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Seeing migrants, selecting refugees: a historical study of Chinese settlement in Canada and New Zealand

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Introduction

For several years now, scholars have been debating whether refugees should be categorized as migrants or whether they represent distinct orders of movement. The discussion hinges primarily on the degree to which refugees are coerced, or forced, into movement and the special legal status they have enjoyed since 1951.¹ In exchanges over whether or not refugees are migrants, scholars have sidelined the fact that states have historically considered refugees in terms of larger immigration policies and are therefore inclined to think of refugees as migrants. In responding to global population flows, states have consistently contemplated the movement of people, regardless of the degree of coercion, in terms of larger migration questions. This has been the case especially of discussions involving resettlement as a solution, for this involves the opening the doors of the nation to persons from abroad, a highly regulated and closely guarded state privilege.²

The early years of the current refugee regime were characterized by the crisis of displaced people and refugees in Europe following the Second World War. This crisis coincided with major labour demands in western democracies.³ The tipping point for many western nations' engagement with the refugee crisis in Europe was not merely the unsettled conditions created by so much displacement or the emerging politics of the Cold War. Rather, it resulted in part from a pragmatic recognition that many of the people involved could make valuable contributions to postwar economies.⁴

As the Cold War progressed, becoming increasingly global and enmeshed in the contest between imperialist, nationalist and decolonizing efforts, states appeared to treat refugees as a discrete category of people. The politicized discourse around refugee assistance suggested that states viewed refugees as potential citizens but not migrants in the conventional sense of the term. In fact, rhetoric advanced by western nations about refugees as "freedom fighters" or "Cold War warriors" and resulting obligations to assist people in need disguised the very real manner in which refugee assistance was being formulated in terms of larger immigration policies.⁵

Tracing the history of how refugee policies developed after the Second World War reveals how states used humanitarian rhetoric to conceal the conflation between migrants and refugees in state outlooks. States consistently presented their efforts in resettling refugees in humanitarian terms, describing the 1951 Convention as most significant for creating a

¹ For instance, legal scholar James Hathaway argues that refugees are distinguished, and defined, by their special legal status. "Forced Migration Studies: Could We Agree Just to 'Date'?" *Journal of Refugee Studies* 20 (2007), 350, accessed 17 January 2013, doi: 10.1093/jrs/fem019. Similarly, Jeremy Hein defines refugees in terms of their relationship to the state, distinguishing them from other groups of migrants. "Refugees, Immigrants and the State," *Annual Review of Sociology* 19 (1993), 44, accessed 17 January 2013, doi: 10.1146/annurev.so.19.080193.000355. On refugees as migrants, see Hakan Sicakkan, "The Modern State, the Citizen, and the Perilous Refugee," *Journal of Human Rights* 3, no.4, (2004), 445, accessed 10 January 2013, doi: 1475483042000299705.

² On the power of immigration regulations to shape nations, see Mae Ngai, *Impossible Subjects; Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2005).

³ See discussion in Donald H. Avery, *Reluctant Host: Canada's Response to Immigrant Workers, 1896-1994* (Toronto: McClelland & Stewart, 1995).

⁴ For a discussion, see Julie Frances Gilmour, "'The Kind of People Canada Wants': Canada and the Displaced Persons, 1943-1953," (PhD Thesis, University of Toronto, 2009).

⁵ Susan Carruthers, *Cold War Captives: Imprisonment, Escape, and Brainwashing* (University of California Press, 2009).

“humane policy” for refugees.⁶ It was an instrumental strategy that suppressed the fact that authorities were screening and selecting refugees on the same basis as other migrants.⁷

The rhetoric of humanitarianism became y a glossy veneer that couched the messier reality of selecting people in need who could contribute to national economies and integrate easily into the national body politic.⁸ Tangible humanitarian agendas were easily contradicted and undermined by larger concerns about the desirability of certain refugees, and indeed, about the very refugeehood of groups of people that states had historically considered undesirable as permanent migrants or citizens. This was nowhere more pronounced than in the white settler societies of the British Commonwealth (namely Canada, Australia, New Zealand and South Africa). With national imaginaries built around the displacement of indigenous peoples and the exclusion of alien bodies, most notably migrants from Asia, the manner in which they responded to refugee crises beyond Europe during the Cold War emerged from a state outlook that understood refugees to be simply another category of migrants.⁹

This paper examines how late nineteenth and early twentieth-century restrictions on Chinese migration informed the manner in which Canada and New Zealand (both British settler societies) approached Chinese refugees from communist-controlled China. So great was the resistance to encouraging any kind of population flows from China, that of all the members of the British Commonwealth, only Canada and New Zealand initiated any refugee resettlement programs after 1949.

In considering if, and how, to provide assistance to refugees from the People’s Republic of China, officials in these two countries framed their politics of assistance first and foremost in terms of historic anxieties about the desirability of permanent Chinese migration. These apprehensions were tested by the growing imperative to present a humanitarian face to strategies of statecraft, particularly as a result of the growing human rights agenda of the postwar period and the deepening tensions between East and West with the onset of the Korean War in 1950.¹⁰ Missionaries and Western NGOs in Asia were prominent in their

⁶ Canadian officials debated the merits of acceding to the 1951 Convention at lengths. Their views on the Convention and its merits are captured in these debates. See Laval Fortier to Escott Reid, 4 July 1951, “United Nations – Refugees and Stateless Persons,” RG 2, Volume 205, File U-40-22, Library and Archives Canada (LAC). On narrating humanitarianism in the Canadian case, see Valerie Knowles, *Forging our Legacy: Canadian Citizenship and Immigration, 1900-1977* (Ottawa: Public Works and Government Services Canada, 2000).

⁷ Fortier to Sifton, December 7, 1956, “Admission to Canada of Hungarian Refugee students”, RG 26, Volume 146, File 3-41-22, LAC.

⁸ There is early evidence of this trend in Canada’s approach to the establishment of the Office of the High Commissioner for Refugees. See discussions in RG 26, United Nations General Assembly - ECOSOC Ad Hoc Committee to study status of the stateless persons and refugees, Parts 1-7, Microfilm Reels C-10675 and C-10676, LAC.

⁹ On the legacies of settler colonialism and exclusion see Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth telling, and Reconciliation in Canada* (Vancouver: UBC Press, 2010); Adam McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders* (New York: Columbia University Press, 2008).

¹⁰ Although historian Samuel Moyn suggests that the human rights movement, and its utopian agenda, only manifested itself in the 1970s, I suggest that the groundwork for this shift began in the immediate postwar period. See *The Last Utopia: Human Rights in History* (Boston: Harvard University Press, 2010), 10. On the Cold War in Asia, see Akira Iriye, *The Cold War in Asia: An Introduction* (Englewood Cliffs, NJ: Prentice-Hall, Ltd, 1974).

advocacy for refugee assistance on the basis of the burgeoning sensibilities around universal human rights.¹¹

Although states largely resisted this humanitarian agenda, they soon found that by engaging in a token manner with the campaigns initiated by church and community leaders they could deflect attention from the continued discrimination embedded in larger immigration frameworks. In the ideological face-off between liberal democracies and communist states, this was a strategic coup. Inequality perpetuated by exclusionary immigration regimes undermined claims of justice, freedom and democracy for all.¹² This discrimination was overt in Canada until 1967 and it endured in New Zealand until the 1980s.¹³ Humanitarianism became an instrumental tool that enabled states to conceal ongoing discrimination while simultaneously fostering a very real sense amongst their national publics of being part of a humanitarian endeavour.

The living legacy of settler colonialism

Settler colonialism is defined as the movement of migrants to a colony with the express purpose of securing control over the colony and expanding the empire.¹⁴ The effect of this movement is felt long after the original act of settlement. As historian Patrick Wolfe has argued, “invasion is a structure, not an event.”¹⁵ Nineteenth century settler colonialism and its “structures of privilege” persisted well into the twentieth century, evidenced by ongoing discrimination against Indigenous peoples and in the careful selection of migrants along a continuum of desirability.¹⁶

The manner in which white settler societies of the British Commonwealth addressed refugee issues after the Second World War was deeply informed by a persistent settler mentality that privileged certain people for full membership in the nation.¹⁷ Migrants were selected to fulfill idealized notions about the desirable racial character of the nation. In 1945, Australian Immigration Minister Arthur Calwell called it a strategy of “populate or perish.” Calwell believed that Australia needed to settle “white” migrants or risk being overrun by migrants from Asia.¹⁸ It was a strategy that was echoed in varying intensities across the postwar British world with significant implications for people leaving the Chinese mainland.

During the Chinese Civil War and its aftermath (1937-1949), hundreds of thousands of people left the Chinese mainland. Most sought temporary refuge in Hong Kong, Taiwan and

¹¹ On the development of these sensibilities, see Michael Ignatieff, *The Needs of Strangers* (New York: Picador Press, 2002).

¹² The Cold War was fought on multiple levels and in a range of arenas. See David Caute, *The Dancer Defects: The Struggle for Cultural Supremacy During the Cold War* (New York: Oxford University Press, 2003); Christina Klein, *Cold War Orientalism: Asia in the Middlebrow Imagination, 1945-1961* (Berkeley: University of California Press, 2003).

¹³ For an overview see Patricia Roy, *The Triumph of Citizenship: The Japanese and Chinese in Canada* (Vancouver: UBC Press, 2010); Sean Brawley, “No “White Policy” in New Zealand: Fact and Fiction in New Zealand’s Immigration Record, 1946-1978,” *New Zealand Journal of History* 27, no.1 (1993): 16-36, accessed 7 January 2013, *Historical Abstracts with Full Text*, EBSCOhost.

¹⁴ Daiva Satsiulis and Nira Yuval-Davis, eds. *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London: SAGE Publications, 1995).

¹⁵ Patrick Wolfe, *Settler Colonialism and the Transformation of Anthropology* (London: Cassell, 1999), 163.

¹⁶ Caroline Elkins and Susan Pedersen, eds. *Settler Colonialism in the Twentieth Century* (New York: Routledge, 2005), 4.

¹⁷ *Ibid.*, 2.

¹⁸ Moyn, 10.

Macau though some ventured further afield. Those that sought entry in the white settler societies of the British Commonwealth, which we can also think of as *Gam Saan* or “Gold Mountain” countries, received a chilly reception. Their treatment was shaped by a long history of exclusionary policies that created distinct, entrenched and systemic discrimination against migrants from China.¹⁹

Beginning in the mid-1800s, Chinese migrants made their way to Gold Mountain countries as labourers, miners and merchants in search of economic opportunity. In each of these countries, they faced harsh and repressive measures. New Zealand introduced a poll tax in 1901 and Canada introduced a capitation tax in 1885 that increased from \$50 to \$500 before immigration was banned almost completely under the 1923 *Chinese Immigration Act*. Anti-Chinese sentiment therefore produced some of the earliest lawmaking in these transitioning colonial societies. Exclusion in one country was repeated around the globe as settler societies enacted “great white walls,” establishing exclusionary practices that shaped the historical developments of their nations.²⁰ The controls and barriers enacted against Chinese migrants were central to how white settler societies developed. They shaped the administration of justice and the very nature of democracy in these societies.²¹

After the Second World War, Chinese migrants remained in many ways the “quintessential outsiders”, subject to ongoing restrictions.²² However, national narratives that celebrated the progressively liberal manner in which settler societies responded to the movement of people from various parts of the world after 1945 concealed the breadth of these persistent barriers.²³ There was progress, but it was gradual and grudging. Settler societies moved incrementally from embracing a settler identity born of the British imperial project to a more inclusive multicultural framework, where the idea of being a “nation of immigrants” gained greater foothold.²⁴ It was a precarious transition and one that states negotiated at every turn.

Part of the transition involved disguising structures of privilege with the benevolent language of humanitarianism. In confronting the postwar discourse on universal human rights and contending with the advent of the global Cold War, settler societies came to simultaneously

¹⁹ John Fitzgerald, *Big White Lie: Chinese Australians in White Australia* (Sydney: UNSW Press, 2007); David Goutor, “Constructing the ‘Great Menace’: Canadian Labour’s Opposition to Asian Immigration, 1880–1915,” *The Canadian Historical Review* 88, no.4 (December 2007): 549-576, accessed 8 January 2013, doi: 10.1353/can.2008.0013; Karen L. Harris, “Scattered and Silent Sources: Researching the Chinese in South Africa,” in *Chinese Overseas: Migration, Research and Documentation*, ed. Tan Chee-Beng, Colin Storey, Julia Zimmerman (Hong Kong: The Chinese University Press of Hong Kong, 2003): 139-165; Patricia Roy, *Oriental Question: Consolidating a White Man’s Province, 1914-1941* (Vancouver: University of British Columbia Press, 2003); Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy Toward Orientals in British Columbia* (Montreal: McGill-Queen’s University Press, c2002).

²⁰ As argued by Charles Price in *The Great White Walls Are Built: Restrictive Immigration to North America and Australasia 1836-1888* (Canberra: Australian Institute of International Affairs in association with Australian National University Press, 1974).

²¹ Anna Pegler-Gordon, *In Sight of America: Photography and the Development of U.S. Immigration Policy* (Berkeley: University of California Press, 2009); Lucy Salyer, *Laws as Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill: University of North Carolina Press, 1995).

²² Manying Ip refers to Chinese migrants as “essential outsiders” in *Unfolding History, Evolving Identity: The Chinese in New Zealand* (Auckland: Auckland University Press, 2003), xi.

²³ This rhetoric was particularly pronounced in the response to the failed Hungarian Revolution. It was an identity that meshed well with the Canadian approach to the work of the United Nations and other cooperative initiatives in this period. See John Holmes, *Shaping of Peace: Canada and the Search for World Order* (Toronto: University of Toronto Press, 1979-1982).

²⁴ Sally Peberdy, *Selecting Immigrants: National Identity and South Africa’s Immigration Policies, 1910-2005* (Johannesburg: Wits University Press, 2009).

embrace the idea of being humanitarian nations and the philosophy that immigration programs should be based in part on humanitarian principles. Humanitarianism became a marker of enlightened, liberal nations that were “good, prosperous and generous.”²⁵ Yet, more often than not, humanitarianism served a primarily instrumental purpose, rather than becoming foundational to how states approached refugee issues.

States consistently understood refugees to be a category of migrants, particularly if the issue under discussion was resettlement. Resettlement involved a proactive, willing effort to transport refugees within the political, social and territorial boundaries of the nation-state.²⁶ As a result, the same kind of mentality that governed the entry of other kinds of migrants, dictated how states responded to refugees. Very often, the weight of history meant that states were unwilling, or unable, to even see the possible refugeehood of people leaving China. Settler societies consistently perceived people from the People’s Republic of China first and foremost as migrants, and undesirable ones at that.

The long history of Chinese exclusion and related reservations about creating openings for permanent migration that could be potentially exploited governed the manner in which settler societies viewed, and treated, questions of Chinese refugeehood after 1949. The rare instances in which these states provided assistance to Chinese refugees who escaped to Hong Kong demonstrate how states conceptualized refugees as migrants but disguised this outlook with humanitarian rhetoric. Examining the manner in which authorities in Canada and New Zealand responded to pressures to render assistance to Chinese refugees captures the complicated politics around resettlement.

In the Canadian case, this meant a resettlement program that was heavily regulated and tightly designed to prevent anticipated abuse. In New Zealand, it involved a resettlement program that essentially privileged economic migrants but did so under the guise of humanitarianism. In both instances, the refugees who were resettled were chosen for their capacity to contribute to the economies of Canada and New Zealand and for their perceived ability to assimilate or integrate, not because of the degree of their refugeehood despite public rhetoric to the contrary.

The humanitarian crisis in Hong Kong

In the dying days of the Chinese Civil War, hundreds of thousands of people made their way to Hong Kong. Their numbers increased after the victory of the Chinese Communist Party and the establishment of a communist regime in Beijing. The population of Hong Kong, which included many returnees who had fled to the mainland during the Japanese occupation, quickly soared to the two million mark, placing a huge burden on the social and economic resources of the colony. Housing, in particular, was in short supply, forcing thousands of people to live in squatter conditions.²⁷ By 1951, British colonial authorities in Hong Kong estimated the squatter population at 330,000 people, more than 10% of the colony’s total

²⁵ Catherine Dauvergne, *Humanitarianism, Identity, and Nation: Migration Laws in Canada and Australia* (Vancouver: UBC Press, 2005), 4.

²⁶ Shauna Labman, “Queue the Rhetoric: Refugees, Resettlement and Reform,” *University of New Brunswick Law Journal* 62 (2011): 55-63.

²⁷ “Diary entry dated November 26, 1959,” James B. Atkinson, MSS. Eng. misc. c. 510/2, New Bodleian Library, Oxford University.

population.²⁸ It was a situation that authorities came to view with concern, both in terms of the health and safety of the colony's residents and the potential for political unrest fostered by crowded and unsanitary conditions.

Rather than seek outside assistance however, the colonial government preferred to handle the situation on its own; introducing unprecedented border controls in 1951 and initiating large-scale public housing three years later.²⁹ Western missionaries in the colony raised concerns about the conditions in the colony in correspondence with supporters at home but only in rare instances such as during the United Nations' World Refugee Year (1959-1960) was international attention focused on the colony to such an extent that western nations, including settler societies such as Canada and New Zealand, felt compelled to engage with the so-called "problem of people" in some way.³⁰

The Chinese refugee program in Canada

As noted previously, the government of Hong Kong dissuaded outside interest in the affairs of the colony following the establishment of the People's Republic of China in 1949. Throughout the Cold War, British officials in Hong Kong navigated delicate diplomatic waters with authorities in Beijing who considered the colony to rightfully belong to China.³¹ The British therefore discouraged all sides from staging Cold War battles in Hong Kong, adopting a policy of official neutrality to safeguard their political and economic investments.³² Authorities in Canada and New Zealand were content to let officials in Hong Kong handle the refugee population in its territory. They remained uneasy about significant, permanent Chinese migration to their territories.

Historian Patricia Roy accurately describes the repeal of the 1923 *Chinese Immigration Act* in 1947 as "little more than a token gesture."³³ All migration from China continued to be governed by Order-in Council 2115, which permitted only Canadian citizens to sponsor wives and children to Canada, as state suspicions about Chinese migrants persisted.³⁴ Despite

²⁸ Extract, *Hong Kong Annual Reports* 1950-1951, Medical and Health Services Department, CO 1023/164, NAUK.

²⁹ Alan Smart, *The Shek Kip Mei Myth: Squatters, Fires and Colonial Rulers in Hong Kong*, (Hong Kong: Hong Kong University, 2006); David Drakakis-Smith; *High Society: Housing Provision in Metropolitan Hong Kong, 1954 to 1979: A Jubilee Critique* ([Hong Kong]: Centre of Asian Studies, University of Hong Kong, 1979); Beatrice Leung and Shun-hing Chan, *Changing Church and State Relations in Hong Kong, 1950-2000* (Hong Kong: Hong Kong University Press, 2003).

³⁰ Edward Hambro, head of a UN mission dispatched to investigate the refugee problem in Hong Kong, chose this phrase popularized by the Governor of Hong Kong, Alexander Grantham, as the theme for his report. See Edward Hambro, *The Problem of Chinese Refugees in Hong Kong: Report Submitted to the United Nations High Commissioner for Refugees* (Leyden, A.W. Sijthoff, 1955). World Refugee Year was intended to raise awareness about global refugee populations and find solutions for protracted refugee situations. In Hong Kong, this meant an influx of funds into the colony rather than the resettlement of refugees. Canada and New Zealand both contributed significant monetary resources to the refugee situation in Hong Kong. For a discussion, see Peter Gatrell, *Free World? The Campaign to Save the World's Refugees, 1959-63* (Cambridge: Cambridge University Press, 2011), 3.

³¹ Chi-Kwan Mark, "The 'Problem of People': British Colonials, Cold War Powers, and the Chinese Refugees in Hong Kong, 1949-62," *Modern Asian Studies* 41, no.6 (2007), 1154, accessed 10 January 2013, <http://digirep.rhul.ac.uk/items/919d118d-10ad-5583-20c7-20db29f3fe31/1/>.

³² Steven Tsang, *The Cold War's Odd Couple: The Unintended Partnership between the Republic of China and the UK, 1950-1958* (London: I.B. Tauris, 2006), 166.

³³ Roy, *The Triumph of Citizenship*, 7.

³⁴ The introduction of the *Canadian Citizenship Act*, which came into force on July 1, 1947, enabled the few Chinese with Canadian citizenship to sponsor their wives or unmarried children (under the age of 18) so that

persistent campaigning by Chinese community leaders, from 1947 until 1967, the Canadian government resisted expanding categories eligible for family class migration where it felt that the demographic impact might be too large or that identification issues were insurmountable.³⁵ Internal correspondence from the Department of Citizenship and Immigration captures how the lack of documentation in China, such as birth and marriage certificates, led to charges of “numerous and repeated attempts to secure the admission to Canada of persons of Chinese origin by misrepresentation and fraud.”³⁶ Ongoing concerns about Chinese migration to Canada shaped the Canadian response to the movement of thousands of refugees to Hong Kong in the spring of 1962.

In April 1962, reports began to circulate indicating that large numbers of people were making their way across the frontier from the People’s Republic of China, seemingly without detection or impediments by communist officials.³⁷ Then, for a solid six weeks, the border area teemed with migrants. Streams of people tried to make their way into Hong Kong. Humanitarian actors in the colony, most notably Western missionaries and international bodies such as UNHCR, feared for the health and welfare of the migrants. Activists pressed authorities abroad to lend assistance or provide resettlement opportunities.³⁸

Discerning political opportunity, Prime Minister Diefenbaker, who was in the thick of a federal election campaign, announced that Canada would set an example to the world by resettling one hundred refugee families.³⁹ The announcement came as a surprise to officials in Ottawa. In making his public overture, the prime minister was proposing an initiative that he believed would speak to the anti-Communist sentiment in certain quarters and address the growing sense of being a humanitarian nation amongst Canadians (it was a notion that Canadians had embraced with great enthusiasm as their country welcomed thousands of refugees following the Soviet Union’s harsh suppression of the failed Hungarian Revolution six years prior).⁴⁰

they could be reunited in Canada. The *Citizenship Act* led to the cancellation of Order-in-Council 1378, which had made it very difficult for the Chinese in Canada to obtain citizenship. They were required to obtain permission from the Minister of the Interior in China before applying for naturalization and then had to advertise the renunciation of their Chinese citizenship in two Chinese newspapers. Applicants had to wait a year between filing the Declaration of Intention and the Petition for Citizenship and then had to wait an additional three months after filing the Petition for Citizenship before appearing before a judge to be examined. See “Chinese Immigration to Canada: Possible numbers as a result of the repeal of the Chinese Immigration Act, and prospects for actual arrivals,” RG 26, File 3-33-7, Part 1, Chinese Immigration, LAC.

³⁵ Beginning in 1950, Foon Sien Wong, President of Vancouver’s Chinese Benevolent Association, made an annual pilgrimage to Ottawa to petition the government on immigration reform and family reunification issues in particular. For example of government response, see “1958 Brief by the Chinese Benevolent Association”, RG 26, Volume 125, 3-33-7, Part 3, LAC.

³⁶ “Letter from Minister to Dr. Armstrong, co-Chair of the Committee for the Repeal of the Chinese Immigration Act, December 30, 1949,” RG 26, Volume 125, File 3-33-7, Part 1, Chinese Immigration, 1936-1949, LAC.

³⁷ The People’s Republic of China had imposed a ban on emigration in 1951 and departures from the mainland were heavily controlled.

³⁸ Letter from David W. Edmons, Christchurch Central Mission, 25 May 1962, Immigration - Policy and General - Chinese, 1960-1962, W5182, Box 94, File 22/1/115, Part 3, Archives New Zealand (ANZ.) The Red Cross stands out in its reservations about the degree to which the migrants were refugees in need of assistance.

³⁹ A lawyer, born and raised in rural Saskatchewan, Diefenbaker had a strong sense of social justice and a fervent dislike of communism. Ryan M. Touhey, “Dealing in Black and White: The Diefenbaker Government and the Cold War in South Asia 1957–1963,” *Canadian Historical Review* 92, no. 3 (2011), 438, accessed 17 January 2013, <http://utpjournals.metapress.com/content/H51G113L86197373>.

⁴⁰ On this occasion Canada had resettled 38,000 people, to much popular acclaim. See Peter Hidas, “‘An Unselfish Interest?’: Canada and the Hungarian Revolution, 1954-1957,” in Christopher Adam ed., *The 1956*

While Canadian church leaders applauded the prime minister's announcement and subsequently lobbied for an even more expansive effort, civil servants in the Department of Citizenship and Immigration disapproved of Diefenbaker's political promise.⁴¹ Officials viewed Chinese refugees as a migration problem based on their decades-long attempts to limit the overall size of Chinese migration flows to Canada.⁴² Upon news of the prime minister's initiative, officials immediately cast their thoughts to potential fraud and abuse.⁴³ The offer to resettle refugees took place against the backdrop of newly introduced immigration reforms that adopted a point system, rather than racial or ethnic quotas, for the selection of skilled workers as well as a Status Adjustment Program designed to halt illegal migration from China.⁴⁴ It was a period of tremendous change and related anxieties in official immigration circles.

Authorities expressed serious reservations about the merits of Diefenbaker's initiative.⁴⁵ As a result, the Chinese Refugee Program was strictly off limits to Chinese Canadians and their families in China. Officials wanted to prevent Chinese Canadians from using the refugee resettlement program to sponsor relatives who had previously been deemed inadmissible.⁴⁶ This news was poorly received amongst the Chinese in Canada who had been campaigning for faster, more expedient and broader family sponsorship opportunities.⁴⁷ Chinese Canadians resented the fact that people with no ties to Canada would gain entry before their own family members. According to Mrs. Jean Lum, President of the Chinese Women's Association in Toronto, "There (were) hard feelings among Chinese about these refugees...It's a crime refugees who have been waiting in Hong Kong so long are still there, while these recent refugees are admitted."⁴⁸

Hungarian Revolution Hungarian and Canadian Perspectives (Ottawa: University of Ottawa Press, c2010), 269.

⁴¹ See correspondence in Chinese Immigration, RG 26, Volume 125 File 3-33-7, Part 3, 1963, LAC.

⁴² Ibid. See also Parts 1 and 2.

⁴³ Special Movement of Chinese Refugees from Hong Kong – Operational Control, RG 76, Volume 861, File 555-54-526-3, Part 1, LAC.

⁴⁴ On May 24, 1960, the RCMP, aided by plainclothes officers from the Royal Hong Kong Police Force, raided the homes and businesses of Chinese in Canada (including the Chinese Benevolent Association, which the RCMP believed was overseeing the program), in search of additional documentary evidence. Although certain elements in the Chinese community were aware of the paper son phenomenon, the revelations came as a shock to many, especially the children who had been led to believe that so-and-so was their father when in fact their "father" was their grandfather, uncle or a non-blood relation. Many Chinese Canadians felt unjustly discriminated against (much like the Chinese Australians whom police and immigration officials subjected to intense scrutiny as a result of provisions contained in the *Aliens Registration Act* and the *Wartime Refugees Relief Act*). As the investigation into illegal migration proceeded, the Canadian government recognized that the migrants themselves were victims of sorts and should not be the targets of criminal proceedings, although there was some internal speculation about whether the Canadian public would tolerate a mass deportation program (See Memo to James Bissett from Laval Fortier, 21 January 1960, RG 26, Volume 125, 3-33-7, Part 3, LAC.) The conclusion was a negative one so instead of punishing paper families, the government introduced a Status Adjustment Program in 1960 (modeled on the 1956 Chinese Confession Program in the United States) whereby all those who had come to Canada illegally could confess and then apply to be naturalized, receiving all the rights of other naturalized Canadians (including family sponsorship rights). The only exceptions were those found guilty of organizing the illegal immigration schemes; they were subject to criminal proceedings and deported. Under the Status Adjustment program, which operated until 1974, 12,000 Chinese Canadians were naturalized, obtaining the rights to participate as full citizens.

⁴⁵ "Memorandum to the Minister, 10 January 1963," RG 76, Volume 861, File 555-54-536, Part 2, LAC.

⁴⁶ Ibid.

⁴⁷ "1958 Brief by the Chinese Benevolent Association", RG 26, Volume 125, 3-33-7, Part 3, LAC.

⁴⁸ "In Dark On Refugees – Chinese," *Toronto Star*, 2 August 1962.

To recruit applicants for the Chinese Refugee Program, the government advertised in local Hong Kong newspapers. The Canadian program targeted family units that were altogether in Hong Kong, where the head of the family had skills that would facilitate their integration in Canada. Desired skills included experience as a market gardener, chef, tailor or restaurant worker. In the first incarnation of the program, eligibility was limited to people who moved to Hong Kong after 1 May 1962. Individuals could not apply.

The Canadian government received 3,500 applications involving 8,000 people in response to its first advertisements. However, the selection criteria developed by Canadian officials was so stringent and narrow, few of the applicants met the criteria for eligibility. Authorities feared a public relations fiasco. The problem was that the people officials wanted to resettle (specifically-skilled workers with families) were not the people who had fled China in the spring of 1962. As a result, the criterion for eligibility was amended to 1 January 1962. Individuals also became eligible to apply. The government ultimately resettled 109 individuals and families, totaling 259 people.

It remains questionable how many of those selected for resettlement conformed to Prime Minister Diefenbaker's original conception of a refugee in dire need of protection. While the prime minister may have viewed the people in Hong Kong as refugees, departmental officials viewed them as migrants. At no time during the selection process were applicants asked about their fear of persecution at the hands of Communist officials.⁴⁹ Rather, all of the applicants were required to fill out an "Application for Admission to Canada" form. They had to provide details such as their name, birth, height, weight, ethnic origin, family and dependents, present address and provide answers to questions such as "Can you pay your own passage to Canada? Why do you wish to migrate? Why did you select Canada?" They were also required to list any languages they could speak as well as any training, practical experience or employment they had gained. There was no box to check about the kind of persecution they might have endured.

In selecting "refugees", the government was in fact, selecting potential workers and citizens. To have admitted this publicly, however, would have betrayed the rhetorical benefits of treating the hundred families as desperate victims of Communist oppression.⁵⁰ There was also the attendant risk of opening that opening up a discrete migration stream would have triggered public campaigns for further reforms to Canada's immigration program.⁵¹ These conjoined concerns similarly animated how officials in New Zealand negotiated the issue of Chinese refugees in Hong Kong after 1949.

⁴⁹ Even though Canada did not accede to the 1951 Convention Relating to the Status of Refugees until 1969, its actions in the realm of refugees were still governed by the spirit of the Convention.

⁵⁰ The workings of the Chinese Refugee Program call into question narratives that celebrate the 1962 effort as the first time that Canada "served as a haven for non-European refugees." Ninette Kelley and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy* (Toronto: University of Toronto Press, 1998), 363.

⁵¹ Ideas for reforming and specifically, liberalizing Canada's immigration program regularly came from non-state actors rather than from within the state's bureaucratic structures. See Stephanie Bangarth, "'We are not asking you to open wide the gates for Chinese immigration': The Committee for the Repeal of the Chinese Immigration Act and Early Human Rights Activism in Canada," *Canadian Historical Review* 84(3) (2003): 395–422.

Chinese family sponsorship in New Zealand

As in Canada, the government of New Zealand only reluctantly admitted Chinese refugees. Its first effort in this field came in 1939, when the state permitted the resettlement of the wives and children of Chinese in New Zealand caught up in the turmoil of the Japanese occupation of China. Historian Robin Galienne describes this group as the first Chinese in New Zealand to “approximate refugee status.”⁵² However, because the government had no intention of encouraging substantial or permanent migration from China, the entry of the women and children was intended as “a special, one-off, temporary permit concession.”⁵³

The refugees were granted entry for two years only, they were responsible for their own fares and the adult parties had to pay a £200 bond each, agreeing to return to China at the end of the conflict along with their children and any new children born to them in New Zealand during the period of refuge. The economic and social burden on the state was minimal but the offer of refuge still lasted only a few short months. The government stopped issuing entry permits in early 1940 after complaints that the women and children were working in shops while Chinese assistants started their own businesses, exploiting opportunities made available by the departure of white New Zealanders who enlisted to fight.⁵⁴ Still, 249 wives and 244 children moved to New Zealand in the short period the program was in operation. After the war, the women and children were scheduled to return to China. Instead, effective lobbying by churches and Chinese community organizations, which coincided with the establishment of a communist regime in China, led to a reprieve for the wartime refugees on “humanitarian grounds.”⁵⁵

Arguments grounded in notions of humanitarianism became the basis for later efforts to expand family class migration programs in New Zealand. Yet advocates achieved only qualified success as the government in Wellington operated throughout the postwar period with an immigration policy that historian Sean Brawley describes as “whiteness by stealth.”⁵⁶ Central to this policy was the core belief that New Zealand could only accept a limited number of Chinese migrants without endangering the British character of the country. As a result, the government consistently rejected requests from the Chinese community to facilitate the entry of relatives. As Thomas Shand, the Minister of Labour with responsibility for immigration, observed:

The (Chinese) community would increase their numbers very quickly if we allowed them to but it is necessary to operate our immigration policy in such a way that we do not build up our racial minorities so quickly that we jeopardise our future race relationships in this country.⁵⁷

From the early 1950s, the NCC and its leader, Reverend Brash, were the staunchest advocates of resettling Chinese refugees from Hong Kong. The NCC implicitly acknowledged the

⁵² Robin Galienne, “The Whole Thing Was Orchestrated,” (PhD Thesis, University of Auckland, 1988), 13.

⁵³ Manying Ip, “Redefining Chinese Female Migration: From Exclusion to Transnationalism,” in Lyndon Fraser and Katie Pickles, eds. *Shifting Centres: Women and Migration in New Zealand History* (Dunedin: University of Otago Press, 2002), 156.

⁵⁴ Customs Department memo C33/253/M, “Asian Immigration,” 29 September 1950, Labour Department, L1, 22/1/81, National Archives, Wellington. Cited in Manying Ip, “Redefining Chinese Female Migration,” 156.

⁵⁵ Manying Ip, “Redefining Chinese Female Migration,” 156.

⁵⁶ Sean Brawley, “No ‘White Policy’ in New Zealand”.

⁵⁷ (Shand) Immigration to Minister of Defence, Immigration Policy – Hong Kong Residents, 14 March 1966, Immigration - Policy and General - Chinese, 1966-1970, ABKF, 947, W5182, 94, 22/1/115, Part 5, ANZ.

government's fears of "upsetting the ethnic balance of the population" by championing both the economic potential of the refugees as well as that of the New Zealand nation.⁵⁸ The refugees were described as having such "skills, language abilities, and even cultural and religious traditions... that the problems of integrating them into our community would be considerably less than might be imagined." The NCC believed that integration would be, in fact, "to the long-term enrichment of our peoples."⁵⁹

The government of New Zealand resisted the NCC's pressure to resettle refugee families for several years. In 1961, however, three families were resettled from Hong Kong, followed by fifty orphans whose adoptions were facilitated by various religious organizations a year later. This incremental shift in policy was due in large part to the growing sense that New Zealand should undertake some kind of humanitarian action to situate itself amongst other nations that considered themselves "good, generous and prosperous."⁶⁰ It was a fragile construction. Minister Shand, who had almost sole discretion on humanitarian admissions, repeatedly rejected requests from Chinese New Zealanders for permission to sponsor their relatives out of fear that "too much" migration would result. When one childless couple applied to sponsor their niece and nephew from Hong Kong to raise as their own, Shand observed, "most of the Chinese families here have many relatives resident in China and Hong Kong."⁶¹ From his perspective, to make an exception would be to open the doors to similar, and likely presumably numerous, petitions.

Shand's position was compromised somewhat by the NCC, which proved relentless in its determination to sponsor refugees from Hong Kong. In 1963, the government approved for resettlement from Hong Kong. The program was given the go-ahead largely because government officials ultimately preferred to organize sponsorship opportunities through the NCC rather than the Chinese community, which they continued to suspect of fraud.⁶² Moreover, officials liked the fact that the NCC coordinated the work of individual congregations who accepted responsibilities for the refugees' accommodation, welfare, and in some cases, employment.⁶³ As a result, the government's relationship with the NCC's sponsorship efforts became progressively formalized.

In 1964, the NCC established an office in Christchurch and hired a resettlement officer from the World Council of Churches (WCC) to advance the sponsorship program. The WCC and the UNHCR referred cases to the NCC, which then submitted them to the New Zealand government for approval. Once approved, the NCC matched sponsors with refugees.⁶⁴

⁵⁸ Shand to Mr., G.W. Lowes, 1 June 1961, Immigration - General - Chinese Orphans, ABKF, 947, W5182, 96 22/1/115/1, Part, ANZ.

⁵⁹ National Council of Churches to Shand, 1962, Immigration - General - Chinese Orphans, ABKF, 947, W5182, 96 22/1/115/1, Part 1, ANZ.

⁶⁰ Dauvergne, 4.

⁶¹ Shand to Ngan, 7 July 1964, Immigration - Policy and General - Chinese, 1963-1966, ABKF, 947, W5182, 94, 22/1/115, Part 4, ANZ.

⁶² For detailed discussion, see Nigel Murphy, *The Poll-Tax in New Zealand* (Wellington, N.Z.: Office of Ethnic Affairs, Dept. of Internal Affairs, 2002).

⁶³ Shand to Ngan, 7 July 1964, Immigration - Policy and General - Chinese, 1963-1966, ABKF, 947, W5182, 94, 22/1/115, Part 4, ANZ.

⁶⁴ For details on the operations of the NCC in the field of refugee resettlement, see Gerald Fitzgerald, "Refugees and Migrant Resettlement & Adjustment in New Zealand, 1964-1976," (MA Thesis, University of Otago, 1982).

Following on their success in resettling six families from Hong Kong in 1963, the NCC approached the government in 1966 with another request for sponsorship.⁶⁵ The government considered this request sympathetically. It appears that the government was pleased with the quality of the individuals recommended by the NCC:

The acceptance of six refugee families from Hong Kong has proved to be quite successful, because in practically all cases the breadwinners have possessed the occupational skills that we need here. For instance, one man was a qualified medical practitioner and is now completing a qualifying period at Otago University so that he can obtain New Zealand registration. Two other Chinese are working as accountants.⁶⁶

The government was so delighted with the skilled individuals being resettled that when the NCC recommended another twelve families for resettlement in 1969, Minister Shand unilaterally approved the program. Shand did not bother to consult with his Cabinet colleagues, as he had in previous years, since the merits of approval had become self-evident. The only condition was that the resettlement effort be limited to six families. Shand felt it “would be less difficult to resettle the smaller number and they would attract less attention.”⁶⁷ However, in going through the recommended families officials were dismayed that very few of the cases fell within the department’s stated parameters for refugeehood.

It seemed that most of the recommended families had “established themselves quite well” and had “a standard of living equal to the local residents” of Hong Kong.⁶⁸ To reconcile the contradiction between refusing applications for family sponsorship from Chinese New Zealanders with ongoing refugee resettlement initiatives from Hong Kong, the government insisted that the individuals the NCC sponsored had to be clearly, and unquestionably, refugees in need of assistance.

The government therefore needed to find a way to distinguish between the families being resettled and the relatives that Chinese communities wanted to sponsor. It was critical that the people being resettled to New Zealand from Hong Kong be “genuine refugees” so as not to further offend the country’s Chinese community. This dilemma resulted in serious discussions amongst officials in New Zealand about how they should be defining refugees and how they should be evaluating the merits of the cases promoted by the WCC. It was a difficult task. As one official explained, “we have always understood a Refugee (sic) to be a person who has been forced to leave his homeland in order to escape from oppression etc.”⁶⁹ Nevertheless, the sheer number of people who left the Chinese mainland following the victory of the Chinese Communist Party convinced the government of New Zealand that it needed to put parameters on the definition of a refugee.

⁶⁵ Sponsorship by the National Council of Churches of Migrants Including Refugees, 10 February 1966, Refugees - General (1961-1976), AAFD, 811, W3738, 8, 95, CAB 69/1/1, ANZ.

⁶⁶ Ibid.

⁶⁷ Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁶⁸ Labour to O’Grady, 18 July 1969, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁶⁹ Neugebauer to Crawford, 9 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

The government considered the WCC “naïve” in suggesting “that the many thousands who have left mainland China since 1949 should be eligible for the fourth quota per se with no other qualification than that they are refugees.”⁷⁰ Instead, the government proposed that refugeehood be defined in relation to others who had left in similar circumstances. This meant identifying “persons who are suffering genuine hardship compared with their contemporaries in the country of residence.”⁷¹ Admission on humanitarian grounds was not available to those who had successfully established themselves in a second country, especially if they seemed to be doing as well as (or better than) their fellow residents.⁷² Officials cautioned the WCC “that the success or otherwise of continuing our refugee quota must be restricted to *genuine refugees* (emphasis added)” and that “New Zealand should not be a dumping group for people who have been registered with the World Council of Churches as alleged refugees....”⁷³ People had to be “genuine refugees” while at the same time meeting elevated expectations about their employability and their capacity to assimilate and become effective contributors to New Zealand society. Six families were resettled to New Zealand in 1966 but the contradictions inherent in the NCC’s sponsorship program were becoming uncomfortably apparent.

In 1971, the NCC proposed a fourth quota and submitted thirty cases for consideration based, in theory, on the selection criteria established by the department. The criteria included the following four elements:

- a) The applicants should be *genuine refugees* (emphasis added) who are having difficulty in establishing themselves in Hong Kong;
- b) The head of the family should not be more than 45 years and should have not more than four children;
- c) He should be able to engage in a worthwhile occupation in New Zealand; preferably as a tradesman, technician or as an experienced factory operative;
- d) All members of the family must be of good health and character.⁷⁴

The Commissioner in Hong Kong, C.S. Crawford checked the list for possible candidates based on the government’s criteria. He found none but because of what he later called the WCC’s “sob story” he felt compelled to select six possible candidates.⁷⁵ When the list was forwarded to the Department of Labour, officials rejected all of the chosen candidates. They too found nothing refugee-like about the six families.

⁷⁰ External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷¹ Ibid.

⁷² Labour to Crawford, 15 December 1971, External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷³ This intervention was warmly received. The Minister of Labour annotated the memorandum with the following comment: “I couldn’t agree more. I have long felt sure that there must be more deserving cases in Hong Kong than the type of case usually put forward by Rev. O’Grady, 23 August 1971.” External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷⁴ See Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷⁵ Neugebauer to Crawford, 26 February 1971, External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 – 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

When news of the rejection was communicated in Hong Kong, WCC staff members were very upset, especially because some of the families involved had already begun to make preparations to move to New Zealand. The government in Wellington soon learned that Mr. Ng Kao Chiang had resigned his position in anticipation of an imminent departure from Hong Kong. Officials suspected that Reverend O'Grady, the NCC's Resettlement Officer, had been too enthusiastic in his communications with the families. Torn between the government and twinned interests of the NCC and WCC, the Commissioner in Hong Kong suggested there were valid grounds for considering Mr. and Mrs. Chiang as refugees:

He was born in Macao in 1938, went to China in 1947 and escaped from China in 1950 when he returned to Macao and completed his studies there in 1957 prior to coming to Hong Kong. Mrs. Ng was born in China in 1938. Her father fled from China about 1955 leaving behind a wife and three children. Mrs. Ng managed to escape from China in 1961 when she came to Hong Kong. Her mother and two sisters still live in China and her father died in Hong Kong in 1969.⁷⁶

In this case, Crawford proposed that merely leaving the Chinese mainland was sufficient evidence of refugeehood. It was the kind of broad argument advanced by the WCC that authorities in Wellington had come to suspect and reject. Undeterred, Reverend O'Grady proceeded to lobby on behalf of two other refused cases. He described Kin Yip Peter Chan as follows:

(He is) an orphan who has endured considerable hardship under the Communists in China. His salary is not sufficient to support himself without help from a cousin. He has a sponsoring church, and guaranteed employment in his own field of motor mechanic.⁷⁷

The second case involved Mr. and Mrs. Bernard Hui. Reverend O'Grady explained that Mr. Hui had "long been unable to find steady employment in Hong Kong, and although both he and Mrs. Hui work their combined earnings are insufficient to keep the family. In addition the baby has to be boarded out so Mrs. Hui can work."⁷⁸ It was difficult for officials in Wellington to determine what was so exceptional about these cases that they required resettlement to New Zealand. Officials in Wellington believed the applicants to be "suitable as migrants" but could not ascertain on what grounds they had been presented as refugee cases."⁷⁹

It is not clear whether the WCC, the NCC and the Commissioner in Hong Kong ever convinced officials in Wellington to accept the fourth quota. There is ample evidence however that the NCC, the WCC and the New Zealand government all tread a fine line in distinguishing refugees from migrants to pursue the humanitarian resettlement of families from Hong Kong. It is doubtful whether any of the families resettled were the most needy

⁷⁶ External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 - 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷⁷ Neugebauer to O'Grady, 10 May 1972; External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 - 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

⁷⁸ Ibid.

⁷⁹ Coveny for Secretary of Labour to Crawford, 29 July 1971, External Affairs to Crawford, 30 August 1971, Immigration - General - International Refugees Organization - Chinese in Hong Kong 1967 - 1984, ABKF, 947, W5182, 33, 22/1/27/17, Part 1, ANZ.

people in Hong Kong. The selection criteria designed by the government meant that those selected for resettlement had to have some capacity for successfully establishing themselves. The selection process was designed to serve the needs of the state, under the guise of humanitarianism, rather than those of “genuine refugees”.

Seeing migrants, assisting refugees

In responding to pressure from various publics, white settler societies such as New Zealand and Canada did engage, albeit reluctantly, with the issue of refugees from the People’s Republic of China after 1949. Yet as the foregoing reveals, their engagement was governed by two overarching principles: to limit the size and scope of their resettlement activities and to frame resettlement as a humanitarian issue. In actual fact, states were looking at the people leaving China as migrants, and specifically migrants carrying significant historical freight given the decades of mistrust that characterized the prelude to exclusion and its aftermath. States remained concerned about fraud, as in previous decades, as well as the impact of Chinese migration on the development of their societies more generally. As a result, they selected only the best and brightest “refugees” all the while cloaking their activities under a rubric of humanitarianism.

When authorities in Canada and New Zealand acted in a supposedly humanitarian manner, they were heeding multiple agendas. These included the delicate posturing that informed diplomacy in the early years of the Cold War, domestic lobbies as well as emerging sensibilities about universal human rights that would become a concrete reality by the 1970s. Yet the same paradigms that governed the selection of skilled worker or family class migrants swayed the selection and admission of Chinese refugees. The use of common paradigms meant that authorities inevitably thought of refugees as migrants, regardless of the humanitarian imperative that first brought them to the attention of potential states of resettlement. In so doing, states perpetuated a false dichotomy that persists to this day.

The current debate on whether refugees should be considered as migrants or whether they represent some kind of distinct and discrete movement needs to address the fundamental way in which perceptions of refugees and migrants are informed by states’ instrumental use of humanitarianism to couch their interest in refugees as economic migrants. This means that we must also pay close attention when states reject the refugeehood of certain migrants on the basis of their supposed status as economic migrants. Given that states have historically blurred the divide between refugees and other migrants, the question that needs to be asked on such occasions is “What is it that has convinced states that the people in question are not desirable either as migrants or refugees?”