as 'patriotic overseas Chinese' (爱国华侨) who were 'returning' to their motherland – even if it was a motherland that many of them had never known or experienced, having been born and lived overseas for generations.<sup>7</sup> However, if we forsake the conventional narrative for an approach in which histories of empire and colonialism figure as prominently as Cold War politics, then the anecdote just described starts to make sense.

Scholars have approached the history of the international refugee regime from several angles. Here I identify what I consider to be two main approaches emerging from recent scholarship. One approach is to view the history of the international refugee regime in terms of the origins and development of a coordinated humanitarian response to displacement. The other views the international refugee regime as an intergovernmental response to the disruptive effects that refugees pose for established modes of territorial governance. After briefly outlining each of these perspectives, I will propose an alternative approach, one which sees the international refugee regime as involving elements of both of the above, but which is also deeply informed by histories of colonialism, racial exclusion and Western constructions of non-European 'Others'.

Early histories of the international refugee regime tended to approach the subject in terms of an unfolding intergovernmental response driven by humanitarian and legal considerations.<sup>8</sup> Emphasizing the role of humanitarian crisis as a key driver of the creation and maintenance of an international refugee regime is a perspective that emerges readily from the sources produced by refugee agencies themselves and their implementing partners 'on the ground'. Observing the sixtieth anniversary of the establishment of the United Nations High Commissioner of Refugees (UNHCR)

on 14 December 2010, UNHCR's website emphasized that the organization was not about to wind up operations anytime soon because 'humanitarian needs are unlikely to disappear'.<sup>9</sup> Viewed from this perspective, the history of coordinated international action on behalf of refugees is almost invariably framed in terms of a narrative of gradual, if halting, progress and improvement. The first such coordinated action involved the creation in 1921 of the League of Nations High Commissioner for Refugees (LNHCR) as a temporary agency whose mandate was restricted to assisting Russian refugees. This was followed by a succession of reluctant and too-little-too-late international responses to racial persecution and the escalating refugee crises of the Second World War in Europe. The year 1950 saw the establishment of UNHCR as yet another temporary agency with a three-year mandate to mop up the remnants of Europe's wartime refugee problem. Since then UNHCR has evolved into the world's 'rapid response unit' for people displaced by conflict with an annual budget in 2012 of \$3.59 billion – the largest of any UN agency – and a scale of operations that is genuinely global in scope.

The role of humanitarian action in refugee history is indeed a central one. Recently, however, Nevzat Soguk has challenged the view that the international refugee regime was borne out of the objective necessity of interstate collaboration to assist refugees. Rather than arising out of the need for coordinated international assistance for refugees, Soguk sees the international refugee regime as a 'statist' response to the disruptive effects that refugees posed for territorial governance. The international refugee regime, he maintains, is best understood as a politico-legal response to the social and political dangers represented by forcibly uprooted populations who have become 'detached' from the structures of the sovereign state. The sudden appearance of millions of displaced and stateless people across central and eastern Europe in the years following the First World War signalled a crisis in 'sovereign territorial governance', one which threatened to undermine the 'all encompassing hierarchy of citizen/nation/state'. In Soguk's view, the creation in 1921 of the LNHCR was intended, not only to provide assistance to refugees, but more importantly to 'produce, stabilize, and empower contingent images, identities, subjectivities, relations, and institutions of sovereign statehood'.<sup>10</sup> The international refugee regime under LNHCR was the means by which refugee movements and the people who populated them were to be brought under control through a series of legal manoeuvres in the form of international conventions, protocols and procedures agreed by sovereign states and overseen by the world's first genuinely *international* organization, the League of Nations. Thus, the regime was focused on such statist concerns as the legal definition and protection of refugees; their registration and documentation; their confinement within certain prescribed sites and spaces (the institution of the 'refugee camp'); their relief and 'rehabilitation'; and their eventual return to the 'normal' status of citizens of a sovereign state – whether the previous sovereign (through repatriation) or a new one (through local integration or third country resettlement).

Soguk's view of the international refugee regime as a statist response to the politically disruptive effects of human displacement complicates our understanding and represents a significant challenge to approaches that view the evolution of the international refugee regime in terms of a gradually widening realm of humanitarian

intervention or which see the international refugee regime as a politically neutral institution dictated by the practical necessities of interstate collaboration to assist refugees. However, one weakness of Soguk's approach is that it offers little basis for conceiving a history of displacement that takes account of the world beyond Europe. Indeed, to the extent that Soguk's work can be read as a history of the international refugee regime writ large, rather than simply a series of events in interwar Europe, its underlying telos is the gradual spread of sovereignty and its corollary, the nation-state system, from Europe to the rest of the world. That is to say, as formerly colonized countries acquire sovereignty and join the 'family of nations', they become eligible for membership in the institutions created to maintain order among sovereign states – including, among other things, the international refugee regime. To be fair, Soguk himself is quite aware of the Eurocentric limitations of his approach. He is careful to note that his study 'focuses on Euro-Mediterranean experiences in history', and that the book 'should therefore be taken as to be a study of statecraft in European histories'. Observing that 'no substantial body of literature exists on early human displacement in non-European spaces' and that 'most of the studies on refugees in non-European, non-Western spaces ... deal with contemporary histories', he admits to an 'insurmountable difficulty in incorporating [the non-west] into this study without diffusing the study's core interest in the instrumentality of human displacement in statecraft'.<sup>11</sup> Most studies of refugee history remain profoundly Eurocentric. Typically, studies begin with the religious persecution and expulsion of the Huguenots from France in 1685 (when the English language term 'refugees' was first popularized) and then proceed to the French Revolution before focusing on the implications of the rise of nationalism and of the nation-state system in Europe.<sup>12</sup> With few exceptions, before 1945 the world beyond Europe is, quite literally, outside of history. Is an alternative approach possible? Is there a way to bring the non-Western world into the history of the international refugee regime other than through the telos of a globalizing humanitarian response or of the nation-state system? What would a genuinely global history of human displacement and refugees look like?

### Colonialism, sovereignty and the origins of international law

In attempting to think through these issues, I have found especially helpful the work of scholars such as Antony Anghie and Edward Keene. Their work is concerned not with refugee history as such, but rather with the broader historical question of the relations between colonialism, international law and the construction of the modern world order. Building on the works of these and other scholars on colonialism and the origins of international law, my argument can be summarized as follows. From the early decades of the nineteenth century until the end of the Second World War, the world was understood by the self-proclaimed members of 'international society' to be composed of two distinct international realms, underpinned by different visions of the nature of the legal and political order. One realm was reserved for Europe and

what were frequently described as ‘white man’s countries’ (i.e. current and former settler colonies including Canada, Australia, New Zealand and the United States).<sup>13</sup> The second realm was understood to encompass the colonial and semi-colonial world that lay beyond Europe and its settler outposts. Importantly, this bifurcation was not only ideational (rooted in racial and culturalist claims) but was also ‘hard-wired’ into international political and legal institutions and structures. As Keene explains, one realm of international legal and political order was organized around ‘the pursuit of peaceful coexistence between equal and mutually independent sovereigns, which developed within the Westphalian system and the European society of states’, while the other was concerned not with relations among European states but with the entirely different question of the nature of relations between Europeans and non-Europeans.<sup>14</sup> As is well known, the treaties of Westphalia that were concluded in the 1640s territorialized political power and established the principle that states have the sovereign right to exclude external forms of authority.<sup>15</sup> However, the ‘Westphalian system’ was established in an age of European imperial expansion. This meant that the principle of a state’s sovereign right to exclude external authority had to be reconciled with European colonization of overseas lands. The contradiction between the two was resolved in the nineteenth century by the elaboration by international jurists of a distinction between ‘civilized’ and ‘uncivilized’ states and peoples. The two realms of international legal and political order that developed and claimed legitimacy on the basis of this distinction were not only coincident in time; the same international jurists also provided the legal framework and jurisprudence for both.<sup>16</sup> Moreover, this vision of a world made up of a European-based ‘International Family’ of civilized nations, on the one hand, and an uncivilized world beyond Europe, on the other, persisted well into the twentieth century, and was even enshrined in the founding covenant of the League of Nations.

In order to understand how the binary categories of civilized versus uncivilized influenced conceptions of the modern ‘refugee’, we need to look more closely at the origins of this dichotomy and its implications for the development of international law. According to conventional wisdom, the field of international law – of which refugee law is a central component – originated in response to the problem of how to maintain order among sovereign states. Proponents of this view have traditionally pointed to the Westphalian treaties, which called for the relations among sovereign states to be regulated by a system of international laws, treaties and diplomatic exchange. However, the legal scholar Antony Anghie questions this view of the intra-European origins of international law. As Anghie points out, ‘A focus on the problem of order among sovereign states cannot illuminate the prior question of how certain states were excluded from sovereignty in the first place.’<sup>17</sup> The answer, according to him, lies in ‘the colonial origins of international law’. Colonialism, according to Anghie, played a central role in the development of the norms and practices of sovereignty. From its inception in the seventeenth century, international law was concerned not only with relations among states but also with the imperial project of governing non-European peoples. Thus, sovereignty doctrine was not something that was developed in Europe and then simply transferred to the non-West at some point in the mid-twentieth century as a consequence of decolonization. Rather, the concept of sovereignty was

forged in the context of colonial confrontation: in the legal, political, intellectual and military project of extending domination over non-European peoples.<sup>18</sup>

Beginning in the mid-nineteenth century, European juridical discussions, shaped by the rising influence of legal positivism, coalesced around the notion of a ‘standard of civilization’ as the basis for an international society made up exclusively of European states that had deemed themselves to be ‘civilized.’<sup>19</sup> In the absence of a supranational sovereign authority, nineteenth-century legal positivists turned instead to the notion of a ‘family’, a ‘community’ or a ‘society’ as the legitimating basis for international law. This marked a crucial shift away from earlier natural law principles because ‘implicit in the idea of society is membership’. What were the criteria for admission? As Anghie notes, the concept of an international ‘society’ and the range of ideas associated with it enabled jurists to link legal status with cultural distinctions. The key distinction drawn by legal positivists was between ‘civilized’ and ‘uncivilized’ states. Once such a distinction was drawn, ‘completely different standards could be applied to the two categories of people’. Anghie quotes Henry Wheaton, whose 1866 book, *Elements of International Law*, would become one of the foundational texts of modern international law: ‘Is there a uniform law of nations? There certainly is not the same one for all the nations and states of the world. The public law, with slight exceptions, has always been, and still is, limited to the civilized and Christian people of Europe or to those of European origin.’<sup>20</sup> In this way, a particular sociological vision rooted in notions of cultural difference and the binary categories of ‘civilized’ versus ‘uncivilized’ became the foundation for international law, rather than sovereignty per se. By positing a gap, understood primarily in cultural terms, between ‘civilized’ Europe and the ‘uncivilized’ world beyond it, nineteenth-century legal theorists established a basis both for excluding the non-European world from the realms of sovereignty and international law – including, as we shall see, refugee law – and for legitimizing the ‘grand redeeming project’ of bridging that divided by civilizing the uncivilized.<sup>21</sup> As Edward Keene puts it, the concept of civilization ‘performed two roles in international legal thought: it defined the border between the two patterns of modern international order, and it described the ultimate purposes that the extra-European order was for.’<sup>22</sup>

What do the colonial origins of international law mean for writing a global history of human displacement? Anghie argues that the civilized-uncivilized binary ‘animated the development of many of the central institutions of international law’.<sup>23</sup> Did it also influence the development – or non-development – of international refugee law and the understanding and representation of human displacement in non-Western contexts? A first observation is that instances of forced migration and displacement, including what would otherwise be regarded as refugee-producing events, are often hidden in the colonial archive. In some cases they have been erased entirely; in many cases, however, they are registered under different signs: as instances of mutiny, rebellion, hiding, absconding, banishment, deportation, unauthorized flight and various forms of illicit residence and unauthorized movement.<sup>24</sup> A second observation is that most international jurists emphatically believed that the treatment of colonial subjects was quite simply beyond the pale of law. By the end of the nineteenth century, it had been widely held that ‘international law has no place for rules protecting the rights of



backward peoples'. Rather, the prevailing view was that any 'such international rights as backward peoples have been recognized to possess' were 'moral and not legal'.<sup>25</sup> Thus, John Westlake's seminal 1894 book, *Chapters on the Principles of International Law*, devotes a separate section to 'The Position of Uncivilised Natives with regard to International Law.' In it Westlake explicitly rules out the possibility that international law might have any role to play in protecting the legal 'rights' of uncivilized natives. 'Even those who, in accordance with the modern tendency, make rights instead of law their starting point, can hardly avoid admitting that the rights which are common to civilized and uncivilized humanity are not among those which it is the special functional of international right to develop and protect.' But if that were the case, what protection did the colonized have against the arbitrary use of political power? In western Europe, the question of how to guard the individual and society against despotism had animated the evolution of legal and constitutional thought for centuries. For Westlake, however, when it came to 'backward peoples', it was sufficient to rely on the paternal benevolence of the colonizer. 'Becoming subjects of the power which possesses the international title to the country in which they live,' Westlake wrote, 'natives have on their governors more than the common claim of the governed, they have the claim of the ignorant and helpless on the enlightened and strong; and that claim is the more likely to receive justice, the freer is the position of the governors from insecurity and vexation.' 'International law,' Westlake asserted, 'has to treat natives as uncivilized' and therefore 'leaves the treatment of the natives to the conscience of the state to which the sovereignty is awarded'.<sup>26</sup>

What this meant in practice was that colonial states were prepared to sanction – in the name of 'civilization' – the use of political violence and compulsion in their colonies in ways and to the extent that would have been considered unthinkable – and illegal – at home. Thus, for example, when the 'civilized' members of the nascent 'international society' met at The Hague in 1899 to establish international laws of warfare, the signatories agreed to outlaw the dropping of bombs from airborne balloons – but only among themselves. In subsequent years, bombing from the air became an accepted and 'low-cost' means for colonial powers to suppress native resistance. Three decades later the practice was defended by the American 'counter-insurgency specialist', Eldridge Colby, on the grounds that, whereas to a European the bombing of a cathedral would be regarded as a 'lawless act of the enemy' arousing international wrath, 'to the fanatical savage, a bomb dropped out of the sky ... is a sign and a symbol that God has withdrawn his favour' and an 'indication of the relentless energy and superior skill of the well-equipped civilized foe'. 'Was there not some mysterious alchemy at work,' asks Mark Mazower, 'in a set of arguments that turned the civilized soldier into a substitute for God – yoking together omnipotence and virtue, and sowing death from the heavens – and all this in the name of progress and international law?'<sup>27</sup> What this also meant was that colonial states, whatever they did, could not produce refugees in international law. There was, it seems, a widely held assumption that colonial states could do as they wished with the people under their control. So if what colonial powers do is inherently permissible, then the uncivilized are inherently incapable of being 'refugees'.

## The International Labour Organization and the question of universality

The League of Nations, established in 1919 as the world's first international governing body, in retrospect had a double-edged effect in both reinforcing and revising the principle that sovereignty and international law were reserved for the European 'family of nations'. On the one hand, the League's founding covenant affirmed the concept of a world divided into 'civilized' and 'backward' nations and people. But through its pronouncements, its institutions, and in the forms of expertise embodied by its technical personnel the gulf separating the two was gradually redefined in increasingly economic rather than racial and culturalist terms, as a problem of 'development'.<sup>28</sup> This change did not in itself spell the end of colonialism; on the contrary, as Frederick Cooper and others have shown, in the short term it provided colonialism with the discursive means to defend and redefine itself as a progressive, globally minded enterprise necessary for achieving the economic uplift of the 'backward' portions of humanity. This was a twentieth-century reincarnation of the civilizing mission, recast in scientific terms as a global challenge of 'modernization' and 'development'.<sup>29</sup> What persisted, in other words, was the notion of European guardianship. The notion received its fullest expression in the institution of 'mandated territories' (former German and Ottoman possessions governed after the First World War by an international regime created and supervised by the League of Nations), which the League defined as a 'sacred trust of civilization' exercised over territories 'inhabited by peoples not yet able to stand by themselves'.<sup>30</sup> On the other hand, however, the mandate system also introduced the principle of international oversight for the first time, and compelled the mandatory powers (mainly Britain and France) to submit annual 'progress' reports to the League on their efforts to prepare the inhabitants of their territories to 'stand on their own'.<sup>31</sup>

The International Labour Organization (ILO) performed a similarly significant role in focusing international light on colonial labour practices and making them, for the first time, subject to a limited form of regular international scrutiny. The ILO drew its authority to scrutinize colonial practices from Article 421 of the Treaty of Versailles, which required member states to extend the application of international labour conventions that they had ratified at home 'to their colonies, protectorates and possessions'. However, Article 421 also sanctioned the right of colonial powers not to extend such conventions to their colonies when 'local conditions' rendered them inapplicable, and to make their extension to colonial jurisdictions 'subject to such modifications as may be necessary'.<sup>32</sup> It was the tension between these two provisions that formed the basis for the ILO debate over forced and indentured labour.

In 1926 the League instructed the ILO to formally take up the question of forced labour and 'conditions analogous to slavery' in colonial territories.<sup>33</sup> The reaction of the colonial powers was said to be 'hostile'.<sup>34</sup> Forced labour was defended on the grounds that it was both economically necessary, in the public interest, and furthermore in accordance with 'local custom'. The question was considered by an ILO-established 'Committee of Experts on Native Labour' to which were appointed – in an effort to legitimize the process by including in it representatives of the colonial powers –

experienced colonial administrators from various countries, and at the ILO's Annual Labour Conference which, according to the ILO's unique organizational structure, included delegates representing governments, employers and workers. On one occasion, the Dutch delegate proclaimed that the 'ruling motive in the mind of every member' was a 'desire to secure an amelioration in the lot of peoples subject to the burden of forced labour, and particularly of those whose progress towards civilization is as yet little advanced.'<sup>35</sup> However, progress in this regard could never be achieved by extending metropolitan laws to the colonies, whose people were 'not ready for it'. A Belgian employers' delegate demanded a measure of 'elasticity' in efforts to restrict the use of forced labour, in order to permit 'compulsory cultivation' for the purpose of producing export crops, which, it was claimed, was intended to reduce the risk of famine.<sup>36</sup> In the end, Britain and France, as the major colonial powers, played the leading role in drafting the 1930 Geneva Convention on Forced Labour. Although the Convention pledged to 'suppress the use of forced labour in all its forms within the shortest possible period', its immediate aim was to 'regulate' its use in colonial territories. The convention acknowledged the acceptability of forced labour in the colonial world when it was used 'in the public interest.'<sup>37</sup>

Moreover, the question of indentured labour was deliberately avoided during the negotiations leading to the 1930 Convention, on the grounds that such labour was, according to the colonial powers which relied upon it, voluntary and 'free'.<sup>38</sup> A Dutch East Indies employer's delegate claimed that since 'every care [was] taken' to ensure those who signed long-term contracts were aware of the terms before signing, there could be no analogy to 'forced labour'.<sup>39</sup> The transnational use of indentured labour had been a prominent feature of colonial economic strategy since the abolition of the slave trade. As early as 1842, a British Commission of Inquiry recommended the introduction of measures to promote the migration of 'native labour', subject to controls designed to distinguish such 'free' labour from slavery. Other colonial powers soon followed suit, and by the late nineteenth century there was a vast global movement of indentured labourers, primarily from China and India, to the Caribbean, Pacific Islands, Africa and Southeast Asia.<sup>40</sup> The period from 1900 to 1930 witnessed the rapid development of economic infrastructure across the colonial world, in the form of railways, roads, dams, bridges, as well as the large-scale cultivation and extraction of raw materials – all of which required an expanding supply of labour. While many of these development schemes were privately run, colonial governments played a critical role in furnishing the labour for such projects; China and India were major sources of recruitment. In 1935 the Indian workers' delegate to the 19th Session of the International Labour Conference, Ramaswamy Mudaliar, proposed an amendment that migrant indentured labourers be accorded property rights and basic civil and political rights in their (often long-term and permanent) countries of residence, including equal status in courts of law. Mudaliar's defeated amendment was met with unabashed hostility from government and employer delegates, who dismissed it as a 'political amendment'. Mr Moeller, the Belgium employers' delegate, declared that the colonial powers had a 'mission of guiding their subject peoples through the difficult conditions of modern life', including the 'duty of protecting the natives from influences which are all the more dangerous because the people in question are primitive and

easily led'; amendments such as the one proposed by Mudaliar 'would only create disorder in the minds of people unable to assimilate such ideas'.<sup>41</sup> A few years earlier, in 1929, the Chinese delegate to the League of Nations conference on minority rights called on the League to extend the twenty-four minority rights treaties that had been created for countries in central and eastern Europe after the First World War globally, in order that minority rights would become 'essentially international and world-wide, and the laws of each country ... provide effective and equal protection for all its citizens without distinction of language, race, or religion'.<sup>42</sup>

Histories of labour migration and racial exclusion are critical for understanding the ways in which individual states and the 'international community' viewed Chinese refugees. Prior to 1945, Chinese (as well as Indian) migration took place primarily within the global circuits of European empires, for the purpose of supplying cheap labour for the rapidly expanding extractive and plantation economies in non-settler colonies in Asia, Africa and the Pacific, and for the 'opening up' of the western frontier of North America.<sup>43</sup> By the turn of the twentieth century, white settler nations around the Pacific Rim had erected what amounted to a gigantic administrative cordon excluding Chinese from their borders on racial grounds.<sup>44</sup> As a result of these experiences, Chinese migrants had become deeply familiar with experiences of mass expulsion, legalized discrimination and persecution on racial grounds, even organized pogroms. Instances of '*paihua*' (排华) or 'Chinese exclusion' – a term that referred to both border exclusions and forced expulsions – were reported on regularly by Chinese newspapers and periodicals.<sup>45</sup> However, these events took place beyond the realm of international refugee law. The latter simply could not prevail against the powerful alternative identities ascribed to Chinese migrants during this period. The real driving identity ascribed to the migrant Chinese (and the indentured Indians) throughout the first half of the twentieth century was that of economic actor-labourer (hence the histories of indentured labour migration) and security threat (hence expulsions and exclusion).

Let us return, finally, to the example with which we began this chapter. The British practice of deporting ethnic Chinese troublemakers had a long history in Malaya. The first Banishment Act was introduced as early as 1864. Up until the 1930s, banishment, in combination with various labour ordinances, had functioned as a kind of 'makeshift immigration control' for deporting persons whom colonial authorities labelled as political agitators, criminals and secret society members.<sup>46</sup> The practice of banishing political 'subversives' to China increased in the 1920s with the rise of Chinese Nationalist and Chinese Communist Party activities in Malaya. It grew exponentially during the 'Emergency', when more than 10,000 ethnic Chinese were deported to China in 1950–51 alone, according to Chinese sources.<sup>47</sup> Upon their arrival in China the 'banishees' (as Malayan colonial authorities described them) were welcomed by the communist government as 'overseas Chinese refugees' (难侨) who had 'returned' to their ancestral motherland. Their plight was completely overlooked by the newly established UNHCR, despite the fact that the latter had taken an avid interest in the contemporaneous problem of the Chinese refugees from communist China who had sought asylum in British-ruled Hong Kong. British expulsion of the Chinese from Malaya could not be taken into account by the international refugee regime because

in the early 1950s the dominant view of Chinese migrants was still that of economic actors-labourers and/or security threat, and because underlying this view was the continued assumption and acceptance of British authority to simply add and subtract migrants to their colonial possessions based on economic and security calculations.

## Epilogue

From the late nineteenth century until the end of the Second World War, international approaches to human displacement were shaped by a series of assumptions about the nature of international society and distinctions that were drawn between states and peoples in terms of race, degree of 'civilization' and other markers of difference. These inclusions and exclusions were elaborated – and contested – in multiple realms of social, political and cultural life, and formed a kind of matrix for interpreting the nature and shape of the broader human world. As we have seen, these forms of inclusion and exclusion were also 'hard-wired' into international political and legal institutions and structures. By the late 1940s, however, such distinctions and the institutional practices associated with them were increasingly difficult to sustain. It is here that we can perhaps begin to connect the themes discussed in this chapter with the notion of the forty years' crisis and events in Europe. Throughout the interwar period, liberalism, universalism and racial particularism not only went hand in hand; they were mutually constitutive.<sup>48</sup> The 'European' refugee regime, in effect, functioned as a means of containing and excluding other forms of asylum seekers. However, the horrors of the Second World War in Europe – what Zara Steiner in this book calls the 'descent into barbarism and the implosion of European civilization' – changed this forever. It was not just that Hitler's policies 'gave racist ideologies and racist theories a bad name'.<sup>49</sup> It was also because 'the Nazi utopia of a dynamic, racially purified Germanic empire ... was also a nightmarish revelation of the destructive potential in European civilization – turning imperialism on its head and treating Europeans as Africans'.<sup>50</sup> Understandably, the United Nations in its early years emphasized the need to enshrine the principle of universal human rights – even if, behind the scenes, the various powers with interests at stake worked overtime to ensure that such rights were merely aspirational, and not binding.<sup>51</sup> Nonetheless, by the late 1940s colonial administrators were finding the legal and moral justifications that had underpinned colonialism for more than a century dissolving before their eyes. A case in point involved the issue of racial discrimination in colonial possessions, which arose in the drafting of the 1948 Universal Declaration of Human Rights. The British Colonial Office was 'extremely nervous' over the possibility of colonial subjects lodging human rights complaints against a colonial power with an international body – much less the prospect of colonial subjects having an international right to asylum on account of such violations.<sup>52</sup> Thus, in January 1947 the British Secretary of State for the Colonies issued an empire-wide circular, requiring colonial governments to compile and submit lists of all of their discriminatory legislation based on race. The Singapore government, to take one

example, listed examples of discriminatory legislation in labour and employment laws, policing and military legislation, penal segregation and other areas. Other departments proudly proclaimed themselves to be free of discriminatory legislation and practice, save for ‘small’ things like separate canteen facilities for Europeans and natives.<sup>53</sup> That the entire edifice of colonial rule rested on a set of principled distinctions based on race and that a defining feature of British rule in Malaya involved the separate treatment of Malays, Indians, Chinese and Europeans were ironies that could, for the time being, continue to be overlooked.

The first refugees from colonial rule to be viewed as such by an international refugee organization occurred in 1953. When French forces reoccupied Vietnam at the end of the Second World War, approximately 50,000 Vietnamese fled into neighbouring Thailand, where they remained in a state of legal limbo for years under the watchful eyes of the Thai government. A UNHCR official in the commission’s Bangkok regional office, convinced that UNHCR could not look the other way when it came to colonial matters, described the Vietnamese stranded in Thailand as ‘refugees from French rule’ and told his superiors in Geneva it was ‘as clear as day-light’ that the Vietnamese refugees fell within UNHCR’s mandate. As persons with a ‘well-founded fear of persecution for reasons of ... political persecution’, they were ‘certainly as much open to persecution on account of their political beliefs as are anti-communists in communist countries.’<sup>54</sup> Comments like these would have been unthinkable in an international refugee organization only a few years earlier. By the late 1950s, when Europe’s internal refugee problems were supposedly all but solved, the focus of world attention was clearly shifting towards the recognition of a global refugee problem. The shift was exemplified by the UN decision to designate 1959 as World Refugee Year (WRY). As Peter Gatrell has observed, while there had been plenty of earlier initiatives to mobilize popular and governmental support for refugees, they had always been led by diasporic groups and charitable organizations dedicated to soliciting support for particular groups of refugees. Unlike these earlier efforts, WRY was the first movement to build upon notions of a common, global citizenship.<sup>55</sup>

But if 1959 was a turning point, there was still a long way to go. The year 1959 was also one in which a prominent UK official proposed resettling several hundred thousand Chinese refugees in Hong Kong as labourers on sugar plantations in the British Honduras – a proposal that linked emerging post-war ideas about global refugee resettlement with older, colonial understandings of the transnational deployment of Asian labour for the development of colonial export economies.<sup>56</sup> One of Anghie’s key arguments is that non-European states can never fully realize equality of status in the international system because the ‘dynamic of difference’ – that which serves to distinguish the civilized from the uncivilized – is something that is constantly regenerated and reinscribed under different historical circumstances.<sup>57</sup> As evidence of this ongoing inscription and reinscription of difference, consider the following excerpt from a 1962 US Congressional Report on Chinese refugees in Hong Kong. After commenting on the scale and significance of the refugee problem in Hong Kong (‘the single largest concentration of anti-communist refugees anywhere in the world’), the report went on to caution that ‘the same standards and classifications which have been adopted for European and western refugees cannot



automatically be applied in the Far East. 'Indeed,' the report continued, 'the average Chinese refugee, if approached and asked why he left Red China, would not be able in an intellectual sense to answer questions about Communist oppression. He would state that he did not like the kind of life he had been forced to live and ... the economic and personal restrictions placed upon him. But *coming for the most part from an oriental peasant background*, he would not state that he had fled in order to escape political persecution' (emphasis added).<sup>58</sup> In this way, the 'dynamic of difference' continued to inform official and popular understandings of the refugee well into the post-war era.

## Notes

- 1 An earlier version of the first part of this chapter will appear in the journal *Modern Asian Studies*.
- 2 The exceptions included displaced Turks, Armenians and Assyrians within the League of Nations-mandated territories that had belonged to the former Ottoman Empire, as well as a small number of 'Overseas Chinese' who were resident in China at the end of the Second World War.
- 3 Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge: Cambridge University Press, 2008), 1–2, 24.
- 4 Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton: Princeton University Press, 2009).
- 5 *Nanfang ribao* (南方日报) 26 June 1952; 8 September 1952; 'Beizhu fanguo de Malaiya huaqiao kongsu yingdi baoxing' (被逐返国的马来亚华侨控诉英帝暴行) (Malayan Overseas Chinese deported to China denounce British colonial atrocities) *Xinhua yuebao* (新华月报) 3, 4 (25 December 1950), 311. Although there is no independent verification of the atrocities alleged at the rally, the use of torture by both sides during the Emergency is widely accepted. See Huw Bennett, "'A Very Salutory Effect": The Counter-Terror Strategy in the Early Malayan Emergency, June 1948–December 1949', *Journal of Strategic Studies* 32, 3 (2009), 415–44.
- 6 Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001), 44; also Gil Loescher and John A. Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945 – Present* (New York: The Free Press, 1986).
- 7 Glen Peterson, *Overseas Chinese in the People's Republic of China* (New York and London: Routledge, 2012).
- 8 Louise Holborn, *The International Refugee Organization: A Specialized Agency of the United Nations: Its Work and History, 1946–1952* (London and New York: Oxford University Press, 1956) and, by the same author, *Refugees: A Problem of Our Time: The Work of the United Nations High Commissioner for Refugees, 1951–1972*, two vols. (Methuen, NJ: The Scarecrow Press, Inc., 1975).
- 9 <http://www.unhcr.org/pages/49c3646c1a.html> [accessed 11 September 2014].
- 10 Nevzat Soguk, *States and Strangers: Refugees and Displacements of Statecraft* (Minneapolis and London: University of Minnesota Press, 1999), esp. 102, 107, 111, 117–8.
- 11 Soguk, *States and Strangers*, 262, n. 7.



- 12 Soguk, *States and Strangers*, 67–100. Studies that seek to explain the globalization of the international refugee regime after 1945 tend to follow the same narrative trajectory. Aristide R. Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and Crisis in the Developing World*, Chapter One, ‘Who is a Refugee?’, 3–33 (New York and Oxford: Oxford University Press, 1989); Ruthstrom-Ruin, *The Globalization of Refugee Aid*, 15–22; and Dennis Gallagher, ‘The Evolution of the International Refugee System’, *International Migration Review* 23, 3 (Autumn 1989), 579–98.
- 13 Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line: White Men’s Countries and the International Challenge of Racial Equality* (Cambridge: Cambridge University Press, 2008).
- 14 Edward Keene, *Beyond the Anarchical Society: Grotius, Colonialism and Order in World Politics* (Cambridge: Cambridge University Press, 2002), 5–11.
- 15 Douglas Howland and Luise White, ‘Introduction: Sovereignty and the Study of States’, in Douglas Howland and Luise White (eds), *The State of Sovereignty: Territories, Laws, Populations* (Bloomington, IN: Indiana University Press, 2009), 3.
- 16 Henry Wheaton, *Elements of International Law* (Boston: Little, Brown and Co., 1866); John Westlake, *Chapters on the Principles of International Law* (Cambridge: Cambridge University Press, 1894); Thomas Lawrence, *The Principles of International Law* (Boston: D.C. Heath, 1895); Lassa Oppenheim, *International Law: A Treatise*, 2 vols. (London: Longmans, Green and Co., 1905).
- 17 Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2005), 6.
- 18 Anghie, *Imperialism*, 3, 29–30.
- 19 Gerrit W. Gong, *The ‘Standard of Civilization’ in International Society* (New York: Oxford University Press, 1984).
- 20 Anghie, *Imperialism*, 48, 52, 54–5. The quote from Wheaton appears on 54.
- 21 Anghie, *Imperialism*, 30, 37.
- 22 Keene, *Beyond the Anarchical Society*, 6.
- 23 Anghie, *Imperialism*, 4.
- 24 Scholars have recently begun to document such events in an effort to make them more visible to historians. See, for example, A. Dirk Moses, *Empire, Colony, Genocide: Conquest, Occupation, and Subaltern Resistance in World History* (Vancouver: UBC Press, 2009); Richard Gott, *Britain’s Empire: Resistance, Repression and Revolt* (London: Verso, 2011).
- 25 M.F. Lindley, *The Acquisition and Government of Backward Territory in International Law: Being a Treatise on the Law and Practice Relating to Colonial Expansion* (New York: Negro Universities Press, 1969), reprint; original 1925.
- 26 Westlake, *Chapters*, 137–8, 140, 143.
- 27 Mark Mazower, *Governing the World: The History of an Idea, 1815 to the Present* (New York: Penguin, 2012), 78–9. Churchill is said to have ‘enthusiastically supported’ the practice (even convening a conference on the subject in Cairo in 1921). A 1922 circular on ‘Suggested Systems of Attack Against Uncivilised Tribes’ considered airborne weapons ranging from phosphorous bombs, long-delay bombs, rockets and aerial darts to mustard gas, napalm and crude oil (the latter to pollute water supplies). A. W. Brian Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (Oxford: Oxford University Press, 2001), 71–5.
- 28 Margherita Zanasi, ‘Exporting Development: The League of Nations and Republican China’, *Comparative Studies in Society and History* 49, 1 (June 2007), 143–69.

- 29 As Cooper explains, 'developmental colonialism was in part a response to the narrowing grounds on which a convincing case could be made for the exercise of state power over people who were "different"'. Frederick Cooper, *Africa Since 1940: The Past of the Present* (Cambridge: Cambridge University Press, 2002), 37.
- 30 The League lawyers, while formulating the concept of 'mandate' territories, drew directly from the writings of the seventeenth-century Spanish jurist Francisco de Vitoria. Vitoria defended the Spanish colonization of the Americas on the grounds that Indians were 'wards' of the Spanish, who ruled in the former's interests. Anghe, *Imperialism*, 144–45.
- 31 Annual reports were submitted to the Permanent Mandates Commission, a body made up of experts in various aspects of colonial administration.
- 32 The full text of the treaty is available at <http://avalon.law.yale.edu/imt/parti.asp> [accessed 23 September 2014].
- 33 The League's 1926 Convention to Suppress the Slave trade and Slavery focused attention on the related question of 'native labour' in colonial territories, and whether the widespread practice of forced labour in colonial territories amounted to a veiled form of slavery. Daniel Maul, 'The International Labor Organization and the Struggle against Forced Labor from 1919 to the Present' *Labor History*, 48, 4 (November 2007), 477–500; Susan Zimmerman, 'Special Circumstances in Geneva: The ILO and the World of Non-Metropolitan Labour in the Interwar Years', in Jasmien van Daele et al. (eds), *ILO Histories: Essays on the International Labour Organization and its Impact on the World During the Twentieth Century* (Bern: Peter Lang, 2010), 221–50.
- 34 Anthony Alcock, *History of the International Labour Organisation* (London: Macmillan, 1971), 83–4.
- 35 International Labour Office, Twelfth Session, 1929, Committee on Forced Labour. Report by M. J. J. Schrieke, Netherlands Government delegate. 15 June 1929, 4. Forced labour was discussed in the ILO's annual International Labour Conference made up of government delegates representing the member state, employer delegates and worker delegates.
- 36 Alcock, *History*, 83–4.
- 37 The full text of the Convention is available at [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C029](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029) [accessed 23 September 2014].
- 38 When it appeared that the colonial powers' response to the 1930 Convention on Forced Labour was to switch from administrative coercion to labour 'recruitment' on the grounds that the latter was 'voluntary', the International Labour Conference adopted a 1932 resolution calling on the ILO's Governing Body to place the question of indentured labour on its agenda. *The Report of the Committee on the Recruiting of Labour in Colonies and in other Territories with Analogous Labour Conditions* was subsequently presented to the 19th Session of the International Labour Conference in 1935. See International Labour Office, Series NL, File No. 1-25.12. Native Labour – Non-Metropolitan Territories Division – Correspondence with UK Colonial Office; International Labour Conference, XIX Session, Geneva 1935, Final Record (Geneva: ILO, n.d.), 854–5.
- 39 International Labour Office, Twelfth Session, 1929, Committee on Forced Labour. Report by M. J. J. Schrieke, Netherlands Government delegate. 15 June 1929, 17. In 1935 the Dutch East Indies government recorded some 379, 341 persons working under forced labour in Java; nearly 1.5 million in Outer Islands under direct colonial administration; and a further 1.3 million in Outer Islands that were under 'autonomous

- native administration.' *Annual Statistical Review of the Netherlands Indies* cited in *Industrial and Labour Information* (Geneva) LX111, 13 (27 September 1937), 417–8.
- 40 David Northrup, *Indentured Labour in the Age of Imperialism* (Cambridge: Cambridge University Press, 1995); Alcock, *History*, 82.
- 41 International Labour Conference XIX Session, Geneva 1935, Final Record (Geneva: ILO, n.d.), 420–2; 443–4.
- 42 Cited in Lake and Reynolds, *Drawing the Global Colour Line*, 337.
- 43 Northrup, *Indentured Labour*.
- 44 Adam M. McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York: Columbia University Press, 2008).
- 45 For instance, 'Moxige paichi huaqiao' (墨西哥排斥华侨) (Mexico expels Overseas Chinese) *Dongfang zazhi* (东方杂志) 30, 11 (June 1, 1933), 2–3; Qiu Hanping (丘汉平), 'Meiguo paihualü zhi guoqu ji xianzai' (美国排华律之过去及现在) (The past and present reality of US anti-Chinese exclusion laws) *Dongfang zazhi* (东方杂志) 31, 12 (June 16, 1934), 61–72.
- 46 C.F. Yong and R.B. McKenna, *The Kuomintang Movement in British Malaya, 1912-1949* (Singapore: Singapore University Press, 1990), 56–8.
- 47 *Nanfang ribao* (南方日报) 18 June 1952, 26 June 1952. According to Simpson, more than 4000 tonnes of bombs were dropped on Malayan insurgents in one year alone (1952), and between 14,000 and 26,000 ethnic Chinese were deported to China during the course of the Emergency. Simpson, *Human Rights*, 74, 833.
- 48 Alison Bashford, 'Nation, Empire, Globe: The Spaces of Population Debate in the Interwar Years', *Comparative Studies in Society and History* 49, 1 (January 2007), 188; Mazower, *Dark Continent*, 57–8.
- 49 Cooper, *Africa*, 37.
- 50 Mazower, *Dark Continent*, xiii.
- 51 Mazower, *Governing*, 317–318; Simpson, *Human Rights*, 456–61.
- 52 Simpson, *Human Rights*, 295–297, 450–452, 456–7.
- 53 Singapore governor to Arthur Creech Jones, Colonial Office, 5 (?) July 1949, 'Memorandum on racial Discriminatory Legislation, etc.' TNA CO 859/130/5: Colour Discrimination: Singapore 01/01/1948 - 31/12/1949.
- 54 UNHCR archives. Aamir Ali, UNHCR Branch Office, Bangkok to Mr A. A. Hoveyda, UNHCR, Geneva, 29 July 1953. 15/7 Vietnamese Refugees. Fonds 11, Series 1, Box 265. The next occasion was in 1958 when the UN General Assembly authorized UNHCR to assist refugees from Algeria's war of independence against France who had fled into neighbouring Tunisia and Morocco.
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- 56 Glen Peterson, 'The World's Last Colonization Project? Chinese Refugee Resettlement and the British Honduras' (unpublished paper).
- 57 Anghie, *Imperialism*, 4.
- 58 *Refugee Problem in Hong Kong: Report of a Special Subcommittee of the Committee of the Judiciary House of Representatives* (Washington, DC: Government Printing Office, 1962), 8–9, 29–30.

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