

The Refugee Archipelago?

**Political responses in the Philippines to forced migration in the
twentieth century**

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Abbreviations

ASEAN – Association of Southeast Asian Nations
CADP – Centre for Assistance to Displaced Persons
CAFB – Clark Air Force Base
CBCP – Catholic Bishops Conference of the Philippines
CPA – Comprehensive Plan of Action
DOJ – Department of Justice
DSW – Department of Social Welfare
IGCR – Intergovernmental Committee for Refugees
IRO – International Refugee Organisation
JDC – American Jewish Joint Distribution Committee
JFC – Jose Fabella Centre
JRC – Jewish Refugee Committee (Manila)
MBA – Military Bases Agreement (1947)
MEC – Mindanao Exploration Commission
MNLF - Moro National Liberation Front
MOU – Memorandum of Understanding
NGO – Non-governmental organisation
ODP – Orderly Departure Programme
PCIRO – Preparatory Commission of the International Refugee Organisation
PFAC – Philippine First Asylum Camp
PRC – People’s Republic of China
PRPC – Philippine Refugee Processing Centre
REA – Russian Emigrants’ Association
REC – Refugee Economic Corporation
RSPPU - Refugee and Stateless Persons Protection Unit
SNB – Subic Naval Base
UNHCR – United Nations Office of the High Commissioner of Refugees
US – Unites States of America
VOICE - Vietnamese Overseas Initiative for Conscience Empowerment
WCC – World Council of Churches

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Abstract

Philippine history is in part a history of refugees. This thesis demonstrates that from the 1930s to the mid-1990s, refugees were associated with the process of Philippine state-formation. In its various political forms, the state granted asylum to a succession of refugee populations. The thesis focuses on the political ramifications of three episodes: German Jews (1938-1941), who were admitted by Manuel Quezon (1935-1944), Russians from China (1949-1953), admitted by Elpidio Quirino (1948-1953), and Indochinese refugees (1975-1996) who arrived during the dictatorship of Ferdinand Marcos (1965-1986).

By drawing attention to the state, the thesis investigates how it exercised sovereignty in relation to the country's borders. As the guardian of 'national' interests, the Filipino state confronted a series of refugee crises at different points in the twentieth century. Adopting a comparative approach, this thesis highlights the ad hoc nature of Philippine refugee policy. Each episode entailed different state responses to displacement, including the devolution of responsibility for relief and welfare on to non-state actors. It is argued that in key respects these non-state actors assumed state-like functions.

The case studies demonstrate how policy was dynamic and changed as the result of the emerging state's shifting interests domestically and internationally. In the guise of humanitarianism, political calculations outweighed refugee needs or the pursuit of permanent solutions to displacement. The Philippines was a refugee-hosting state, albeit in a selective fashion and in accordance with national and geo-political interests. These included positioning itself as an international 'humanitarian' actor.

At the same time, the process of Philippine nation-state formation involved targeting Muslim and Chinese minorities. Any study of policy towards refugees must also consider government policies towards these 'others', some of whom were forced to seek asylum in neighbouring countries. In this sense, the Philippines was not only a refugee-hosting but also a refugee-producing state.

The Philippines provides an opportunity to investigate distinctive elements of the international refugee regime. The refugee regime consisted of multiple actors, foremost among them the state that acted as gatekeeper. Other actors also played an important role, such as intergovernmental refugee agencies and international and locally-based non-governmental organisations that exercised a degree of autonomy. Meanwhile, refugees occupied a subordinate position in the regime: they remained on the margins.

Displacement thus shaped the modern Philippine state. The presence of refugees, the (internal) displacement of others, and the formulation of a refugee policy were all associated with state-formation at different junctures.

The emerging state's role in refugee 'rescue' has been peripheral in the dominant international historiography about these displaced populations. Meanwhile, in Philippine national history, much of the research has centred on individual cases of refugee admissions. By placing the Philippine state at the centre of investigation and comparing different episodes, this dissertation expands our understanding of the role emerging states in the Global South played in the international refugee regime, and the extent to which refugees constituted the state.

Declaration

No portion of the work referred to in the thesis has been submitted in support of an application for another degree or qualification of this or any other university or other institute of learning.

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Dedication

To my parents, who sparked and supported my fascination and curiosity for the past.

Acknowledgements

This thesis has been possible because of the generosity of so many people who have helped me along the way. Finishing this thesis during the COVID-19 pandemic was not easy, and I am grateful for the support from family, friends and colleagues across the world.

Firstly, I would like to thank my supervisor, Peter Gatrell, whose passion for refugee history helped shape this thesis and turn my ideas into paragraphs. His guidance and wisdom have been beacons of hope when I felt lost and unsure about myself. I am also grateful for the opportunities Peter has introduced me to during my doctoral studies, especially the chance to work with the UNHCR Records and Archives in Geneva and to co-create a public engagement programme for his project, *Reckoning with Refugeedom* (which had to be cancelled because of COVID-19). These experiences have inspired me to think creatively about refugee history.

I also want to thank Pierre Fuller, Aaron Moore, and Anindita Ghosh for their detailed comments on my chapters over the years. I am grateful for the advice and intellectual exchanges from colleagues in HCRI, the History Department, the Humanitarian Working Histories group and the Refugee Law Initiative.

My studies in Manchester would not be possible without the support from my aunt, Gina Cowell. I am forever grateful to you.

I would also like to acknowledge those who have inspired me to pursue my doctoral studies in the first place. This thesis sprung from a conversation I had with Bernard Kerblat, former head of UNHCR Philippines. When I first met him in 2013, I did not know then that his stories about the Philippines' refugee history would resonate with me for two years. That initial meeting left me curious about a history I knew nothing about, sparking my decision to write up a PhD proposal. I want to thank my colleagues from the History Department at the Ateneo de Manila University (especially Jo-ed Tirol, Dave Lozada, Lianne Habana, and Hidde Van der Waal) who nudged me to pursue my doctoral studies and helped shape my PhD thesis proposal.

Pursuing my doctoral degree has taken me to new places and introduced me to persons whose lives have been shaped by the presence of refugees in the Philippines. I have been fortunate to meet so many amazing individuals: Dinee De Mesa for sharing some of her grandfather's letters, and Kinna Kwan who imparted her knowledge about Russian refugees in 1949 and directed me to important archives. I would like to thank Alex Kibanoff, Isabela Perales-Fina (through Montserrat Canela) for sharing their families' histories of asylum in the Philippines. I value my conversations with Bishop Ding Arigo, Jan Top Christensen and Jose Belleza who worked with

Vietnamese refugees in the Philippines. Through them I have also met others from the PFAC whose experiences continue to inspire me to learn more about the country's refugee history.

This thesis is a product of an extensive fieldwork. I would like to thank the SALC Grad School in Manchester for funding my research which took me to new places in the Philippines, Switzerland, UK and USA. I am especially grateful for family and friends who accommodated me as I moved from archive to archive: Rina and Gina in Virginia, Bea and Chris in New York, Li and Patrick in Pasadena, and John, Nina and James in San Francisco, the Aebys in Geneva, Alice in London. I'm thankful to the UNHCR Records and Archives staff in Geneva who introduced me to archival work and management. They have become friends along the way.

During the last four and a half years, I called Manchester my home. I found friends in the university whose passions for their research kept me inspired. From them, I learned to trust myself. I want to thank Vitaly, Stef, Eva, Dan, Becky, Margot, Margeaux, Ingri, Hanna, Naomi, Alex, Lisa, to name a few. I also want to thank my housemates, Caroline, Johanna, and Laure Anais, who became pillars of strength, especially during the pandemic. My climbing crew have also been another source of strength. Because of them, I learned to love the outdoors and take respite in nature. I want to thank my colleagues at Equality who remained flexible and supportive in these last few months.

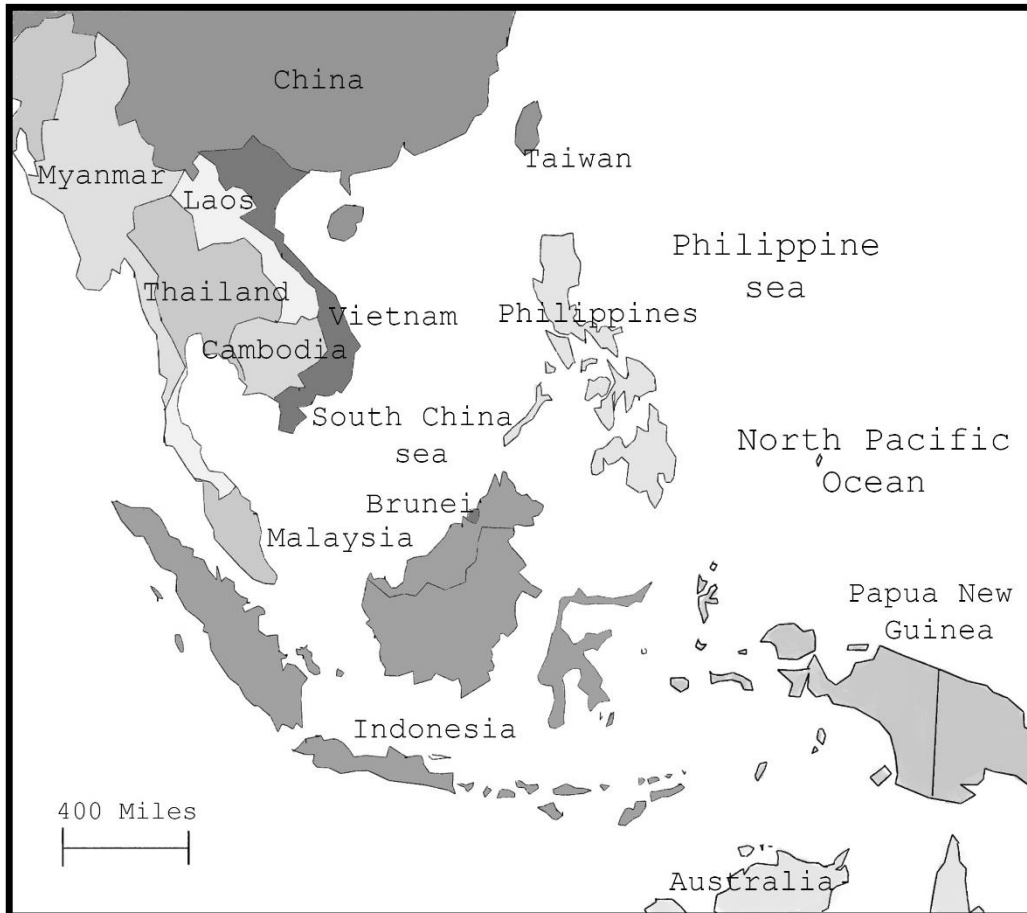
I am especially grateful to Sam and his family for their love and support. Thank you, Sam, for taking care of me in the most difficult of times and celebrating with me through small and big wins.

I am of course indebted to the support of my growing family, even if they don't really know what I've been working on for over four years. Mom and Pop, this is for you. Thank you for always supporting my dreams.

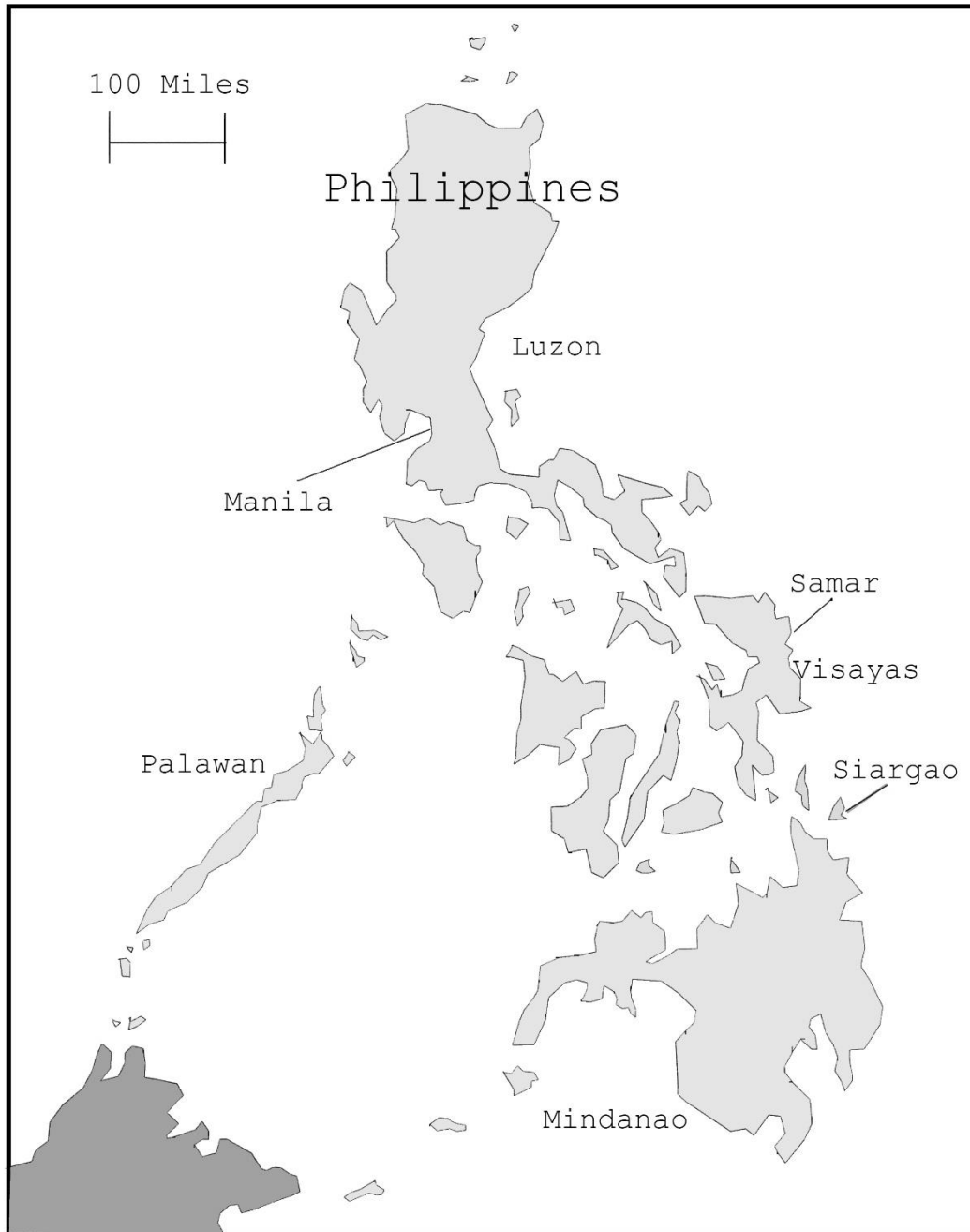
This has been an incredible life-changing journey, and what a privilege it has been to have you all here with me.

Maps

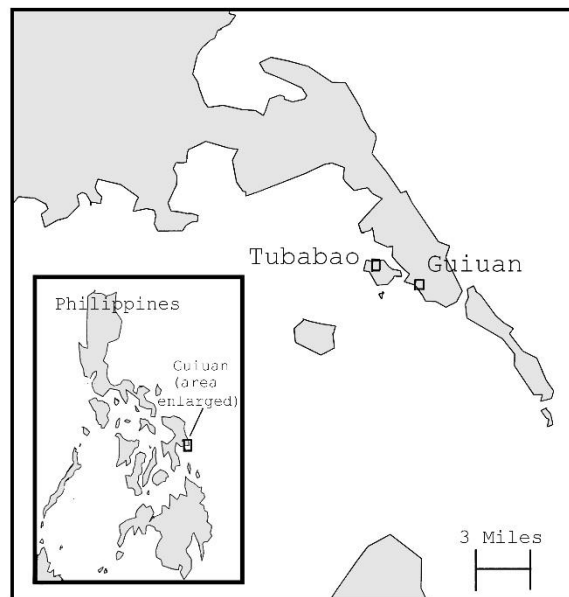
Map 1: Southeast Asia



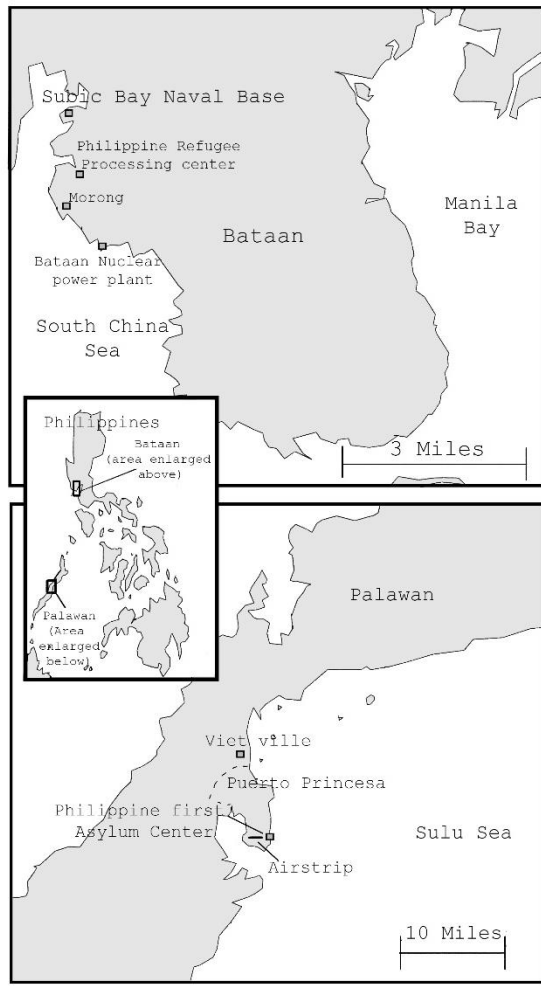
Map 2: Map of the Philippines



Map 3: Location of Tubabao and Guiuan, Samar



Map 4: Map showing Bataan and Palawan



Timeline

The colonial state in the Philippines (1565-1935)

- 1565-1898: Spanish colonisation of *las islas Filipinas*
- 1898 – 1901: The first Philippine Republic (‘the Malolos Republic’)
- 1901-1935: American colonisation of the Philippine Islands
 - 1923: About 900 Russian refugees, mostly comprising sailors from the Siberian flotilla, arrive in the Philippines and are admitted by Governor-General Leonard Wood

The Commonwealth government (1935-1946) and the Second World War (1942-1945)

- 1937: Refugees from Shanghai arrive in Manila, including German Jews; Manila’s Jewish community creates the Jewish Refugee Committee (JRC)
- 1938: President Manuel Quezon (1935-1944) and American High Commissioner Paul McNutt approve the formation of a special immigration programme under the auspices of the JRC to admit German Jewish refugees to the Philippines. Several hundred refugees arrive in the Philippines.
- 1939: Quezon approves the ‘Mindanao Plan’ whereby 10,000 Jewish refugees will settle in the southern island of Mindanao.
- 1940: The Philippine Immigration Act limits immigration to the Philippines by 500 persons per nationality. Section 47.B, which allows the entry of refugees at the president’s discretion, forms part of this legislation.
- 1942: The Japanese Army occupies the Philippine Islands; Quezon flees to the US and establishes a government-in-exile. The ‘Mindanao Plan’ is suspended, but by this stage 1,300 Jewish refugees have been admitted to the islands.
- 1945: The US Army liberates the Philippines. All surviving Jewish refugees begin emigrating from the Philippines, most moving to the US.

The Republic of the Philippines (1946-present)

- 1946: The US grants the Philippines independence.
 - ‘Overseas Chinese’ under the UN’s protection, who were ethnic Chinese minorities that were Philippine residents prior to the Second World War, are denied re-entry to the Philippines.

- 1948: The International Refugee Organisation (IRO) requests President Elpidio Quirino (1948-1953) to extend temporary asylum to Russian refugees in China who were displaced by the Chinese Civil War (1927-1949)
- 1949: Quirino extends asylum to around 5,500 Russian refugees from China who are accommodated in the island of Samar. The UN Evacuation Centre is established as the refugees' camp.
- 1950: Restrictions to immigration are introduced and the Alien Registration Act is enacted.
- 1951: The IRO ceases operations and is replaced by the World Council of Churches (WCC) in the Philippines; the UN Office of the High Commissioner for Refugees (UNHCR) takes over refugee protection duties in the international refugee regime.
- 1953: The WCC resettles all remaining Russian refugees and closes the UN Evacuation Centre on Samar.
- 1958: Senator Francisco Rodrigo attempts unsuccessfully to introduce a 'Refugee Relief Act' to address the 'problem' of Chinese 'overstayers' who were displaced by the establishment of the People's Republic of China in 1949.
- 1966: Soviet defector, Anatole Geichenko, jumps ship and lands on Philippine shores. He claims asylum and is eventually resettled.
- 1972: President Ferdinand Marcos (1965-1986) declares martial law (1972-1986), exacerbating armed conflict with Muslim separatists and generating an exodus of 'Filipino refugees' into Sabah, Malaysia.
- 1974: Soviet defector, Stanislav (Slava) Kurilov, jumps ship and is detained. He claims asylum and is eventually resettled.
- 1975: The first Vietnamese refugees arrive.
- 1979: The Philippine First Asylum Camp is established in Palawan under the auspices of the Philippine Western Command and UNHCR.
 - Several hundred Iranian students in the Philippines seek asylum in the aftermath of the Iranian revolution.
- 1980: The Philippine Refuge Processing Centre is established in Bataan under the auspices of Marcos' Task Force for International Refugee Assistance and Administration, and UNHCR.
- 1981: Marcos ratifies the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol.
- 1989: The Comprehensive Plan of Action is adopted in the Philippines.

- 1990: Iranian refugee Karman Karbasi arrives in the Philippines under a false passport to seek asylum; UNHCR recognises him as a ‘refugee’.
- 1996: UNHCR ceases all funding for Indochinese refugees in camps across Southeast Asia.
- 1997: The Catholic Church in the Philippines and its refugee agency, the Centre for Assistance to Displaced Persons, sign a Memorandum of Understanding to take full responsibility for all remaining Vietnamese refugees in the Philippines.
- 1998: The Refugee Protection Unit is established under the Department of Justice.
- 2012: The Philippine government ratifies the 1954 Convention relating to the Status of Stateless Persons.
- 2017: Karbasi is naturalised as a Filipino citizen – the first case to be considered under the provisions of the Refugee Convention.

Introduction

The Philippines: ‘A nation composed of many refugees’?

“We are actually a nation composed of many refugees.”¹ These words formed part of the speech of President Ferdinand Marcos (1965-1986) when he inaugurated the Philippine Refugee Processing Centre (PRPC) in January 1980. The PRPC was the dictator’s contribution to the international response for the Indochinese refugee ‘crisis’ that began in 1975. The PRPC was built in the province of Bataan as temporary accommodation for thousands of refugees from Vietnam, Laos and Cambodia prior to their resettlement in the United States (US), Western Europe, South America and Japan.²

What did Marcos mean by this statement? His claim was a rhetorical tool to justify the PRPC’s construction amidst concerns from Bataan’s local community that the refugee camp would affect their livelihoods. Marcos sought to deflect these concerns by weaving the 1980s refugee ‘crisis’ into a claim that the Philippines was built on displacement. He alluded to pre-colonial migrations from the Indo-Malay world who settled on islands that comprised the modern Philippines, as well as to ‘Chinese, Japanese, Korean, Bornean, Malaysian, Thai and many others’. Marcos concluded that ‘it can truly be said that all Filipinos are from a race of refugees’ (*tayong labat ay tunay na masasabing galing sa labing refugae*) and that ‘we know how it is to be a refugee’.³ These rhetorical claims were used to concoct a shared experience with refugees in the 1980s.⁴ Yet, by asserting this claim, Marcos omitted a whole other recent refugee history, which forms the subject of this thesis.

Since 1975, five years before the PRPC’s inauguration, thousands of ‘boat people’ – the term used to describe Vietnamese refugees who fled on barely seaworthy boats – had arrived on Philippine shores and sought asylum. Marcos extended temporary asylum on ‘humanitarian grounds’.⁵ Decades earlier, other groups of refugees also travelled by sea to find (temporary) refuge in the Philippine archipelago: specifically, German Jews (1930s) and Russians (1923 and from 1949 to 1953). Yet, the state also generated ‘Filipino refugees’. Marcos’ speech acknowledged that Filipinos from Mindanao (the Philippines’ southern island) were internally displaced by armed conflict

¹ Ferdinand Marcos, *Presidential Speeches*, vol. 10 (Manila: Office of the President, 1985).

² Florentino B. Feliciano and Marissa P. de la Cerna, “Refugees in Southeast Asia: A Note on Philippine Practice and Recent Developments,” *World Bulletin: Bulletin of the International Studies of the Philippines* 6 (1990): 7.

³ Marcos, *Presidential Speeches*.

⁴ Marcos also had an interest in tracing the origins of Filipino nationalism prior to colonialism in the 16th century. Rommel Curaming discussed Marcos’ ‘grand history project’, which culminates in his presidency. Rommel Curaming, “Official History Reconsidered: The Tadhana Project in the Philippines,” in *The Palgrave Handbook of State-Sponsored History After 1945*, ed. Berber Bevernage and Nico Wouters (London: Palgrave Macmillan UK, 2018), 237–253.

⁵ “Philippines to Restrict Refugees Who Arrive at American Bases”, *New York Times*, 3 May 1975.

between his armed forces and Muslim separatists. Yet, he failed to mention that this conflict had since the 1970s also forced more than 19,000 Filipinos to become refugees in Malaysia. Many of them still live there today.⁶ These episodes show that the Philippines has a recent refugee history, but these episodes of displacement did not fit into Marcos' rhetoric of the refugee-origins of the 'Filipino' race.

Marcos, however, was not the only one to silence refugees. His speech demonstrates how some knowledge of this refugee-origins history exists. At the same time, displaced groups and persons remain largely hidden or marginalised in the more familiar version of Philippine history. Refugees are regularly silenced and ignored in dominant national histories, and the Philippines is no exception.⁷ Refugees are absent in textbooks and in literature on Philippine history.⁸ As a university-educated student, for example, I only learned about this history in 2013 over an unexpected dinner with Bernard Kerblat, former director of the United Nations Office of High Commissioner for Refugees (UNHCR) Philippines. That dinner became the impetus of this research, leaving me with more questions than answers. Why did different political administrations admit some groups of refugees, such as German Jews, Russians and Vietnamese? Which groups were not admitted and why? Who were the key movers and shakers? Does the refugee have a place in Philippine history?

The Refugee Archipelago is about the history of the refugees in the Philippines in the twentieth century. I shall show how Marcos was right in alluding to the existence of a Philippine refugee history, but not in the way he meant. Instead, my research explores the relationship between the state and the refugee—how refugees were associated with the process of Philippine state-formation, nationally and internationally. I not only identify the political responses around forced migration but also analyse the extent to which refugees can be said to have constituted the state.

I investigate three episodes in which different political administrations extended asylum to three displaced populations: German Jews (1938-1941) were admitted by Manuel Quezon (1935-1944), Russians from China (1949-1953) by Elpidio Quirino (1948-1953), and Indochinese refugees (1975-1996) arrived under Marcos until the camps closed under Fidel Ramos (1992-1998).⁹ To a

⁶ In 2014, UNHCR reported that there were around 80,000 Filipino refugees in Malaysia. 'Filipino refugees in Sabah', UNHCR <http://reporting.the.unhcr.org/node/3864> (accessed 22 May 2020). I discuss this refugee group in chapters one and six.

⁷ Philip Marfleet, "Displacements of Memory," *Refuge: Canada's Journal on Refugees* 32, no. 1 (May 2016): 7–17.

⁸ See, for example, Patricio Abinales and Donna J. Amoroso, *State and Society in the Philippines* (Rowman & Littlefield, 2005); Luis Francia, *A History of the Philippines: From Indios Bravos to Filipinos* (Overlook Press, 2010); Teodoro A. Agoncillo, *History Of The Filipino People* (Quezon City: C & E Publishing, Inc, 2012).

⁹ I use the term 'Indochinese' refugees as a means to generalise the different groups of refugees leaving what had formerly been known as 'Indochina'. This group was mainly comprised of those fleeing Vietnam (both North and

lesser extent I also consider those who were not readily admitted such as Russian defectors, displaced Chinese visitors (a few thousand overstayed their visitor visas, refusing to return to the newly established People's Republic of China (PRC) in 1949), Iranian refugees *sur place* (a few hundred Iranian nationals who were mostly students in the country when the Iranian Revolution of 1979 changed governments) and 'Filipino refugees' (as mentioned above, those who fled to Sabah in the 1970s). I focus on Jewish, Russian, and Indochinese refugee admissions because they were the larger groups encountered by the state. They also serve as a contrast with the presence of the other groups (Chinese, Iranian and Filipino refugees), highlighting the ambiguities of definitions and inequalities of refugee protection and assistance in the archipelago. These case studies form the heart of this thesis; they are, in part, intertwined with the development of the modern Philippine state, beginning in the 1930s through the mid-1990s.

This thesis begins in the 1930s when the contours of independence were being shaped. The Philippines, after centuries of colonial rule under Spain and the United States (US), was granted domestic sovereignty as an American Commonwealth government for ten years prior to independence. This meant that the Philippine-led state could now dictate its own border control policies.

Each episode has been largely forgotten in the dominant narrative of Philippine history, despite having been remarkable in different ways. More precisely, the state's decision to grant asylum to refugees happened because many other states refused to or threatened to 'refoul' them, *refoulement* being the forcible return of a refugee or asylum seeker to a country or territory where he or she is likely to face persecution. In addition, the large numbers of refugees admitted, their ties with international networks of assistance, the determination of key individuals to help, and how refugees overcame life-threatening situations deserve more scholarly attention in order to incorporate developments in the Philippines into broader histories of population displacement and refugee relief in South-East Asia and beyond.¹⁰

My aim in this dissertation is to challenge this absence by bringing together the histories of forced migrants and that of the modern state. I make these 'invisible' migrants the centre of historical inquiry and explain how and with what consequences they became visible at key junctures of Philippine history. This dissertation thereby insists on the need for a different approach to

South Vietnam), Cambodia and Laos. The majority of refugees who arrived in the Philippines were Vietnamese boat people.

¹⁰ For a broad overview of Southeast Asia and refugees, see: Sara E. Davies, *Legitimising Rejection: International Refugee Law in Southeast Asia* (Brill, 2008); Vitit Muntarbhorn, *The Status of Refugees in Asia* (Oxford, New York: Oxford University Press, 1992).

understanding the development of the Philippine state. I intend to demonstrate the extent to which refugees are a part of Philippine history, and that the Philippines can be integrated into refugee history.

This thesis adds another important dimension to the existing literature about migration *into* the Philippines. The historiography of Philippine migration has been dominated by research about movement *from* the archipelago, adding to the common conception of the Philippines as a place of emigration. Yet, the archipelago has a long history of immigration that can be traced to pre-colonial times, but the literature remains limited in scope.¹¹ The history of Chinese immigration to the islands dominates the field of research.¹² These, however, have been historicised through the lens of regular and illegal migration. Chinese refugees have remained largely absent or at the fringes of these studies. These ‘invisible’ Chinese migrants reflect the broader academic lacuna on refugee history despite the importance of temporary asylum for thousands of displaced persons in the archipelago.

Only recently was there an increase in academic interest on Philippine refugee history. These have focused on individual episodes of refugee admissions such as displaced Jews, Russians, and Vietnamese.¹³ These studies prompted much needed discussions regarding the Philippines’ contributions to addressing displacement, what asylum in the archipelago entailed, and the ways these are remembered today. As the case studies will show, these important sources have informed my research.

¹¹ The Philippine Migration Research Network published an edited volume *The Philippines as Home* in 2001. This is one of the few texts focused on different groups of immigrants to the archipelago, such as South Asians, Russian refugees, and Chinese migrants. Refugees, however, are peripheral to the network’s research. Maruja Milagros B. Asis, ed., *The Philippines as Home: Settlers and Sojourners in the Country* (Philippine Migration Research Network, 2001).

¹² Some literature on Chinese migrants in the Philippines: Teresita Ang See, “Influx of New Chinese Immigrants to the Philippines: Problems and Challenges,” in *Beyond Chinatown: New Chinese Migration and the Global Expansion of China*, ed. Mette Thunø (NIAS Press, 2007), 137–162; Richard Chu, *Chinese and Chinese Mestizos of Manila: Family, Identity, and Culture, 1860s-1930s* (BRILL, 2010); Caroline S. Hau, *The Chinese Question: Ethnicity, Nation, and Region in and Beyond the Philippines* (NUS Press, 2014); Edgar Wickberg, “The Chinese Mestizo in Philippine History,” *Journal of Southeast Asian History* 5, no. 1 (March 1964): 62–100.

¹³ Harris, *Philippine Sanctuary A Holocaust Odyssey*; Polina Ilieva, “The Refugee Camp in Tubabao: The First Philippine Experience in International Humanitarian Assistance,” in *The Philippines as Home: Settlers and Sojourners in the Country*, ed. Maruja Milagros B. Asis (Philippine Migration Research Network, 2001), 135–166; Ida May F. Bagasao, “Refugees Are Here to Stay: The Relevance of the Refugee Problem to the Philippine Situation” (Oxford: Refugee Studies Program, 1995); James Pangilinan, “Screening Subjects: Humanitarian Government and the Politics of Asylum at Palawan” (Master’s, University of Washington, 2014). Ephraim, *Escape to Manila*; Fitzpatrick, “Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949”; Lipman, *In Camps*; Kinna Mae Kwan, “Country of Transit: The White Russian Refugee Camp in Tubabao Island, Guiuan, Samar, Philippines (1949-1951),” *The Journal of History* 65, no. 1 (2019): 269–301. Jocelyn Martin, “Manilanan Memories: Bridging WWII Memories of East and West,” 2015; Jose Tirol, “Of Forgetting and Remembering: Social Memory, Commemoration, and the Jewish Refugees in the Philippines During the Second World War.” (Ph.D., University of the Philippines, Diliman, 2015).

This thesis takes an original approach by using a comparative analysis to explore the relationship between the state and the refugee and questioning the extent to which refugees formed part of Philippine state-formation processes. Comparative analysis exposes patterns and differences among the case studies to explain outcomes. In this case, it was that refugee policies were ad hoc in nature, which were partial to certain displaced groups and had implications for those who were not admitted.

Studies on individual episodes of refugee admissions are important. However, they have blind spots and fail to account for recurring debates around immigration and citizenship issues at certain junctures of the twentieth century, as well as the lasting effect of colonial legacies of exclusion on non-citizens. Context-specific studies also miss out on the opportunity to see similarities or changes in how Philippine institutions, members of the public, and non-state actors defined who a refugee was, and what asylum looked like, such as the creation of a Jewish agricultural resettlement or the use of temporary camps for Russian and Indochinese refugees.

One of the aims of this thesis is to address that analytical deficiency. While the case studies present episodes that appear to be isolated events, the comparative aspect of this research underlines the commonalities that weave them together. Placing these different episodes together captures the extent to which colonial legacies, national interests, immigration and citizenship debates, and categorisation practises influence decision-making processes and account for the selective fashion of Philippine refugee policy. A comparative analysis emphasises how refugees, sovereignty and state-formation are woven together.

Thus, this thesis argues that the relationship between the state and the refugee was conflicted, resulting in ad hoc refugee policies that provided room for the state to manoeuvre. The decision to host refugees was based on calculated and selective definitions of a 'refugee'. It was calculated, because the decision reflected political considerations, partly motivated by humanitarian principles; it was selective, because the state admitted certain refugee groups despite the presence of other displaced persons that sought asylum in the archipelago. Given that each episode of refugee admissions occurred during different incarnations of the state, I explore what policies tell us about how sovereignty was asserted or constrained and what national interests informed decision-making processes. In successive chapters, it will be seen that the state adopted the role of refugee-host and refugee-producer. Part of the reason for this was the extent to which colonial legacies (such as exclusionary practices or the special relationship between the Philippines and its former coloniser, the US) seeped into the post-colonial thinking of politicians.

I advance an additional argument. This thesis directs attention to the nature of the Philippine state in terms of how it defined and presented itself to both domestic and international audiences. As the following chapters show, at particular moments forced migrants became the points of intersection for domestic and foreign actors and their interests – foreign policy directly affected ‘the *topos* of political life within the “domestic” borders of the state’.¹⁴ Refugees were central to immigration debates and diplomatic relations. The emerging state’s decisions to admit or reject refugees reflect the extent of its exercise of sovereignty, its internal and external authority.

The Refugee Archipelago as refugee history

This thesis is situated in the field of refugee history. This section briefly outlines the field’s development and identifies some of the key literature that informed my research. It is necessary to clarify that while I have not dedicated a literature review section, I have made a strategic decision to introduce the relevant literature at appropriate points in the thesis.

History has not always been part of refugee studies but has been gaining important academic attention.¹⁵ The growth of historical perspectives reflects how historians have recognized the long history of forced migration on a global scale and sought to analyse complexities, continuities and patterns. Early examples of history in refugee studies were European-focused and concerned about the legal aspects of protection, the creation of refugee camps, and manifestations of humanitarian aid during the interwar era and the immediate aftermath of the Second World War.¹⁶ These studies extended to explore themes about defining refugees, the development of refugee regimes, intergovernmental institutions, and the role of states and non-governmental organisations (NGOs); some studies also extended their focus outside Europe.

Claudena Skran, for example, discussed how European states responded to the presence of refugees during the interwar period by creating the international refugee regime (see pp. 34-35).¹⁷ Aristide Zolberg, argued how the process of state-formation generated refugees; along with Sergio Aguayo and Astri Suhrke, Zolberg drew attention to movements in the Third World.¹⁸ Louise

¹⁴ Itty Abraham, *How India Became Territorial: Foreign Policy, Diaspora, Geopolitics* (Stanford University Press, 2014), 2.

¹⁵ Jérôme Elie, “Histories of Refugee and Forced Migration Studies,” in *The Oxford Handbook of Refugee and Forced Migration Studies*, ed. Elena Fiddian-Qasmiyeh editor et al., Oxford Handbooks in Politics & International Relations (Oxford: Oxford University Press, 2014), 23–35. See also: Marfleet, “Displacements of Memory”; Philip Marfleet, “Refugees and History: Why We Must Address the Past,” *Refugee Survey Quarterly* 26, no. 3 (2007): 136–148.

¹⁶ Malcolm Jarvis Proudfoot, *European Refugees: 1939-52: A Study in Forced Population Movement* (Northwestern University Press, 1956); Louise W. Holborn, “The League of Nations and the Refugee Problem,” *The Annals of the American Academy of Political and Social Science* 203 (1939): 124–135.

¹⁷ Claudena M. Skran, *Refugees in Inter-War Europe: The Emergence of a Regime* (Oxford: Clarendon Press, 1995).

¹⁸ Aristide Zolberg, “The Formation of New States as a Refugee-Generating Process,” *The Annals of the American Academy of Political and Social Science* 467 (1983): 24–38; Aristide Zolberg, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (New York ; Oxford: Oxford University Press, 1989).

Holborn and the late Gil Loescher discussed the trajectories of intergovernmental organisations such as the IRO and UNHCR respectively (parts two and three); later histories emerged about other organisations like the role of the UN Relief and Rehabilitation Administration (UNRRA).¹⁹ These works mapped out the significance of recognising refugees as a particular group of people on the move, deserving of protection. Roger Zetter and Oliver Bakewell stressed that these labels – narrow by design – have implications for policy and practice too.²⁰

Other work paid particular attention to the role of NGOs. For example, Elizabeth Ferris argued that the functions of NGOs and churches not only provide charitable relief, but also undertook refugee protection responsibilities.²¹ By tracing the history of the role of NGOs in aiding forced migrants, Ferris reminded us that individuals and private voluntary groups delivered assistance that bypassed governments. In the interwar years, they lobbied European states to establish an international organisation to protect refugees.²² Ferris’ work has informed my analysis on the NGOs involved in my case studies, whose responsibilities went beyond charity (see chapters three, five, and seven).

More recently, the historiography has taken a less Eurocentric character.²³ I join a growing number of scholars who have expanded and critiqued the literature about the international refugee regime,

¹⁹ Louise W. Holborn, *The International Refugee Organization: A Specialized Agency of the United Nations: Its History and Work, 1946-1952*. (Oxford University Press, 1956); Gil Loescher, *UNHCR and World Politics A Perilous Path* (Oxford: Oxford University Press, UK, Oxford University Press, 2001); Gil Loescher, “UNHCR’s Origins and Early History: Agency, Influence, and Power in Global Refugee Policy,” *Refugee* 33(1) (2017): 77–86; Silvia Salvatici, “‘Help the People to Help Themselves’: UNRRA Relief Workers and European Displaced Persons,” *Journal of Refugee Studies* 25, no. 3 (September 2012): 428–451.

²⁰ Roger Zetter, “More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization,” *Journal of Refugee Studies* 20 (2007): 172–192; Roger Zetter, “Labelling Refugees: Forming and Transforming a Bureaucratic Identity,” *Journal of Refugee Studies* 4 (1991): 39–62; Oliver Bakewell, “Research beyond the Categories: The Importance of Policy Irrelevant Research into Forced Migration,” *Journal of Refugee Studies* 21 (2008): 432–453.

²¹ Elizabeth Ferris, *The Politics of Protection* (Brookings Institution Press, 2011); Elizabeth Ferris, “Faith-Based and Secular Humanitarian Organizations,” *International Review of the Red Cross* 87, no. 858 (2005): 311–325; Elizabeth Ferris, “The Role of Non-Governmental Organizations in the International Refugee Regime,” in *Problems of Protection: The UNHCR, Refugees, and Human Rights*, ed. Niklaus Steiner, Mark Gibney, and Gil Loescher (Routledge, 2003), 117–137.

²² I use ‘NGO’ loosely in this thesis to generalise the different voluntary agencies /non-state humanitarian organisations involved in refugee assistance. The term ‘non-governmental organisation’ gained international currency in 1945 during the formation of the United Nations (UN), noted in Article 71 of the UN Charter. Prior to this, non-state actors have been (and are still) referred to in different way – voluntary organisations or societies, private development organisations, people’s organisations, private voluntary organisations, or the third sector—which has been subject to debate. See: Thomas Richard Davies, *NGOs: A New History of Transnational Civil Society* (Oxford University Press, 2014), 3.

²³ Some examples of regional studies can be found at: Elena Fiddian-Qasbiyeh et al., eds., *The Oxford Handbook of Refugee and Forced Migration Studies*, Oxford Handbooks in Politics & International Relations (Oxford: Oxford University Press, 2014); Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013). For Europe, see: Matthew Frank and Jessica Reinisch, *Refugees in Europe, 1919-1959: A Forty Years’ Crisis?* (Bloomsbury Publishing, 2017); Gerald Daniel Cohen, *In War’s Wake: Europe’s Displaced Persons in the Postwar Order*, Oxford Studies in International History (New York ; Oxford: Oxford University Press, 2011).

humanitarian organisations, international relations, and refugee voices across the twentieth century, with a particular focus on Asia.

Asia has a long history of displacement, but only drew academic attention in the 1980s because of the massive exodus from what was then Indochina and the international response the movements garnered.²⁴ Common understandings of the Philippines' refugee history have been mostly limited to this period as well, which forms the subject of part three of this thesis. However, episodes of displacement, as parts one and two show, existed long before 1975, when the Indochinese refugee 'crisis' began. Asian states, such as the Philippines, played important roles in hosting refugees and these began with the emergence of the international refugee regime.²⁵

Southeast Asian states – as sites of asylum – have recently become less neglected avenues of inquiry. In the early 2000s, regional and country-based studies emerged. Sunil Amrith, Amarjit Kaur, and Adam McKeown drew attention to regional episodes tracing them from colonial to post-colonial times.²⁶ Meanwhile, academic journals, such as the *Journal of Refugee Studies* and the *Journal of Immigrant and Refugee Studies*, published special issues dedicated to forced migration in Asia.²⁷ Major conferences also hosted panels to refugee issues in the region, such as those from the Refugee Law Initiative's annual conference in 2019, and the (cancelled) Association for Asian Studies annual conference for 2020, which had at least three panels to refugee issues in the region.

Meanwhile, considerable academic attention has focused on China and Chinese refugees, particularly in the post-war period and the establishment of the People's Republic of China (PRC)

²⁴ Some of the literature since the 1980s present different state-led and institutional responses: Davies, *Legitimising Rejection*; W. Courtland Robinson, *Terms of Refuge: The Indochinese Exodus & the International Response*, Politics in Contemporary Asia (London: Zed Books, 1998); Astri Suhrke, "Indochinese Refugees: The Law and Politics of First Asylum," *The Annals of the American Academy of Political and Social Science* 467 (1983): 102–115. while others focused on the effect of living in camps on refugees: Jana Lipman, *In Camps: Vietnamese Refugees, Asylum Seekers, and Repatriates* (Oakland, California: University of California Press, 2020); James M. Freeman and Nguyen Dinh Huu, *Voices from the Camps: Vietnamese Children Seeking Asylum* (University of Washington Press, 2011); John Chr Knudsen, *Chicken Wings: Refugee Stories from a Concrete Hell* (Magnat Forlag, 1992); Linda Hitchcox and Toke Reichstein, *Vietnamese Refugees In Southeast Asian Camps* (Springer, 1990). For resettlement: Aihwa Ong, *Buddha Is Hiding: Refugees, Citizenship, the New America* (University of California Press, 2003); Y'ĕn Lê Espiritu, *Body Counts: The Vietnam War and Militarized Refugees*, 1st ed. (University of California Press, 2014). For humanitarian memories and the emergence of epistemic communities: Bertrand Taithe, "The Cradle of the New Humanitarian System? International Work and European Volunteer at the Cambodian Border Camps, 1979-1993," *Contemporary European History* 25, no. 2 (April 2016).

²⁵ Thousands of Russian refugees fled to China during the Russian Revolution and Civil War. See: Marcia Ristaino, *Port of Last Resort: The Diaspora Communities of Shanghai* (Stanford University Press, 2003).

²⁶ Sunil Amrith, *Crossing the Bay of Bengal* (Harvard University Press, 2013); Sunil Amrith, *Migration and Diaspora in Modern Asia* (Cambridge: Cambridge University Press, 2011); Amarjit Kaur and Ian Metcalfe, *Mobility, Labour Migration and Border Controls in Asia* (Springer, 2006); Adam McKeown, *Melancholy Order: Asian Migration and the Globalization of Borders*, Columbia Studies in International and Global History (New York: Columbia University Press, 2011).

²⁷ 'Forced Migration in/of Asia', *Journal of Refugee Studies* 31 no. 3 (2018). 'Statelessness, Irregularity, and Protection in Southeast Asia', *Journal of Immigrant and Refugee Studies* 15 no.3, (2017). In the 2017 issue, the Philippines features as a source of refugees since thousands fled to Malaysia where they were recognised by the Malaysian government as refugees.

in 1949.²⁸ Scholars drew attention to displaced ethnic Chinese in Southeast Asia: Glen Peterson and Taomo Zhou focused on episodes in Indonesia while Meredith Oyen covered the region more broadly.²⁹ Meanwhile, Laura Madokoro explored the politics and responses in Hong Kong, showing the rejection of Chinese refugees in white settler societies like Canada and Australia.³⁰

Elsewhere in Asia, scholars have shed light on displacement that fell outside the regime's purview. Vazira Zamindar captured the everyday realities of refugees from the partition of the Indian subcontinent in 1947, showing how displacement shaped the Indian state.³¹ Lori Watt focused on the repatriation of Japanese after the Second World War.³² Malaysian scholars discussed the local and national policies towards Filipino refugees in Sabah (see chapter six).³³

New research projects also place refugee voices at front and centre of investigation.³⁴ This thesis, however, does not draw directly upon refugees' testimony since it focuses on the process of state-formation and political responses to the presence of refugees in the Philippines. Refugee voices emerge within the thesis where relevant to understand policies or highlight aspects on the roles of the state, intergovernmental refugee agencies, and NGOs.

Refugee history is a field that 'cannot just be about refugees'.³⁵ Forced migrants are intertwined in multiple relationships, above all with the state, intergovernmental agencies, NGOs, humanitarian workers, local host communities and diaspora. My research makes an intervention by placing the Philippines at the centre of historical inquiry. The archipelago was a place of encounter for the international refugee regime, where the exercise of a newly acquired sovereignty was confronted

²⁸ Glen Peterson, "Forced Migration, Refugees and China's Entry into the 'Family of Nations', 1861–1949," *Journal of Refugee Studies*, 2018; Lili Song, "China and the International Refugee Protection Regime: Past, Present, and Potentials," *Refugee Survey Quarterly* 37, no. 2 (2018): 139–161.

²⁹ Glen Peterson, "The Uneven Development of the International Refugee Regime in Postwar Asia: Evidence from China, Hong Kong and Indonesia," *Journal of Refugee Studies* 25, no. 3 (2012): 326–343; Taomo Zhou, *Migration in the Time of Revolution: China, Indonesia, and the Cold War* (Ithaca: Cornell University Press, 2019); Meredith Oyen, "The Right of Return: Chinese Displaced Persons and the International Refugee Organization, 1947–56," *Modern Asian Studies* 49, no. 2 (March 2015): 546–571. There is current research about Indonesia, such as Susan Kneebone's on-going project on 'Indonesia's refugee policies: responsibility, security and regionalism' at Monash University.

³⁰ See also: 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): 1145–1181.

³¹ Vazira Zamindar, *The Long Partition and the Making of Modern South Asia: Refugees, Boundaries, Histories* (Columbia University Press, 2007). See also: Ranabir Samaddar, "Power and Responsibility at the Margins: The Case of India in the Global Refugee Regime," *Refuge: Canada's Journal on Refugees* 33, no. 1 (2017).

³² Lori Watt, *When Empire Comes Home: Repatriation and Reintegration in Postwar Japan* (Cambridge, Mass.: Harvard University Press, 2009). For refugees in Japan: Petrice R. Flowers, "Failure to Protect Refugees? Domestic Institutions, International Organizations, and Civil Society in Japan," *Journal of Japanese Studies* 34, no. 2 (2008): 333–361.

³³ Azizah Kassim, "Filipino Refugees in Sabah: State Responses, Public Stereotypes and the Dilemma over Their Future," *Southeast Asian Studies* 47, no. 1 (2009): 52–88; Amarjit Kaur, "Refugees and Refugee Policy in Malaysia," *UNEAC Asia Papers* 18, no. 1 (2007): 77–90.

³⁴ See for example: Peter Gatrell et al., 'Reckoning with refugeedom: refugee voices in modern history', *Social History* 46, no. 1 (2021): 70–95.

³⁵ Peter Gatrell, "Refugees—What's Wrong with History?," *Journal of Refugee Studies*, 2016, 178.

by the presence of refugees. What emerges in the following chapters show how the process of Philippine state-formation was entangled with domestic politics, with categorisation practices, with questions of international refugee law, and with the creation and maintenance of refugee camps.

This history is important, but it is not easy to tell. Writing refugee history can be messy. Historians must take account of interdisciplinary approaches and critical analyses of policy. They must deploy a variety of primary and secondary sources in order to investigate mass population displacement, to understand complex human experiences, and to challenge myths perpetuated by governments and by refugees. History provides a critical analysis which informs contemporary understanding of on-going forced migration issues. This enables historians to challenge notions of misguided rhetoric, such as dangerous claims that current numbers of people on the move are ‘unprecedented’, or misrepresentations of how refugees are portrayed in the media.³⁶

Problematizing Philippine refugee history today

Referring to the absence of refugees in Philippine history and to the creation of myth, UNHCR Philippines sought to address this issue recently with its own version of Philippine history. Its website identified ‘nine waves’ of refugees who were admitted to the archipelago between 1920 and 2000.³⁷ These episodes, the article claimed, accounted for a ‘strong humanitarian tradition’ of Filipino hospitality towards displaced persons. Set chronologically, the article double counts refugee groups such as the Russians (1923, and 1949-1953) and Indochinese (divided as ‘Vietnamese boat people’ from 1975-1992, and ‘Indochinese refugees’ from 1980). The article also talks about other groups, such as Spanish Republicans (1930s) and Chinese refugees (1940). It is unclear if these Chinese refugees were officially admitted, but the sources I found tell of a reluctance to admit Chinese refugees, based on colonial legacies of race-based discrimination – the subject of my last chapter.

What troubled me about the UNHCR article is that it simplified the episodes and framed them in a linear manner suggesting a contained and complete history – one with a clear beginning and end. The article closes by claiming that ‘history looks on fondly on the Philippines’ goodwill towards asylum seekers’, presenting an unproblematic version of this history. UNHCR Philippines also

³⁶ Benjamin Thomas White, “Talk of an ‘Unprecedented’ Number of Refugees Is Wrong – and Dangerous,” *The New Humanitarian* [website], October 2019, <https://www.thenewhumanitarian.org/opinion/2019/10/03/unprecedented-number-refugees-wrong-dangerous>. (accessed 16 April 2020).

³⁷ Laurice Penamente, “Nine Waves of Refugees in the Philippines,” *UNHCR Philippines* [blog], June 2017, <https://www.unhcr.org/ph/11886-9wavesrefugees.html>. (accessed 16 April 2020).

missed the opportunity to stress that this history is not finished, that displacement is very much a reality for many in the Philippines.

There are gaps in relation to citizenship which emerge in recent reports by UNHCR Philippines. In 2020, the agency identified at least five groups within the Philippines who are ‘at risk’ of statelessness: ‘unregistered children, foundlings, children of Filipino descent in migration situations (e.g., Middle East and Sabah), persons of Indonesian descent residing in Southern Mindanao, and the Sama population’.³⁸ The agency’s website stops short of elaborating on these groups, who are mostly based in the south. What is important is that the number of displaced persons considered as ‘stateless’ remains high. There are, for example, over 6,000 Indonesian descendants who remain without a nationality.³⁹ Meanwhile, many Vietnamese refugees remain stateless following the closure of the camps in 1996. Vietnamese diasporic actors from abroad, such as Boat People SOS and VOICE (Vietnamese Overseas Initiative for Conscience Empowerment) continue to help them.⁴⁰

With these in mind, my dissertation does not accept a simplified version that generalises the ‘goodwill’ of Filipino people. Instead, it makes a critical reading of the past and responds to the Philippines’ ‘collective amnesia’ of its refugee history.⁴¹ While my research explores the relationship between the Philippine state and the refugee, it also dismantles the illusion of ‘good intentions’.

It is not my purpose to deny the significance of these episodes, especially for refugees. Visas to the Philippines saved several Jewish refugees from certain death. Temporary asylum in the archipelago was a respite from a threat of forced repatriation to the Soviet Union for thousands of Russians. For Vietnamese ‘boat people’, the grant of asylum meant that they were not pushed back into the ocean in unseaworthy boats. For child refugees, the Philippines was a place of firsts – first photos, first memories – or the only childhood they knew.

Additionally, episodes of refugee admissions also remain important for those communities that interacted with refugees. Tangible reminders of these episodes are seen in areas that hosted refugees, reminding both locals and visitors of a shared past. The images below (figures 1 and 2) show how Vietnamese cuisine, for example, seeped into the communities around the refugee

³⁸ ‘Ending and Reducing Statelessness’, UNHCR Philippines [website] <https://www.unhcr.org/ph/ending-reducing-statelessness> (accessed 16 April 2020).

³⁹ Vivian Tan, ‘Stateless in the Philippines: Indonesian descendants feel torn between two lands’, UNHCR UK [website], 15 September 2014 https://www.unhcr.org/5416d3519.html#_ga=1.210120021.1984223669.1427807363 (accessed 22 May 2020).

⁴⁰ Jana Lipman discusses how statelessness is linked with the opportunity for resettlement in the US, which is advocated by VOICE. Lipman, *In Camps*, 220–221.

⁴¹ ‘Collective amnesia’ is a term used by Tony Kushner. See Tony Kushner, *Remembering Refugees: Then and Now* (Manchester: Manchester University Press, 2006), 234; and Marfleet, “Displacements of Memory.”

camps in the provinces of Palawan and Bataan (map 4). These restaurants are still very much part of provincial tourism and serve as reminders for a past continues to hold meaning for the local community. The presence of refugees impacts their host communities. These relationships are a core element in refugee studies.⁴² The importance of these episodes to both refugees (and their descendants) and to host communities raises questions about how episodes of refugee admission are remembered and by whom – a topic I return to in the Conclusion of this thesis.



Figure 1 Vietville is now a tourist site in Palawan with a restaurant serving Vietnamese food. Source: personal photo (2017)



Figure 2 Loleng's Vietnamese Food in Morong, Bataan. The cafe is based on the outskirts of what was then the PRPC. Source: personal photo (2016)

My research is a contextual history that places the archipelago at the centre of 'refugeedom'. 'Refugeedom' interlaces the movements of displaced persons with the changes of the international refugee regime.⁴³ The Philippine state was an actor in part because the presence of refugees made it such – to that extent, refugees 'shaped the state'. The Philippine state, however, did not operate in a vacuum; it was only one among many actors within this regime. I explain the international refugee regime below.

The policies to grant asylum to different refugee groups were not a purely Philippine state-led initiative; far from it. This research would be incomplete without exploring the other actors involved: intergovernmental refugee organisations and, international and local non-governmental organisations (NGOs). These actors and their assumptions are here related to the history of the modern Philippines. Each was dynamic and changing, and so were their interests.

⁴² Some examples are: Karen Jacobsen, "Livelihoods in conflict: the pursuit of livelihoods by refugees and the impact on the human security of host communities." *International migration* 40, no. 5 (2002): 95-123. Gina Porter, Kate Hampshire, Peter Kyei, Michael Adjaloo, George Rapoo, and Kate Kilpatrick. "Linkages between livelihood opportunities and refugee–host relations: learning from the experiences of Liberian camp-based refugees in Ghana." *Journal of refugee studies* 21, no. 2 (2008): 230-252.

⁴³ Gatrell, "Refugees—What's Wrong with History?"

This thesis presents an example of how the international refugee regime operates on different layers—international, regional, national, and local—using the Philippines as a site of investigation. We need to consider these different levels to make sense of the various actors’ interests, agenda, and actions, which were not always consistent across these layers. UNHCR, for example, though a key actor in the international level could only be an observer on the national level, as became apparent in the wake of the Indochinese refugee ‘crisis’.

The dynamics taking place at the national-local levels add more nuance to the different actors’ agenda. I separate the national from the local level to emphasise that the modern Philippine state was also comprised of multiple actors operating in different sectors and places (Manila and the provincial towns where the camps were located). Some of these actors include the president, senate and congress, administrative departments (Immigration, Foreign Affairs, Defence, Social Welfare), and local government officials.⁴⁴ They formed part of the state’s machinery and were involved in the decision-making process to offer or deny asylum and/or the execution of refugee policy. The state operated through interactions among the national and local governments, different state departments, and individual officials and politicians – each with their own agenda in refugee issues. Contradictions and ambiguities emerge in their responses to displacement, making the Philippine state a complex actor within the refugee regime. By looking at the national and local levels, we also see the extent to which refugees also constituted the state: certain state departments took on refugee-related functions such as coordinating with intergovernmental refugee agencies and NGOs, transporting refugees, providing security, processing immigration documents.

There were elements of fragmentation and power structures. At the very top was the figure of the elected president, and the presidential office wielded power over refugee policy— Quezon, Quirino and Marcos each had vested interests in refugee admissions. Below the president were the elected senate and congress, responsible for legislation matters including those around immigration. The relationship between the president’s interests in refugee matters and the legislative process is an important part of this thesis, and at times, the president’s interests were realised through political patronage (see chapter one). These power structures significantly changed under Marcos’ dictatorship as the infrastructure of the state and all policy-making came to be concentrated in the president’s hands.

⁴⁴ The Philippines’ current form of government is a constitutional democracy with an executive, legislative and judicial branch whose functions are outlined in the Philippine Constitution. The popularly elected president currently serves a six-year term (since 1987), prior to this was four years until the Marcos dictatorship. The president directs all state departments and agencies, releases funds appropriated by congress, and acts as commander-in-chief of the Armed Forces of the Philippines. For a more detailed discussion on how the political administration functions, see: Abinales and Amoroso, *State and Society in the Philippines*, 12–16.

'Local' actors, however, do not simply equate to national authorities. There are many dimensions to 'local' actors, which can include various interest groups and voices from Philippine society that also shaped public policy: The Catholic Church, media, business, NGOs, civic associations, unions and other sectors of society (rural poor, women, students, diasporas). Although these actors and groups have been constituted outside the state – loosely referred to as non-state actors or civil society – they can cross the divide by being employed by the state or more radically, seize it.⁴⁵ The government had allies, such as the Catholic Church, which has been a social force in Philippine society since the 1930s.⁴⁶ In refugee matters the Church was only active during the Indochinese refugee 'crisis' through the Centre for Assistance to Displaced Persons (CADP), which eventually challenged the government's attempt to (forcibly) repatriate refugee Vietnamese refugees in the mid-1990s. The media was another ally. Manila-based national newspapers have been run by major corporations, which scholars have criticised with being more interested in competing with other media outlets for profit rather than pursuing political matters.⁴⁷ The role of the media, though a useful source to understand details of the state's reception of refugees, remains marginal in this thesis. National newspapers appear to be less critical of the government, and during the Marcos dictatorship, many national newspapers were either shut down or censored. This censorship necessitates a critical lens when using reports from this period.

Other key actors include diasporic groups. In relation to the Philippines, the Jewish diaspora, specifically Manila's Jewish community, played an important role in refugee 'rescue' in the 1930s.⁴⁸ Manila's Jewish community – whose members had been important economic actors since the Spanish period – had the socio-economic capacity and humanitarian desire to engage in the refugee issue, expressed in the JRC's formation in 1937.⁴⁹ The organisation originated from the locally-embedded Jewish diaspora whose members mostly belonged to Manila's elite. NGOs occupy a

⁴⁵ Abinales and Amoroso, 10. For an example how state and non-state actors confronted each other in election matters, see: Eva-Lotta Hedman, *In the Name of Civil Society: From Free Election Movements to People Power in the Philippines* (Honolulu: University of Hawaii Press, 2005).

⁴⁶ For a brief history of the Catholic Church and Philippine politics, see: Rosalinda Pineda Ofreneo, "The Catholic Church in Philippine Politics," *Journal of Contemporary Asia* 17, no. 3 (January 1987): 320–338.

⁴⁷ Doreen Fernandez, "The Philippine Press System: 1811-1989," *Philippine Studies* 37, no. 3 (1989): 325, 311; John A. Lent, "The Press of the Philippines: Its History and Problems;," *Journalism Quarterly* 43, no. 4 (1966): 739–752.

⁴⁸ For the role of diaspora in responding to displacement, see: Nicholas Van Hear, "Diaspora," in *The Oxford Handbook of Refugee and Forced Migration Studies*, ed. Elena Fiddian-Qasmiyeh et al. (Oxford: Oxford University Press, 2014), 488–498.

⁴⁹ Members of the Jewish community, mainly American Jews, enjoyed social prestige. Emil Bachrach, for example, was businessman-cum-philanthropist 'who supported both Jewish and Christian causes'. Bonnie Harris, "Manila Memories: History of Jews in the Philippines," *Asian Jewish Life*, 2013, https://asianjewishlife.org/pages/articles/AJL_Issue_11_Jan2013/AJL_Feature_Manila_Memories.html (accessed 23 June 2019). See also: Jonathan Goldstein, *Jewish Identities in East and Southeast Asia: Singapore, Manila, Taipei, Harbin, Shanghai, Rangoon, and Surabaya* (Oldenbourg: de Gruyter, 2015).

more complex space vis-à-vis the state, sometimes as ally and others as challenger. The role of NGOs will emerge at key points in the thesis.

Amidst the multifaceted Philippine state and society, this thesis focuses more on the formal aspects of the state and less so on these others. I have decided to omit the discussion of other movers and shakers in Philippine society, such as the media or leading intellectuals in civil society. The Church, however, emerges only intermittently; nor do I draw attention to refugee voices. One reason is that the sources on these other actors are limited. Another reason is the lack of space; thus, I narrow this thesis' focus to the process of state-formation.

This thesis examines the intersection of the state (at various levels) with refugees and organisations (i.e., NGOs) charged with caring for them. In order to understand the dynamics at the national-local levels of the regime, however, it is necessary to understand how the international refugee regime emerged in the first place, and the asymmetrical relationships among the different actors that comprise it.

The international refugee regime and its actors

This section provides an overview of the international refugee regime and introduces some of its key actors: the state, international and intergovernmental organisations, and NGOs. The international refugee regime's broader history and development has been tackled by other scholars elsewhere.⁵⁰ This section contextualises two aspects of how the regime functions. First, the dynamics among the different actors, emphasising that powerful European states shaped, constrained and/or enabled the regime to succeed. The role of states in the regime helps us understand how these relationships were also visible in the Philippines. Second, the 'refugee' label had power and had significant consequences for displaced groups, such as how and what kind of aid a 'refugee' received. This section is followed by some of the discussions that academics have raised about the regime and its work in Asia, particularly of its 'Eurocentricity' in relation to Asian refugees.

Using the label loosely, I define a refugee as someone who flees their home country because of war or persecution and seeks safety in another.⁵¹ Throughout this thesis, I use synonyms, like

⁵⁰ For the origins of the international refugee regime see: Skran, *Refugees in Inter-War Europe*; Gatrell, *The Making of the Modern Refugee*; Gilbert Jaeger, "On the History of the International Protection of Refugees," *International Review of the Red Cross* 83, no. 843 (2001): 727–738; Louise W. Holborn, "The Problem of Refugees," *Current History: Philadelphia, Etc.* 38, no. 226 (1960): 342–345. For an overview of international refugee law's development, see: Ulrike Krause, 'Colonial roots of the 1951 Refugee Convention and its effects on the global refugee regime', *Journal of International Relations and Development* (2021): 1-28; Guy S. Goodwin-Gill and Jane McAdam, *The Refugee in International Law* (Oxford University Press, 2007). For an overview of how the 'refugee' emerges in the early modern era, see: Marfleet, "Displacements of Memory"; Marfleet, "Refugees and History."

⁵¹ Skran, 1.

‘displaced persons’ or ‘asylum-seekers’, which share this broad definition. Where I am referring to specific definitions based on institutional usage, such as in international refugee law, I make that distinction clear.

The regime emerged in Europe in the aftermath of the First World War, at a time when states advocated for restrictive immigration laws.⁵² Not all states were member states to this regime, which was mainly governed by powerful European governments and eventually included the US. These states saw refugees as a destabilising force to the international order. Yet, it was this very system that made the ‘refugee’ a ‘problem’ in the first place. The refugee, as Emma Haddad put it, was ‘an inevitable consequence’ of the ‘established’ order— the ‘international states system’ composed of sovereign entities with perceived demarcated territorial boundaries and a community of citizen-subjects.⁵³

The international refugee regime defined who a ‘refugee’ was, what protection entailed and provided ‘durable solutions’ (repatriation, resettlement, and integration). Skran characterised this regime as ‘the formal and informal arrangements created by states to deal with a particular issue’, which was the presence of refugees.⁵⁴ Drawing from the concept of an international regime, the refugee regime entailed shared principles (‘core beliefs held by members of the regime’) and norms (‘standards which define rights and obligations’) among powerful European states.⁵⁵ Principles and norms were the foundations of the refugee regime; from these, rules were created which were codified into international conventions and facilitated by international institutions. Principles, norms, and rules, however, changed over time. The regime’s different actors, such as states, NGOs, and intergovernmental refugee organisations, operated through decision-making procedures.

The presence of multiple actors created asymmetrical power dynamics and conflicting interests in refugee ‘rescue’. Chief among these actors was the state, which was the ‘gatekeeper’, whose sovereignty gave it the prerogative to deny or offer asylum to refugees.⁵⁶ Scholars have argued that the refugee regime was an instrument of statecraft.⁵⁷ On the one hand, states conceived refugee

⁵² John Torpey, *The Invention of the Passport Surveillance, Citizenship, and the State*, Cambridge Studies in Law and Society (Cambridge: Cambridge University Press, 2000).

⁵³ Emma Haddad, *The Refugee in International Society: Between Sovereigns* (Cambridge: Cambridge University Press, 2008), 1.

⁵⁴ Skran, *Refugees in Inter-War Europe*, 7, 65.

⁵⁵ Skran, *Refugees in Inter-War Europe*, 67.

⁵⁶ Peter Gatrell, “Western NGOs and Refugee Policy in the Twentieth Century,” *Journal of Migration History* 5, no. 2 (2019): 384–411.

⁵⁷ Gil Loescher, “The UNHCR at 50: State Pressures and Institutional Autonomy,” in *The UNHCR and World Politics: A Perilous Path*, 2001, 2; Skran, *Refugees in Inter-War Europe*, 65; Nevzat Soguk, *States and Strangers: Refugees and Displacements of Statecraft* (University of Minnesota Press, 1999).

‘protection’ in legal terms, which they formalised in international conventions. Since 1951, the refugee definition has been enshrined in the UN Convention Relating to the Status of Refugees and its 1967 Protocol (hereafter referred to as the Refugee Convention and Protocol).⁵⁸

On the other hand, states established intergovernmental organisations to facilitate protection: first within the League of Nations, then after 1945 to the IRO then UNHCR.⁵⁹ Intergovernmental and international organisations played important roles in the Philippines. Some examples are the two American-led organisations – the Intergovernmental Committee on Refugees (IGCR) and the President’s Advisory Commission on Political Refugees – which were heavily involved in the Philippines’ response to Jewish displacement. Meanwhile, the IRO was responsible for the care, relief, and resettlement of the Russian refugees who were accommodated at the UN Evacuation Centre (a refugee camp) on the island of Samar in the eastern Philippines. UNHCR took over most of the relief and resettlement efforts for Indochinese refugees, not only in the Philippines but in other countries of first asylum in Southeast Asia.

Through the Convention and Protocol, the regime provided standards by which states behaved towards refugees, upholding humanitarian principles that acknowledge that refugees deserved international protection. Displaced persons were given ‘refugee status’ when recognised as such under international law.⁶⁰ To prevent large-scale refugee admissions, however, powerful states ensured that the ‘refugee’ definition remained narrow since recognition offered ‘protection’ and held out the prospect of ‘durable solutions’, implying a sense of ‘privilege or entitlement’.⁶¹ To keep the definition narrow, member states agreed on a persecution-centred definition.

Conventions, however, were non-binding; nor were all states party to them. As we shall see, not ratifying the Convention and Protocol did not mean that states did not protect refugees. The

⁵⁸ Who qualified as a refugee changed over time. During the interwar years, the refugee regime determined this by association to certain national groups (Russians, Armenians); in the post-war period, states conferred status on an individualised basis. Meanwhile, the Protocol Relating to the Status of Refugees was constituted as a means for the UNHCR to expand the temporal and geographical limits of the 1951 Refugee Convention. Sara E. Davies, “Redundant or Essential? How Politics Shaped the Outcome of the 1967 Protocol,” *International Journal of Refugee Law* 19, no. 4 (2007): 703–728.

⁵⁹ For a history of the IRO, see: Holborn, *The International Refugee Organization*. For a history of UNHCR, see: Loescher, *UNHCR and World Politics A Perilous Path*.

⁶⁰ For discussion on international refugee law, see: Guy S. Goodwin-Gill, “The International Law of Refugee Protection,” in *The Oxford Handbook of Refugee and Forced Migration Studies*, ed. Elena Fiddian-Qasmiyeh et al. (Oxford: Oxford University Press, 2014), 36–37. See also: Arthur C. Helton, “What Is Refugee Protection? A Question Revisited,” in *Problems of Protection: The UNHCR, Refugees, and Human Rights*, ed. Niklaus Steiner et al. (Routledge, 2003). One of the most important principles was that of non-refoulement, which first emerged in 1933, and is currently enshrined in Article III of the 1951 Refugee Convention. Article 33(1), 1951 Convention Relating to the Status of Refugees: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his [or her] life or freedom would be threatened on account of his [or her] race, religion, nationality, membership of a particular social group or political opinion.”

⁶¹ Zolberg, *Escape from Violence*, 3. For a discussion on labels, see: Bakewell, “Research beyond the Categories”; Zetter, “More Labels, Fewer Refugees”; Zetter, “Labelling Refugees.”

rejection of refugee law did not mean the rejection of refugees. Principles and norms influenced states' decisions, but governments established their own rules in identifying and responding to displacement. Additionally, the refugee definition in the convention was far from being universal. As much as the refugee category denoted a sense of inclusion for forced migrants, it also excluded. The international refugee regime was blind to non-European refugees. B.S Chimni called this a 'myth of difference' that perceived refugee movements outside Europe as different from those in Europe since the interwar period.⁶² More on this in the next section.

Meanwhile, states were more focused on border control than the actual delivery of aid and protection.⁶³ Responsibility for relief and welfare was often handed over to non-state actors, such as intergovernmental organisations or NGOs. Sometimes, NGOs took on protection duties on top of providing material assistance, as well taking on state-like functions (see chapter three). These state-like functions, however, relates to the assumption that 'it is the primary responsibility of governments to protect all individuals within their jurisdiction'.⁶⁴ This devolution of responsibilities suggests the lack of the state's capacity and limited resources, or political unwillingness to aid refugees, but it does not mean the state is weak nor completely absent. The case studies show the extent to which NGOs reified state authority in relation to refugees. As gatekeeper, the state constrained NGOs that sought to pursue their own agenda in the local refugee regime. These constraints sometimes led NGOs to act in the state's interests.

NGO interventions in protection and taking on state-like functions raise questions around the extent to which these organisations are in essence 'non-governmental', as the term suggests. It is inadequate to perceive NGOs as purely non-political.⁶⁵ Ferris argued that this was product of a two-fold process: 'the international community's inability to protect uprooted people and the increasingly active role which NGOs are playing in international political and economic issues.'⁶⁶

Placing nomenclature matters aside, I interchange 'NGOs' with 'humanitarian organisations', since they were in the most basic sense, propelled to relieve refugees' suffering, and to an extent, motivated by compassion.⁶⁷ This does not mean that humanitarian organisations did not have their

⁶² B. S. Chimni, "The Geopolitics of Refugee Studies: A View from the South" 11, no. 4 (1998): 350–374.

⁶³ Ferris, "The Role of Non-Governmental Organizations in the International Refugee Regime."

⁶⁴ Ferris, *The Politics of Protection*, 71.

⁶⁵ For more on the conceptualisation of political roles of NGOs, see: William F. Fisher, "Doing Good? The Politics and Antipolitics of NGO Practices," *Annual Review of Anthropology* 26, no. 1 (1997): 439–464. Michael N. Barnett and Thomas George Weiss, *Humanitarianism in Question: Politics, Power, Ethics* (Ithaca, N.Y.: Cornell University Press, 2008).

⁶⁶ Ferris, "The Role of Non-Governmental Organizations in the International Refugee Regime," 117.

⁶⁷ Barnett and Weiss, *Humanitarianism in Question*. For a discussion on humanitarian sentiments, see: Richard Wilson, "Introduction," in *Humanitarianism and Suffering: The Mobilization of Empathy*, ed. Richard D. Brown and Richard Wilson (Cambridge University Press, 2008).

own interests or agenda to assert in the regime. To show these nuances within NGOs, I devote significant space to humanitarian organisations, specifically the locally based Jewish Refugee Committee in Manila (the JRC, see chapter three) and the Centre for Assistance to Displaced Persons (the CADP, see chapter seven), as well as to the Geneva-based World Council of Churches (the WCC, see chapter five).

Part of the regime's actors' rationale for aiding refugees derives from how they chose to define who a refugee was, what 'rescue' or 'protection' entailed, and who had the right to intervene. There was no one blanket definition of a 'refugee'. The case studies show how different actors chose to categorise displaced groups. At times, these definitions aligned, departed, or were completely absent, resulting in different terms of asylum, 'durable solutions', and forms of relief and assistance delivered to displaced groups. As an institutionalised category, however, states, intergovernmental organisations and humanitarian organisations spoke on behalf of refugees and moulded them to fit certain criteria. Refugees, in this sense, were silenced as well, despite the label 'bearing on matters of life and death'.⁶⁸

This section has shown how the international refugee regime comprised different actors with multiple interests. Their asymmetrical relationships shaped the outcomes of protection and assistance in Europe, with fundamental results. At times, the lines between where the state or international institutions ends and where the NGO begins is blurred, as each actor attempted to fulfil their interests and objectives. This, too, is part of refugee history.

The next section discusses the scope of the international refugee regime in Asia, and what this meant for displaced non-Europeans.

The refugee regime in Asia

One of the aims of *The Refugee Archipelago* is to explore how international 'solutions' to displacement in Asia were framed and changed. Drawing from some points in the previous section, the following discussion emphasises how the development of international protection was Europe-focused, rendering displaced populations outside the continent as 'invisible'.⁶⁹ The apparatus to protect refugees was initially blind to displaced non-Europeans. I also draw attention to how expansion into the region provided a space for actors to further their interests within the context of displacement.

⁶⁸ Zolberg, *Escape from Violence*, 3.

⁶⁹ Marfleet, "Refugees and History," 140.

Scholars including Glenn Peterson and Laura Madokoro have critiqued the ‘uneven’ development of the international refugee regime, which left Asian refugees ‘written out’ of its history.⁷⁰ Their published research provides a valuable point of departure for thinking how the episodes of asylum in the Philippines fits into the broader picture of displacement in the Asia.⁷¹ They demonstrate how the international refugee regime hesitated to include Asian refugees under its mandate after the Second World War. States, according to Peterson, preferred a narrow definition, insisting not to ‘write a blank cheque’ to the newly established UNHCR.⁷² The regime discounted Asian refugees, although the ‘Overseas Chinese’ were an exception. They were ethnic Chinese minorities who were excluded or expelled from their countries of residence and received assistance from the UNRRA and the IRO.⁷³ Responses to displacement from China in the 1940s-1950s showed a stark discrepancy in the delivery of international protection and aid between Chinese and European refugees, among whom were included the group of Russians to whom Quirino extended asylum.⁷⁴ Meanwhile in Hong Kong, UNHCR called displaced Chinese as ‘rice refugees’, a derogatory term that suggested a questioning of the ‘authenticity of the refugee experience’ in the former British colony.⁷⁵

The marginalisation of non-European displacement, Madokoro pointed out, reflects two issues within the international refugee regime: first, that the geopolitics of the Cold War emphasised how Europe was the ‘main theatre’ for the refugee regime; second, that decades of prejudice against Chinese migrants among Western states were associated with intergovernmental humanitarian aid and refugee protection.⁷⁶ Non-Europeans who moved involuntarily were not ‘refugees’. Peterson suggested an important rethinking of the international refugee regime not only as a Cold War institution, but also as a ‘colonial era’ one that incorporates ‘histories of colonialism, racial exclusion and Western constructions of non-European “others”’.⁷⁷ The case of displaced Chinese

⁷⁰ Peterson, “The Uneven Development of the International Refugee Regime in Postwar Asia”; Glen Peterson, “Sovereignty, International Law, and the Uneven Development of the International Refugee Regime,” *Modern Asian Studies* 49, no. 2 (2015): 439–468; Laura Madokoro, *Elusive Refuge: Chinese Migrants in the Cold War* (Harvard University Press, 2016).

⁷¹ Peterson, “Sovereignty, International Law, and the Uneven Development of the International Refugee Regime”; Madokoro, *Elusive Refuge*.

⁷² Peterson, “The Uneven Development of the International Refugee Regime in Postwar Asia,” 334. Pamela Ballinger also sheds light on the limited definitions from the perspective of ‘national refugees’. Pamela Ballinger, *The World Refugees Made, Decolonization and the Foundation of Postwar Italy* (Cornell University Press, 2020).

⁷³ For a comprehensive analysis of why ‘overseas Chinese’ were part of the UNRRA and the IRO’s mandate, see: Oyen, “The Right of Return.”

⁷⁴ Louise Holborn outlines IRO’s work in the post-war period, including in China. Holborn, *The International Refugee Organization*. See also Marcia Ristaino, *Port of Last Resort: The Diaspora Communities of Shanghai* (Stanford, Calif.: Stanford University Press, 2001).

⁷⁵ Madokoro, *Elusive Refuge*, 2.

⁷⁶ Madokoro, 10.

⁷⁷ Peterson, “Sovereignty, International Law, and the Uneven Development of the International Refugee Regime.”

in the Philippines (who feature in chapter eight) supports this argument. These displaced Chinese in the Philippines – labelled as ‘overstaying’ Chinese – were completely overlooked by the international refugee regime. The marginalisation or oversight of displaced Chinese was not just limited to the Philippines. Amrith, McKeown, and Oyen have situated the archipelago in an Asian framework, showing that emerging states’ generation of displaced Chinese and reluctance to admit them was not an isolated event, but a regional phenomenon.

Despite the ‘invisibility’ of non-European refugees, decolonisation in Asia brought ‘new’ states into the international refugee regime’s purview. In the 1970s, for example, UNHCR invited member states of the Association of Southeast Asian Nations (ASEAN) during the Indochinese refugee ‘crisis’ to ratify the Refugee Convention and Protocol as means to establish its authority in refugee protection (see chapter six).⁷⁸ These invitations highlight how not all states were members of intergovernmental organisations nor party to the Refugee Convention and Protocol despite extending asylum to refugees. The Philippine government only ratified the Convention and Protocol in 1981 but had admitted refugees since the 1930s. I also revisit this theme in chapter six, which shows that ASEAN’s decision to reject international refugee law had important consequences for Indochinese asylum-seekers who were labelled as ‘illegal immigrants’ rather than ‘refugees’, diminishing possibilities for their protection in nearby countries.

When looking at displacement in Asia, we see gaps within the international refugee regime as it expanded outside Europe. Regional interests raise questions about the relevance of international refugee law in addressing displacement in Southeast Asia. Whilst the focus of this thesis is on the Philippines, it is important to set the national dimension within a regional context. The interests and actions of ASEAN in particular influenced Philippine refugee policies. For example, any discussion of Marcos’ response to Indochinese and ‘Filipino refugees’ would be incomplete without considering the regional pressures on Philippine politics. As chapter six shows, however, regional policies were not always translated into national policies in the Philippines. Thus, it is necessary to investigate the dynamics of the regime’s actors in different levels to make sense of how refugees were associated with the process of state-formation, and how refugee policies were framed by different actors in the regime.

⁷⁸ Sara Davies questioned the relevance of the Refugee Convention and Protocol for Southeast Asian states. Davies, *Legitimising Rejection*. See also: Muntarhorn, *The Status of Refugees in Asia*. There is an emerging interest in the histories of states who were not signatories to the 1951 Refugee Convention and Protocol. See Maja Janmyr’s project, for example: *ERC Starting Grant 2019: Protection without Ratification? International Refugee Law beyond States Parties to the 1951 Refugee Convention (BEYOND)*. See also: Maja Janmyr, “No Country of Asylum: ‘Legitimizing’ Lebanon’s Rejection of the 1951 Refugee Convention,” *International Journal of Refugee Law* 29, no. 3 (November 2017): 438–465.

The Philippine state and the refugee

Another aim of this thesis is to disentangle the relationship between the state and the refugee. The Philippine state was an emerging one with a colonial past and modern incarnation. It was not a historical given and its formation and evolution need to be explained and contextualised. Those in power were sensitive to sovereignty issues and tested by citizenship matters and refugee issues – key components of my research. The Philippines was refugee-host, although in a selective manner and in accordance with national and geo-political interests, including positioning itself as an international ‘humanitarian’ actor.

While the previous sections looked at the international and regional contexts of the regime, this draws attention to the national and local levels of the refugee regime. I stress that refugees were part of the process of Philippine state-formation, nationally and internationally. Recalling my point earlier, the Philippine state was not a monolithic entity as different actors comprised it. Their varying interests meant that constraints and oppositions existed—at the very top, however, was the figure of the president whose interests largely dictated the outcomes.

The admission of refugees were expressions of sovereignty. On the international aspect, the case studies show that the offer of asylum was in part about the emerging state making its own claims within the changing international community across the twentieth century. It reflected how global, regional, and post-colonial politics shaped refugee policies. On the national front, refugees were considered in relation to key issues of economic development, immigration, and security. At the same time, refugee admission went hand in hand with the persecution of minorities – generally speaking, refugees, migrants and minorities were the ‘others’ in Philippine society. Among these ‘others’, hierarchies existed; in other words, at times refugees were favoured over existing minorities. I argue that colonial legacies of exclusion were factors in the marginalisation of non-Filipinos and the creation of hierarchies in the margins of society. One of the outcomes was that the Philippines was also a refugee-producing state.

Sovereignty is a key theme throughout this thesis. The state, however, is ‘a historical effect [...] whose powers are manifested in a plethora of ways’.⁷⁹ In the process of state-formation, sovereignty was manifested through “emigration, naturalisation, nationality, and expulsion”, in Hanna Arendt’s words.⁸⁰ In order to manage its ‘imagined community’ – to borrow Benedict Anderson’s phrase – those in power (local elites) chose to define who belonged and who did not.⁸¹

⁷⁹ Soguk, *States and Strangers*, 38.

⁸⁰ Hannah Arendt, *The Origins of Totalitarianism* (Houghton Mifflin Harcourt, 1973), 278.

⁸¹ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Revised edition (London: Verso, 2006).

The state is self-conscious and continuously forming itself. It had interests to uphold and protect, which dictated the refugee's exclusion or inclusion.

The experience of the Philippines' rejection and admission of refugees was not unique; other states did the same. Gil Loescher and John Scanlan, for example, discussed American refugee policies from 1945 to the 1980s.⁸² They referred to it as 'calculated kindness', showing the restrictive immigration laws and political debates around refugees. These produced inequalities towards different groups, sometimes based on race-based thinking and domestic interests. Paul Kramer also discussed American immigration policies, but with a particular focus on US foreign policy to 'project U.S. national-imperial power out into the world'.⁸³ One of the outcomes was that American refugee policy contained 'enemies' and rescued 'friends'. The reluctance of states to admit refugees is manifested through various ways of containment. David Scott Fitzgerald traced the history of containing refugees through the concept of 'remote control', which meant that governments stretched 'beyond their territories in extensive, routine collaboration to track and deter millions of individuals and particular groups trying to cross borders'.⁸⁴ Such practices were used by states throughout North America, Europe and Australia.

What makes the Philippines different from these more familiar examples is that it was an emerging state. During the Philippines' transition from colony to independence, the contours of sovereignty dictated the terms of asylum for each of the case studies. As we shall see, each policy was different from the other: Quezon offered German Jews permanent residence through naturalisation (Part one), Quirino and Marcos explicitly extended temporary asylum to Russians (Part two) and Indochinese (Part three) refugees. Marcos also ratified international refugee law. The presence of refugees raised questions about immigration laws, economic development goals, foreign policy objectives, and the emerging state's standing in the international community.

Political objectives outweighed refugee needs or the pursuit of permanent solutions to displacement. Quezon's decision to open the southern island of Mindanao for Jewish resettlement, for example, satisfied his primary interests in rural development. On the international stage, the Philippines was one of the few countries that opened its borders to refugees. Since the Philippines

⁸² Gil Loescher and John Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945-Present* (Simon and Schuster, 1993). See also: Carl Bon Tempo, *Americans at the Gate: The United States and Refugees during the Cold War*, Politics and Society in Twentieth-Century America (Princeton: Princeton University Press, 2008).

⁸³ Paul Kramer, "The Geopolitics of Mobility: Immigration Policy and American Global Power in the Long Twentieth Century," *The American Historical Review* 123, no. 2 (2018): 393–438. For another angle on how immigration policies were also linked to US imperial interests, see Daniel Immerwahr, *How to Hide an Empire: A Short History of the Greater United States* (Vintage Publishing, 2019).

⁸⁴ David Scott FitzGerald, *Refuge beyond Reach: How Rich Democracies Repel Asylum Seekers* (Oxford: Oxford University Press, 2019).

was only semi-autonomous as an American commonwealth state, Quezon's policy was a means to obtain international visibility by becoming a humanitarian actor.

I want to emphasise, however, that there were stark differences between the emerging state's international profile and its national power. Within its territory, the government held all the cards, but in international decision-making processes its authority might be limited. This is illustrated in chapter five, when the IRO chose the WCC to replace it in the Philippines to care for and resettle the remaining Russian refugees without consulting the government.

As will be seen, decision-making procedures to admit refugees and the execution of asylum in the Philippines were not always seamless processes. Institutional fragmentation meant that for refugee admissions to work, different government offices needed to work together. There were, however, instances of opposition to refugees among politicians, especially at the height of politicised immigration issues (see chapters two and eight), as well as laws that denied certain rights to non-citizens (such as land ownership; see chapter two). In the incapacity, absence or unwillingness of the state to provide the necessary resources for asylum in the Philippines, intergovernmental refugee agencies and internal / external humanitarian organisations stepped in.

Amidst power structures, the Philippine president emerged at the top in dictating refugee policies. This symbolic significance is linked to how refugees also informed immigration debates in the 1930s that resulted in the Philippine Immigration Act of 1940, which remains in force to the present day. Section 47.B of this immigration act is of particular importance for this thesis and is a key manifestation of how refugees were part of Philippine state-formation. This section established the possibility of granting asylum for refugees beyond agreed national quotas. This provision explicitly authorised the Philippine president to admit refugees 'for humanitarian reasons, and when not opposed to the public interest, to admit aliens who are refugees for religious, political, or racial reasons, in such classes of cases and under such conditions as he may prescribe.'⁸⁵ Although the cornerstone of refugee policy, this vague formulation offered no clear guidelines as to what asylum entailed, what rights the refugee had, or the responsibilities of the state. There were implications for a policy that remained in the hands of the executive, who at his discretion, could select which displaced groups to admit – the president was a powerful actor. It is important to understand why there was a need to include a refugee-favoured provision in Philippine immigration law and why the president had this power, and I explain this in chapters two and eight. Meanwhile, the president used refugee 'rescue' as a propaganda tool: the admission of Jews,

⁸⁵ "Commonwealth Act No. 613," Official Gazette of the Republic of the Philippines, <http://www.gov.ph/1940/08/26/commonwealth-act-no-613/> (accessed 19 October 2016).

Russian and Indochinese refugees coincided with decisions and the campaigns for re-election launched by Quezon, Quirino, and Marcos.

Another important presidential decision in relation to refugees was the ratification of international refugee law. In 1981, during the Indochinese refugee ‘crisis’, Marcos acceded to the Refugee Convention and Protocol – the Philippines became the first country in Asia to do so. This action signified the state’s commitment to refugee protection on the international stage. Though a pivotal moment, parts one and two of this thesis make it clear that, by exercising its sovereignty, the state chose to uphold or reject the principles enshrined in various Refugee Conventions of the international refugee regime without ratification of international refugee law. I return to this point below.

The Philippine state followed a well-trodden path of selectivity in refugee ‘rescue’. The refugee label earned legislative currency in immigration policy through Section 47.B, but its ambiguity meant that the president chose to apply it discriminately. While the state offered asylum to groups internationally recognised as ‘refugees’, displaced Chinese were denied entry to the Philippines. This rejection correlated to the regime’s own limited definitions as to who it needed to ‘protect’. My analysis follows Glen Peterson’s rethinking of the international refugee regime as a ‘colonial institution’, blind to non-European refugees.⁸⁶ Applying this insight to the Philippine state, colonial racial discourse not only inflected the international protection of refugees, but also that of the emerging state.

After independence in 1946, elements from the colonial past seeped into refugee policies and terms of asylum. To an extent, this fits into what Derek Gregory referred to as the ‘colonial present’, in which ‘the capacities that inhere within the colonial past are routinely reaffirmed and reactivated’ in the present.⁸⁷ Gregory’s point supports my argument about the Philippine state’s rejection of refugees or perpetuation of displacement. When nation-states came into existence upon decolonisation, the population, in Zolberg’s words, had to ‘be transformed into individuals who visibly share a common nationality’.⁸⁸ He concluded that the process of state-formation generated refugees. Looking at the emerging Philippine state, elite politicians excluded minorities from the socio-political landscape, perpetuating colonial legacies of exclusion towards the Chinese community in the name of national interests. This, chapter eight shows, had implications for displaced Chinese in the 1940s-1950s who were defined in terms of ‘illegal’ immigrants rather than

⁸⁶ Peterson, “Sovereignty, International Law, and the Uneven Development of the International Refugee Regime.”

⁸⁷ Derek Gregory, *The Colonial Present: Afghanistan, Palestine, and Iraq* (Maiden, MA and Oxford, UK: Blackwell Publishing, 2004), 7.

⁸⁸ Zolberg, “The Formation of New States as a Refugee-Generating Process.” 36.

refugees. The choice of which groups to extend asylum provided the state and some politicians with a means of maintaining existing social hierarchies, such as race-based discrimination of minorities (which labelled Chinese displaced persons as ‘illegal immigrants’ despite their involuntary movement) and the marginalisation of refugees from the Philippine polity.

Definitions mattered. To illustrate further, displaced groups from China in the late 1940s included Europeans and Chinese, but the emerging Philippine Republic explicitly stated its intention to limit asylum to only Russian refugees, leaving many ‘Overseas Chinese’ (who were former residents of the Philippines) unable to return to their pre-war homes.⁸⁹ Displaced Chinese were known to politicians as forced migrants and appeared in Congressional and Senatorial debates in the late 1950s, being referred to as ‘overstaying Chinese’ who arrived in the Philippines as visitors and overstayed their visas. In the late 1970s, uprooted Indochinese and so-called ‘non-Indochinese’ refugees (Iranians and other Middle Eastern refugees) both sought asylum in the archipelago but received starkly different responses from the state. The Indochinese refugee ‘crisis’ was a high-profile episode that drew international media attention and brought intergovernmental organisations (the UNHCR) and various foreign and local NGOs to the refugee camps. ‘Non-Indochinese’ refugees, however, were left to be assisted by just one local-based NGO, Refugee Services Philippines, Inc., which was underfunded.⁹⁰

Meanwhile, distinctions between ‘refugees’ and ‘asylum-seekers’ were most visible in the Philippines during the 1980s-1990s, when refugee screening processes were enforced by the state and by UNHCR. The existence of two different refugee camps was a tangible manifestation of these distinctions.⁹¹ On the one hand, the PRPC was built to speed up the resettlement process for those ‘screened in’ as ‘refugees’; on the other hand, the Philippine First Asylum Camp (PFAC) accommodated those ‘screened out’.⁹² The emergence of these dichotomies in asylum practices were products of intergovernmental discussions to address the ‘refugee problem’ in the 1980s.

⁸⁹ For the Overseas Chinese, see Oyen, “The Right of Return.” Chinese refugees did make it to the Philippines, but were not considered as ‘refugee’ per the state’s definition. These persons fled the political changes in mainland China but arrived in the Philippines ‘unchecked by the corrupt immigration bureau’. Nick Cullather, *Illusions of Influence: The Political Economy of United States-Philippines Relations, 1942-1960* (Stanford University Press, 1994), 75.

⁹⁰ Ma Corazon B. Gaite, ed., *The Rights of Refugees and Asylum-Seekers: Focus on the Philippines* (Diliman, Quezon City, Philippines: Institute of Human Rights, UP Law Center, 1996); Sedfrey M. Candelaria, “The Practice of Refugee Law in the Philippines,” *Philippine Law Journal* 70 (1995): 187–220.

⁹¹ Refugee camps – a technology used for managing refugees – has its own history. Michel Agier, *Managing the Undesirables: Refugee Camps and Humanitarian Government* (Cambridge: Polity, 2011); Jennifer Hyndman, *Managing Displacement: Refugees and the Politics of Humanitarianism* (University of Minnesota Press, 2000); Kirsten McConnachie, “Camps of Containment: A Genealogy of the Refugee Camp,” *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 7, no. 3 (2016): 397–412.

⁹² Lipman, *In Camps*, chaps. 3 and 6.

Another aspect of intergovernmental discussions during this period was the question of Southeast Asian states' ratification of the Refugee Convention and Protocol. Marcos' accession in 1981 ticked off one of UNHCR's own interests in the region. From the end of the 1960s, UNHCR sought to expand its reach beyond Europe through increasing the number of states party to the Convention and Protocol. By looking at the national level of the refugee regime, we see how the Philippines became the refugee agency's hinge into the region through careful nudges to the Marcos administration. As chapter six will show, Marcos' accession further presents the tensions between individual state interests and regional goals, but also emphasises the asymmetrical power dynamics between states and UNHCR. I elaborate on this point below.

There is a need to look beyond these instruments, however, to make sense of the admission and rejection of refugees by the Philippine state before 1981. Refugee reception was partly because of the regime's intervention, which recognised Jews, Russians, and Indochinese under its mandate.⁹³ As will be seen, this intervention was through the use of personal networks to influence governmental decision-making processes. These personal relationships among state and non-state figures remind us that the regime was not some abstraction but operated on a very personal level. Archival sources reveal, for example, how the Philippines became a possible site for Russian temporary evacuation through the IRO's discussions with American Gen. Douglas MacArthur, then Supreme Commander of the Allied Powers in Japan (see chapter four).⁹⁴ MacArthur's friendship with Manila's elite during his time spent in the Philippines under the American colonial state surely made an impact on the state's decision. A further example is Quezon's choice to admit Jewish refugees under a special immigration plan (see chapter two). This plan traces its origins to American High Commissioner Paul McNutt (the US President's representative to the Philippines), and American Jewish organisations who broached the subject to Quezon.⁹⁵ From these personal connections, the Philippine government proposed important contributions to the international efforts. The 'Mindanao Plan', for example, was the largest Jewish agricultural settlement planned in Asia, while Quirino's offer of temporary asylum for Russian refugees made the Philippines the only state to respond to the IRO's requests. Meanwhile, NGO figures, like the WCC's Edgar

⁹³ B. S. Chimni, "From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems," *Refugee Survey Quarterly* 23, no. 3 (2004): 55–73.

⁹⁴ "The Under Secretary of the Army (Draper) to the Assistant Secretary of State for Occupied Areas (Saltzman)" (Office of the Historian, November 1948), 840.48 Refugees/11–3048, Foreign Relations of the United States, 1949, The Far East: China, Vol. VIII.

⁹⁵ Bonnie Harris, *Philippine Sanctuary A Holocaust Odyssey* (Madison, Wisconsin: The University of Wisconsin Press, 2019); Dean J. Kotlowski, "Breaching the Paper Walls: Paul V. McNutt and Jewish Refugees to the Philippines, 1938–1939," *Diplomatic History* 33, no. 5 (2009): 865–896.

Chandler and Mollie Rule, were also instrumental in advocating for refugees, implementing relief programmes and resettlement processes.

Though disaster response tends to characterise the NGO landscape of the Philippines, this thesis draws attention to displaced groups and refugee issues as an important lens that expands the literature on humanitarian organisations in the archipelago.⁹⁶ Refugees became the *raison d'être* for locally based NGOs (JRC and CADP). Their lifetimes were directly linked to the duration of asylum in the Philippines, a reflection of the discontinuities of refugee arrivals, but also of the temporary nature of asylum in the Philippines. Their origins demonstrate the absence of refugee-focused organisations in the country, despite a growing landscape of voluntary organisations.⁹⁷ The presence of refugees in the Philippines prompted responses from diasporic actors (Manila's Jewish community) and the Catholic church (notably, nuns from the Daughters of Charity). They set up informal organisations to provide immediate relief to newly arrived refugees, but soon expanded their operations and consolidated into more formal structures that liaised with the state and intergovernmental organisations. The various context of their establishment shows how there was no singular type of NGO when it comes to refugee assistance in the Philippines.

Part of the Philippine state's response to displacement involved its mobilisation of these humanitarian organisations to deliver aid and search for 'durable solutions'. This presents another example of how the refugee regime functions: instead of enhancing governmental action, the regime resorted to relying on voluntary agencies.⁹⁸ Mobilising NGOs did not mean that the government was weak but suggests that the state did not see them as threats to its authority and that it was unwilling to use its resources towards refugees since they were non-citizens. One of the outcomes was that humanitarian organisations took on state-like functions, such as the JRC acting like an immigration department to process Jewish refugee applications for visas to the Philippines (see chapter three). Sovereignty necessitated that humanitarian organisations were flexible. The case studies show that NGOs adapted and reacted to changing circumstances, as states placed barriers to assistance or when the international refugee regime failed to protect those outside its mandate.⁹⁹

⁹⁶ Most of the literature around NGOs in the Philippines revolve around natural disasters or political movements. Some examples are: Greg Bankoff, *Cultures of Disaster: Society and Natural Hazard in the Philippines* (London: Routledge, 2003); Dorothea Hilhorst, *The Real World of NGOs* (Zed Books Ltd., 2003).

⁹⁷ Gerard Clarke, "Non-Governmental Organizations (NGOs) and Politics in the Developing World," *Political Studies* 46, no. 1 (1998): 36.

⁹⁸ Madokoro, *Elusive Refuge*, 78.

⁹⁹ Ferris, "The Role of Non-Governmental Organizations in the International Refugee Regime."

Power dynamics in the refugee regime meant that the Philippine government, as host-state, exercised its sovereignty which could revoke non-state actors' access to refugees in the country. The case studies provide examples of how NGOs' operations were not a straightforward matter. While they sought to assert their autonomy and establish themselves as big players, they also reified state authority when they adhered to the constraints that sovereignty placed on them. In the post-war period, for example, the WCC helped keep refugees on a site far from the centre of socio-political life, which served the state's interests (see chapter five).

Meanwhile, this thesis also presents an argument that refugees helped shape the Philippine state. This theme has been explored by Benjamin White and Vazira Zamindar. Their work on Syria and India respectively indicates how refugees also constitute the state through certain technologies to identify refugees or control their movements, and institutions and infrastructures that emerged in relation to refugee movements. In India, various economic, bureaucratic and juridical institutions intertwined themselves with refugees and minorities through permits, evacuee property legislation and passports.¹⁰⁰ Meanwhile Syria was formed 'around and against refugees'; various displaced groups shaped the definition of Syria's borders, the extension of the state into rural areas and the establishment the Syrian nationality law.¹⁰¹ Drawing from these examples, refugees constituted the Philippine state in a less direct manner compared to India and Syria. Chapter eight explores the ways displaced groups prompted the state's development of an administrative machinery to manage refugees. Refugees were part of the state-building process.

Based on the above discussion, the refugee was the point of intersection of some domestic and foreign policy interests and actors during different political administrations. This thesis seeks to understand the contours of sovereignty, its internal and external authority, as it transitioned from colony to independence and defined citizenship. The admission of Jews, Russians and Indochinese refugees not only satisfied domestic goals but also established humanitarian credentials for the emerging state. Yet, humanitarianism was a tool for maintaining social hierarchies – refugees' isolation in camps or settlements were clear statements that they existed outside the local polity. The rejection of displaced Chinese further exacerbated their socio-political exclusion in the archipelago, reminiscent of colonial times. As Filipino elites took hold of the presidency, their visions of the 'imagined community' defined membership in relation to Philippine society. Their exercise of sovereignty created a refugee-hosting and refugee-producing state. Such policies and

¹⁰⁰ Zamindar, *The Long Partition and the Making of Modern South Asia*; Samaddar, "Power and Responsibility at the Margins."

¹⁰¹ Benjamin Thomas White, "Refugees and the Definition of Syria, 1920–1939," *Past & Present*, 2017.

attitudes towards forced migrants echoed the inequalities present within the international efforts to protect refugees.

Note on primary sources

In addressing the issues introduced above, I have drawn upon a range of unpublished and published sources, such as archival material, ‘grey literature’, newspaper articles, and interviews. The following chapters are the product of an extensive archival fieldwork (over 20 archives from Switzerland, Philippines, UK, and USA) and four interviews with former humanitarian workers, refugees’ descendants, and a church official.¹⁰² Their views have provided varying perspectives to understand this institutional history. The newspapers I consulted consist of Manila-based national and international periodicals.¹⁰³

I identified and selected archives based not only the sources used in secondary literature about refugee admissions in the Philippines, but also through my own investigation on key figures and institutions involved in these episodes. As such, this thesis represents original research, taken from under-utilised repositories from institutions and organisations such as Geneva-based institutional archives. The WCC’s archives, for example, have been completely overlooked in any discussions on the final episodes of the Russians’ temporary asylum in the archipelago. I stumbled upon the WCC’s role in the Philippines after finding a copy of the organisation’s final report to UNHCR within the American Jewish Joint Distribution Committee’s (JDC) archives in New York.¹⁰⁴ Meanwhile, the IRO is an important actor in my research, but with limited funding, I was not able to go to the Paris-based archives. To supplement this, I lean on the recent research of Sheila Fitzpatrick from Australia, whose project focused on the temporary asylum of Russians in the Philippines prior to resettlement in Australia.¹⁰⁵

Meanwhile, some archives were not readily available accessible, such as the Marcos presidential papers. To understand the government’s actions during the Indochinese refugee ‘crisis’, I rely on the files from the UNHCR Records and Archives office. These files show the cautious relationship

¹⁰² I found these persons thanks to my personal network in the Philippines who knew persons who worked in the refugee camps during the Indochinese refugee ‘crisis’. I got in touch with the former Danish Ambassador to the Philippines, Jan Top Christensen, who I had read about in a news article about his work at the PFAC in Palawan. He widened my circle by including me in his gatherings with other former UNHCR staff in the camps, and former refugees who stayed in Palawan.

¹⁰³ International newspapers I consulted were limited by my access to the ProQuest historical newspapers database.

¹⁰⁴ “Rescue of a Remnant: The Story of Pacific Beach Camp” (World Council of Churches, March 1953), National Catholic Welfare Conference 1951-1954, American Jewish Joint Distribution Committee Archives.

¹⁰⁵ Sheila Fitzpatrick, “Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949,” *History Australia* 61, no. 3 (2019).

between UNHCR and the government, emphasising the asymmetrical power relations among actors in the refugee regime.

My research also used memoirs, notably those written by Frank Ephraim and Edgar Chandler.¹⁰⁶ Though these sources were published years (in Ephraim's case, decades) after asylum in the Philippines, their works provide a non-state perspective on the Jewish and Russian episodes of admission respectively. Ephraim, a former child refugee turned academic, provided glimpses into the everyday realities of Jewish refugees from their forced emigration from Nazi Germany to leaving the Philippines at the end of the Second World War to third countries of resettlement. He also illuminates the social networks that formed between refugees and members of Manila's Jewish community, many of whom were part of high society. Ephraim based his book on his family's history, interviews with former refugees in the late 1990s, and archival material. Although his positionality as a former refugee and later academic offers a unique perspective into Jewish refugee admission, his work needs careful attention since that position might have influenced some of the ways he conducted his interviews and interpreted events decades after they occurred.

In his book *High Tower of Refugee*, Chandler lays out the WCC's work in refugee aid. He wrote two chapters about the organisation's work in the Philippines during the last years of the Russian refugees' temporary asylum in Samar. As the WCC's main representative to the Philippines, Chandler provides an organisational standpoint from which to analyse the organisations' agenda and operations in the archipelago vis-à-vis the state's refugee policy. Although published a few years after the WCC's Philippine operations ended, his account details crucial episodes about the organisation's efforts to meet refugee needs and overcome obstacles for individual resettlement cases. These memoirs present alternative perspectives to Philippine refugee policies and offer an extent of criticism to the state's responses to displacement.

Chapter outline

I began this Introduction by problematising Marcos' rhetorical claims about the Philippines' refugee history. The following chapters are about those groups he failed to mention, showing how refugees have been part of the history of the modern Philippine state. The case studies about Jewish, Russian, and Indochinese refugees are divided into three parts and form the heart of the thesis. In the most literal sense, they are at its centre, book-ended by two chapters on Philippine history (chapters one and eight).

¹⁰⁶ Frank Ephraim, *Escape to Manila* (University of Illinois Press, 2003); Edgar Chandler, *The High Tower of Refuge: The Inspiring Story of Refugee Relief Throughout the World* (Odhams Press, 1959).

Chapter one introduces this history by tracing the development of the state from the colonial to post-colonial periods (ending in 1975). I focus on the different ways those in power perceived migrants and minorities to contextualise how refugee policies relate to and reflect attitudes towards non-citizens.

Part One (chapters two and three) addresses Jewish refugee admission from 1938-1941 and discusses the two immigration programmes developed by members of Manila's Jewish community, American High Commissioner Paul McNutt and American Jewish organisations, and approved by Quezon. The first was a special immigration programme in which visas were given to pre-selected Jewish refugees, and the second was the so-called 'Mindanao Plan', which was designed to admit 10,000 Jewish refugees for agricultural settlement in the southern Philippines. Chapter two contextualises Jewish refugee policy amidst immigration issues of the Commonwealth government. Refugee 'rescue' coincided with the assertion of domestic sovereignty and the creation of the Philippines' immigration law – factors that influenced Jewish immigration and the inclusion of Section 47.B. This chapter focuses on the 'Mindanao Plan', which I argue had implications for migrants and minorities. Chapter three focuses on the other immigration programme, which involved giving visas to selected refugees who would not become public charges. This chapter emphasises the important role of Manila's Jewish community whose leaders, the Frieder brothers, quickly established the Jewish Refugee Committee (JRC). This committee became the main coordinating body for both programmes, responsible for processing applications for immigration to the archipelago.

In Part Two (chapters four and five), the Philippines had not long achieved independence (4 July 1946) when Quirino admitted over 5,500 Russian refugees from China which occurred from 1949 to 1953. Chapter four begins by introducing the context in China that necessitated the Russians' protection, under the auspices of the IRO. Amidst post-war reconstruction and domestic problems of subversion, the Philippines was the only state to respond to the IRO's request for a temporary 'haven'. From 1949 to 1953, Russian refugees lived in a refugee beach camp, isolated on the island of Tubabao where they waited for resettlement to other countries. Simultaneously, displaced 'overseas Chinese' were denied re-entry to the Philippines in the immediate post-war period. Chapter five opens with institutional changes in the international refugee regime that brought the WCC to the Philippines. It replaced the IRO and, as I show, succeeded where the refugee agency failed. The WCC resettled all remaining so-called 'hard-core' refugees between 1952 and 1953.

In Part Three (chapters six and seven), I begin with the Philippines under martial law and end with the reconstitution of democracy. I dedicate more time to Marcos' presidency since this was when

Philippine refugee policy towards Indochinese refugees was formed, continued and amended by the succeeding presidents (Corazon Aquino, 1987-1992; Fidel Ramos, 1992-1998). During these political shifts hundreds of thousands of Indochinese refugees, mostly 'boat people' arrived on Philippine shores from 1975-mid-1990s. Chapter six starts by contextualising the Marcos dictatorship and the production of 'Filipino refugees'. It moves on to introduce the Indochinese 'refugee crisis' which began at the end of the Vietnam War. Refugees mostly from Vietnam arrived in the Philippines through the American evacuation (into American bases in the country), as well as those who fled on boats. Marcos granted temporary asylum to all who arrived in the Philippines 'on humanitarian grounds', aided by a mix of state services and NGOs funded by UNHCR. This chapter brings regional politics to the fore as well, showing how regional policies effected changes in Philippine refugee policy through the creation of the PRPC. Behind the scenes, UNHCR sought to expand its mandate in Southeast Asia, inviting the ASEAN's member-states to ratify the Convention and Protocol. Marcos was the only one to accede in 1981, which set the Philippines as the first Asian state to accede to the Refugee Convention and Protocol. The case studies come to an end in chapter seven. In 1996, UNHCR and the Ramos administration closed the camps and ceased funding. I show how the Catholic Church, through the CADP, took responsibility for about 2,000 remaining Vietnamese refugees that Ramos threatened with forced repatriation. The CADP transformed from an informal organisation in 1975 – one among many local and international organisations – to the sole NGO advocating for the refugees.

Chapter eight adds more nuance to the case studies by explaining more on the legislative framework that the Philippine state created to manage migrants and refugees. I also suggest that refugees shaped the state through the development of a state apparatus to manage refugees and what implications these might have for refugees who choose to settle in the Philippines.

The Conclusion proposes a re-thinking of Philippine history through migration, placing the refugee back into that history. It claims that Philippine history is in part a history of refugees. This history, however, is not only about 'rescue', but also creating displacement. In the Conclusion, I also raise further questions about what might be gained by exploring other dimensions of refugeedom – how the state chooses to commemorate its intervention/assistance (or not) and how far refugees embark on their own commemorative practices.

Chapter One

Introducing the Philippine state through its ‘others’

Any study of Philippine refugee policies must also consider government policies towards existing minorities— the ‘others’ in Philippine society. The admission of Jews, Russians and Indochinese refugees went hand in hand with the marginalisation of Muslim and Chinese minorities, some of whom were forced to seek asylum in neighbouring countries. In this sense, the Philippines was not only a refugee-hosting state, but also a refugee-producing one.

This chapter introduces the history of the modern Philippine state. It pays particular attention to the process of nation-state formation and identifies key actors in the state’s attempt to manage a multi-ethnic, multi-religious, and multi-lingual society.¹⁰⁷ I look to the ‘fringes’ of Philippine society to identify the political dynamics that disclosed the state’s attitudes and policies towards migrants and minorities as those in power sought to manage its ‘imagined community’.¹⁰⁸ This chapter focuses on the two largest groups which experienced various forms and degrees of exclusion: the Muslim minority, who do not readily identify with the Filipino nation-state, and the Chinese migrant community (later turned into a ‘minority’) who sought legal recognition as Filipino citizens.¹⁰⁹ Muslim and Chinese settlement in the Philippines traces to pre-colonial times (pre-1500s). Between the eleventh-twelfth centuries, Islam spread across Southeast Asia and reached the Philippine archipelago from the south in Mindanao, where the Muslim majority still reside today. Many Chinese settlers were merchants (labourers arrived during colonial rule).

I do not focus here on the relationship between migrants and the state because the debates are part of the case studies, while migration control forms the subject of the last chapter. Nevertheless, it is important to mention that immigration concerns were also part of the reason for the state’s marginalisation of Chinese migrants. As their numbers continued to increase in the archipelago, politicians sought to restrict their movement. The archipelago’s porous borders, however, meant that migrants were able to enter the country undetected and overcome official border controls, which resulted in an ‘illegal’ immigration ‘problem’ that characterised migration issues across the

¹⁰⁷ The Philippines is an archipelago of over 7,000 islands. There are over 70 identified languages across the archipelago; religious identities include: Roman Catholic 80.6%, Protestant 8.2%, other Christian 3.4%, Muslim 5.6%, tribal religions .2%, other 1.9%, none .1% (2010 est.). ‘Philippines Demographics Profile 2019’, *Index Mundi* [website] https://www.indexmundi.com/philippines/demographics_profile.html (accessed 10 June 2020). See also: Abinales and Amoroso, *State and Society in the Philippines*, 11.

¹⁰⁸ Anderson, *Imagined Communities*.

¹⁰⁹ Abinales and Amoroso, *State and Society in the Philippines*, 34–37.

twentieth century.¹¹⁰ As will be seen, the question of refugee admissions coincided with Chinese immigration issues.

The narrow definitions of who belonged to the Philippine polity were part of the process of state-formation. While the state formed itself internationally, the admission of refugees enabled the emerging state to develop humanitarian credentials. Yet, these credentials masked the domestic persecution of migrants and minorities. Meanwhile, hierarchies among the state's 'others' existed and it will be seen that at times, refugees were favoured over existing migrants and minorities, and certain aspects of Philippine refugee policy displaced Muslim and Chinese minorities. Jewish resettlement in Mindanao, for example, made it possible for President Manuel Quezon to consolidate his control of the Muslim-dominated region in the 1930s, while the admission of Russian refugees in the post-war period went hand in hand with an explicit rejection of displaced 'overseas' Chinese. Moments of anti-Sinicism, compounded by anti-Communism, in the post-war period also affected the legal status of 'overstaying' Chinese, who were visiting the Philippines before the establishment of the People's Republic China (PRC) in 1949 but who refused to return to mainland China. The neglect of Muslim political participation and economic development upon independence in 1946 escalated into armed conflict in the 1970s that triggered displacement both internally and created a generation of 'Filipino refugees' who were subsequently recognised as 'refugees' by the Malaysian state.¹¹¹

The concept of the 'Filipino' first emerged in the nineteenth century and the discussion below shows that it was a restrictive one. Since then, national identity, citizenship and belonging were constantly reinvented and redefined by different groups at different times. Favouring refugees was one manifestation of how the contours of citizenship and belonging were dictated by colonial legacies of exclusion and modern national interests.

This chapter takes a top-down approach. Most of the literature on 'Filipino' identity and nationalism revolves around the state, which was governed by local elites. These landed and wealthy elites were given an extent of political power under the Spanish and American colonial state, they formulated what became the dominant version of who belonged in the post-colonial nation, intent in maintaining social hierarchies that kept them in power.¹¹² The constant

¹¹⁰ Chu, *Chinese and Chinese Mestizos of Manila*, 292–294; Cullather, *Illusions of Influence*, 15–16; Kotlowski, "Breaching the Paper Walls," 883.

¹¹¹ Malaysia is not a signatory to the Refugee Convention and Protocol.

¹¹² For a more thorough discussion of how the Filipino state reinforced the national community, see: Greg Bankoff and Kathleen Weekley, *Post-Colonial National Identity in the Philippines: Celebrating the Centennial of Independence* (Milton: Taylor & Francis Group, 2002), chap. 1.

reinforcement of the elite narrative suggests that a ‘weak’ Philippine nation existed.¹¹³ A narrow definition of the ‘Filipino’ created minorities, among whom were Muslims, Chinese and indigenous populations. Marginalised groups challenged the state’s inculcation of a sense of political and cultural unity. To maintain power, however, politicians resorted to different forms of violence against persons and/or groups that threatened the state’s authority over its ‘imagined community’.

Meanwhile, the few instances of non-elite expression that have come to light demonstrate how borders around belonging or expressions of ‘Filipino’ identity are less clear when considering everyday realities or interactions between non-elite locals and minorities / migrants. Chinese men, for example, married Filipina women. Differences were also less visible particularly during resistance against colonial powers. Guerrilla warfare, for example, brought different ‘Filipinos’, migrants and minorities together to fight the Japanese in the Second World War. These non-elite expressions complement the local-refugee relations that emerge in the case studies, especially relations formed between local communities around refugee camps. These everyday realities reflect the limits of state power and ‘national identity’ that did not always extend into the local population’s imagining of their own identities.

To understand the modern (post-colonial) Philippine state, I trace its development from the colonial period (1565-1946) until 1975. I limit my history to this time frame because the idea of ‘the Philippines’ and the ‘Filipino’ emerged under Spanish rule (1565-1898), and I end in the 1970s because this is when the Indochinese refugees (my final case study) were admitted.

Colonial antecedents

The Republic of the Philippines (independent from 1946) is a product of its colonial past.¹¹⁴ The nation-state’s very name, Catholic-majority population, territorial jurisdiction and form of government are some embodiments of this past.¹¹⁵ Although a heterogenous population existed, the Spanish (1565-1898) and American (1901-1935) colonial states laid out the foundations of citizenship and belonging in Philippine society. This section looks at how these states constructed categorisations to homogenise a diverse local population into a ‘Catholic’, ‘civilised’, and ‘Filipino’

¹¹³ Bankoff and Weekley, 9, 19.

¹¹⁴ For Philippine colonial history, see: Abinales and Amoroso, *State and Society in the Philippines*, chaps. 3–6; Teresa Ma. Custodio and Jose Dalisay, eds., *Kasaysayan: The Story of the Filipino People*. (Hong Kong: Asia Publishing Company, 1998).

¹¹⁵ Philippine borders are not fully established and that Philippine-claimed territories remain contested with other states, and others by separatist movements within the archipelago. Lucy Reed and Kenneth Wong, “Marine Entitlements in the South China Sea: The Arbitration between the Philippines and China,” *American Journal of International Law* 110, no. 4 (2016): 746–760; Imma Concepcion Galeriana and Primitivo Ragandang III, “Philippines: In Search for Self-Determination. The Political History and Armed Struggle of the Moro National Liberation Front in Mindanao,” *Conflict Studies Quarterly* 24 (2018): 12–25.

nation.¹¹⁶ The categorisations and exclusionary practices that developed in this era were sustained by the elite-led post-colonial state. These local elites— who mostly comprised of the *mestizo* class, which I introduce below— acquired political power in the mid-1800s; they sought to limit access to Philippine citizenship in the name of development and security.¹¹⁷ As will become apparent, this history had specific implications for migrants and refugees.

The colonial state's management and homogenisation of the local population were not peaceful processes. Religious conversion was a key facet of Spanish conquest – a tool for subordination, at times, achieved by military expeditions.¹¹⁸ The American colonisation of the archipelago was, Paul Kramer argued, a 'race war'.¹¹⁹ Those who challenged the state's authority were minoritized, excluded, and persecuted.

The Philippines prior to colonisation comprised of multi-ethnic states, each with different leaders, cultures, languages and religions.¹²⁰ In the sixteenth century, Spain colonised this vast network of small states that formed the archipelago's population from 1565 to 1898.¹²¹ Parts of Luzon (the largest island in the northern part where the capital, Manila, is situated), and Visayas (group of islands in the central area) were incorporated into the Spanish empire as '*las islas Filipinas*' (after Felipe (Philip) II of Spain), while the southern area (Mindanao and the Sulu archipelago) inhabited mostly by Muslims existed as sovereign sultanates.

No single or unified 'Filipino' nation existed. The colonial state categorised its subjects along ethno-religious lines: 'Christian' (also labelled as *indios*) and 'non-Christian', equating to 'civilised' and 'non-civilised'. Some groups accessed political power under the colonial state, which began a system of 'patronage politics' – the idea that power derives from the means to provide for or simulate others' multifaceted needs. Localised structures of political patronage and a Christian legacy influenced what Filipino identity would come to look like.¹²²

¹¹⁶ Although US rule lasted until 1946, this section ends right before the Commonwealth government was established in 1935.

¹¹⁷ Filomeno Aguilar, "Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947," *Southeast Asian Studies* 49, no. 3 (2011): 442.

¹¹⁸ Abinales and Amoroso, *State and Society in the Philippines*, 51–52. The Church became (and remains) one of the most powerful institutions in the archipelago.

¹¹⁹ Paul A. Kramer, "Race-Making and Colonial Violence in the U.S. Empire: The Philippine-American War as Race War," *Diplomatic History* 30, no. 2 (2006): 169–210; Paul Kramer, *The Blood of Government: Race, Empire, the United States, and the Philippines* (University of North Carolina Press, 2006).

¹²⁰ For pre-colonial history, see: Abinales and Amoroso, *State and Society in the Philippines*, chaps. 2–3.

¹²¹ Spanish rule was contested by the British in 1762-1764. Nicholas Cushner, *Documents Illustrating the British Conquest of Manila, 1762-1763*, vol. 8 (London: Offices of the Royal Historical Society, 1971).

¹²² Vicente Rafael, *White Love and Other Events in Filipino History* (Duke University Press, 2000), 107.

From the beginning of Spanish colonisation in the sixteenth century, Muslims and Chinese immediately became objects of ‘othering’.¹²³ Muslims, although not a united front, resisted conquest and conversion.¹²⁴ The colonial state responded by provincializing the Muslim south and derogatorily labelled its population as ‘Moro’, an allusion to the Moors of Islamic Spain.¹²⁵ Meanwhile, many among the Chinese community, who formed a diaspora in the islands before colonialism, also resisted conversion. One of the state’s responses was to physically separate the Chinese community from locals by confining them into districts outside Manila’s walls – the *parian*.¹²⁶

Local (non-state) responses towards Muslim and Chinese populations varied. In Muslim-dominated areas, for example, some local Christian converts lived peacefully with their Muslim neighbours under traditional political systems.¹²⁷ There were instances of violence towards the Chinese community. One example is in 1603 when a number of locals joined Spanish soldiers in the massacre of 20,000 Chinese.¹²⁸ There were also practices of inclusion when Chinese men married local women (converting into Catholicism). From these unions, the *mestizo* class was born – a new distinct group used in both legal and popular parlance in the 1800s. They comprised the landed native elite, who identified more as ‘Filipino’ than Chinese.¹²⁹

Among the *mestizos*, an intelligentsia class formed: the *ilustrados* (‘enlightened ones’) who sought to define the ‘Filipino nation’. Some of these men are now regarded as ‘national heroes’, who led the Philippines to independence from Spain in 1898. The Philippine Revolution (1896-1899) reflects how the ‘Filipino’ identity, as a notion particularly linked with nationalism, began to emerge among locals in the nineteenth century. The native population self-consciously identified themselves as ‘Filipinos’ instead of the derogatory ‘indio’.¹³⁰ *Las islas Filipinas* became a reality for Filipinos who claimed loyalty to its existence and the Philippines became the first colony in Asia to stage an

¹²³ Animist tribes were also excluded and marginalised; their history, however remains outside the scope of this thesis.

¹²⁴ Muslim Mindanao was not one entity, but comprised of different states / tribes, led by sultans or *datus* (traditional leaders), with various governance structures.

¹²⁵ Astri Suhrke and Lela Garner Noble, *Ethnic Conflict in International Relations* (Praeger, 1977), 180.

¹²⁶ Abinales and Amoroso, *State and Society in the Philippines*, 64.

¹²⁷ Luis Q. Lacar, “Culture Contact and National Identification Among Philippine Muslims,” *Philippine Studies* 42, no. 4 (1994): 444–445.

¹²⁸ José Eugenic Borao, “The Massacre of 1603 Chinese Perception of the Spanish in the Philippines,” *Itinerario* 22, no. 1 (1998): 22–40.

¹²⁹ Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947”; Chu, *Chinese and Chinese Mestizos of Manila*; Benedict Anderson, “Cacique Democracy and the Philippines: Origins and Dreams,” *New Left Review*; London 0, no. 169 (May 1988): 3–31; Wickberg, “The Chinese Mestizo in Philippine History.”

¹³⁰ Rafael, *White Love and Other Events in Filipino History*, 6–13.

anticolonial revolution.¹³¹ On 12 June 1898, Emilio Aguinaldo (a *mestizo*) declared the Philippines as an independent Republic, thanks to American help (as part of the Spanish-American war); he was the Philippines' first president.

The 'Filipino' prior to the Revolution, however, was not an inclusive term. Paul Kramer pointed out that the *mestizo* version of the 'Filipino' 'was more of a term used among the "reformed-elite" rather than the masses in the islands'. Meanwhile, Filipino historian Filomeno Aguilar noted that *ilustrado* writings from the 1800s 'harboured anti-Chinese sentiments' and were used to limit access to Philippine citizenship.¹³² As chapter eight shows, these sentiments denied refugee status to displaced Chinese in the 1950s and limited Chinese naturalisation until 1975. Additionally, 12 June remains an important date in national history and is the official celebration date of Philippine independence. However, as a symbol of 'Filipino nationalism' it excludes the Muslim population because at this stage Muslim Mindanao was not incorporated into *las islas Filipinas*.

Meanwhile, the borders of belonging in the new nation changed with Aguinaldo's new Republic (1899-1901). He led the Philippine Republic from the city of Malolos outside Manila (I refer to this as the Malolos Republic). This new nation had its own constitution, and portrayed itself as 'inclusive', unlike Spanish rule.¹³³ All persons born in the Philippines were considered citizens, including 'non-Christian' populations. Foreigners (including Chinese migrants, Spaniards, both white and black American soldiers who defected to Aguinaldo's army) were permitted to naturalise (regardless of ethnicity) if they resided in the archipelago for an uninterrupted duration of two years and paid necessary taxes. This brief but significant moment reflected the exigencies of state-formation, that the Malolos Republic believed a united polity was important for creating a strong state. Aguinaldo's inclusive definitions of the 'Filipino' nation, however, were short-lived. The Malolos Republic was never recognised by any state. This was because the internationally recognised Treaty of Paris (1898) stipulated that the US purchased *las islas Filipinas* for \$20 million. Also, the Philippine-American alliance transformed into the Philippine-American war (1899-1902), which ultimately led to American control of the archipelago.¹³⁴

¹³¹ Teodoro A. Agoncillo, *The Revolt of the Masses: The Story of Bonifacio and the Katipunan* (Quezon City: University of Philippines, 1956). The Revolution was partly inspired by *ilustrado* anti-colonial writings as well as the discourse of 'pan-Asianism' in the region. Nicole CuUnjieng Aboitiz situated the Philippine Revolution amidst anti-colonial and nationalist thinking at the turn of the twentieth century. Nicole CuUnjieng Aboitiz, *Asian Place, Filipino Nation: A Global Intellectual History of the Philippine Revolution, 1887–1912* (Columbia University Press, 2020).

¹³² Aguilar, "Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947," 442.

¹³³ Aguilar, 2018, 320. Aguilar, 434–437. See also: Abinales and Amoroso, *State and Society in the Philippines*, 113–116.

¹³⁴ Though the US officially declared the war over in 1902, Filipino resistance continued until 1906.

Washington absorbed the ‘Philippine Islands’ into the United States from 1902 to 1946, as a dependency.¹³⁵ American President William McKinley justified the brutal annexation of the islands as a ‘benevolent assimilation’ to prepare Filipinos for self-government, but it would not become a state within the union. To manage the new possession, the US president appointed a Governor-General; the first being William Howard Taft.¹³⁶

The American colonial state reversed the Malolos government’s inclusivity on the grounds of race-based discrimination. It redefined and racialised the concept of the ‘Filipino’ in order to transform the diverse population into a single nation.¹³⁷ The ‘Filipino’ – now ‘citizen of the Philippine Islands’ – was incorporated into the American polity, but did not possess full American citizenship. It was an inferior political status, yet, also gave local inhabitants a sense of collective identity, and ‘anticipated a presumed state’ that would emerge in the future.¹³⁸

American authorities reinforced the ‘Christian/non-Christian’ binary of Spanish rule on their new subjects, further extenuating socio-political and economic inequalities among the local population, although religious conversion was no longer prioritised. Meanwhile, new immigration laws emerged in the islands: Theodore Roosevelt extended the US’ Chinese Exclusion Act (1882) to the Philippines in 1902, prohibiting the immigration of Chinese to the islands.¹³⁹ At the same time, American embassies controlled all immigration to the islands, requiring visas and funds. Later chapters will show how anti-Chinese attitudes filtered into immigration legislation, as well as how immigration laws shaped refugee policies.

American rule redrew the map of the archipelago. From 1900-1913, a two-fold state-building process occurred, differentiating a ‘civilised’ Christian population from an ‘uncivilised’ non-Christian one.¹⁴⁰ Mindanao was under military rule until 1913 when the Philippine Commission (the governing body over the Philippine Islands) officially incorporated (forced) the region under

¹³⁵ For a history of American imperial interests, see: Kramer, “The Geopolitics of Mobility”; Kramer, *The Blood of Government*; Immerwahr, *How to Hide an Empire*.

¹³⁶ Julian Go, “Introduction: Global Perspectives on the US Colonial State in the Philippines,” in *The American Colonial State in the Philippines: Global Perspectives*, ed. Anne L. Foster and Julian Go (Duke University Press, 2003), 4.

¹³⁷ Kramer, *The Blood of Government*, 162; Chu, *Chinese and Chinese Mestizos of Manila*, 321; Rick Baldoz, *The Third Asiatic Invasion: Migration and Empire in Filipino America, 1898-1946* (NYU Press, 2011).

¹³⁸ Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947,” 438–439.

¹³⁹ Filomeno Aguilar, “Philippines,” in *Nationality Law in the Eastern Hemisphere: Acquisition and Loss of Citizenship in Asian Perspective*, ed. Olivier Vonk (Wolf Legal Publishers, 2018), 319–346; Adam Burns, “A New Pacific Border: William H. Taft, the Philippines, and Chinese Immigration, 1898-1903,” *Comparative American Studies* 9, no. 4 (2011): 309–324; Chu, *Chinese and Chinese Mestizos of Manila*. For the US Laws see: Erika Lee, *At America’s Gates: Chinese Immigration During the Exclusion Era, 1882-1943* (University of North Carolina Press, 2003); Erika Lee, “The Chinese Exclusion Example: Race, Immigration, and American Gatekeeping, 1882-1924,” *Journal of American Ethnic History* 21, no. 3 (2002): 36–62.

¹⁴⁰ Abinales and Amoroso, *State and Society in the Philippines*, 123–125.

Manila's civilian rule. For the colonial state, Muslims 'formed a crucial part of the Filipino national imaginary'; they were 'essential to nation state formation'.¹⁴¹ Muslims became 'Filipinos' in a legal sense, but they did not identify as such – something the Filipino-led state tried to change through a policy of 'integration'.¹⁴²

State-building ushered in formal political control and ensured that the racialised Filipino citizen was instructed to become versed in the language of democracy, 'clean', 'educated' and 'peaceful'. The colonial state established bureaus for health and sanitation, free English-based public education and security (Philippine Constabulary) – important actors in the 'civilising process'.¹⁴³ Non-state actors (American NGOs and private corporations) aided the colonial project.¹⁴⁴ From these bureaucracies came a series of protocols around public health, security, and immigration that were applied to migrants and refugees by the post-colonial state: requiring documents, quarantining vessels and security-based interviews.¹⁴⁵

'Democratisation' required local alliances. This process entailed a gradual decrease of American control into Filipino hands – a 'Filipinisation' process so to speak. Colonial authorities ensured American interests continued into independence by giving the elite – an oligarchy—access to political power (restricting offices and elections to the elite), economic growth (through duty-free access to the American market) and security (control over the Philippine Constabulary) against internal threats to elite power. This access enabled the elite to strengthen localised political patronage and create crony capitalism.¹⁴⁶ Collaboration provided elite Filipinos with 'privileged positions to speak for and of the nation through the patronage of those above'.¹⁴⁷ A political ladder emerged and men like Quezon and Quirino rose in the ranks through patronage.¹⁴⁸ Thus, those in

¹⁴¹ Joseph L. Stephens, "Colonial Mimicry and Mockery: Filipino-Muslim Relations during the Early American Colonial Period" (Master's, Cornell University, 2011).

¹⁴² Patricio Abinales, *Making Mindanao: Cotabato and Davao in the Formation of the Philippine Nation-State* (Ateneo University Press, 2000).

¹⁴³ Warwick Anderson, *Colonial Pathologies: American Tropical Medicine, Race, and Hygiene in the Philippines*, New Ed edition (Durham: Duke University Press, 2006); Go, "Introduction: Global Perspectives on the US Colonial State in the Philippines"; Alfred W. McCoy, *Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State*, 2009. Spanish authorities had some structures in place; American administrators modified them.

¹⁴⁴ Gerard Clarke, *The Politics of NGOs in Southeast Asia: Participation and Protest in the Philippines* (Routledge, 2006).

¹⁴⁵ Some protocols that were extended to refugees can be seen with the experience of Russian refugees in both 1923 and 1949, such as quarantine: "General Wood To Decide Fate Of Russian Refugees: Governor Of Philippines Will Say Whether 900 Wanderers May Stay There," *The Sun*, February 1923; "Refugees Here, Samar Bound," *The Manila Times*, January 1949, Lopez Museum and Library. See also: Danilo Reyes, "History and Context of the Development of Public Administration in the Philippines," in *Public Administration in Southeast Asia: Thailand, Philippines, Malaysia, Hong Kong, and Macao*, ed. Evan M. Berman (Boca Raton: Taylor & Francis Group, 2010), 333–354.

¹⁴⁶ Benedict Anderson has discussed the elite's rise to political power. Anderson, "Cacique Democracy and the Philippines."

¹⁴⁷ Rafael, *White Love and Other Events in Filipino History*, 10–11.

¹⁴⁸ Political positions were opened first at local government level (1901), and later as part of the Philippine Assembly (a national legislative body, 1907). Suffrage was initially limited to property owners and educated elite, only expanding in 1935 to those without property and to the female population. Competing elite interests produced

power were versed in the language of American governance, including harbouring colonial practices of exclusion towards existing minorities.

As will be seen, colonial attitudes towards Chinese (especially towards migrants who continued to arrive and settle in the islands) and Muslims seeped into the post-colonial state's attempt to manage Philippine society, which also transformed the Philippines into both a refugee-hosting and refugee-producing state.

The Commonwealth Government (1935-1946) and the 'Second' Philippine Republic (1943-1945)

In this section, I centre on Quezon's exercise of domestic sovereignty by looking at how he sought control over Muslim Mindanao, a process described by the Philippine government as Muslim 'integration' into the polity. As the Commonwealth state formed itself, the next chapters (two and three) show how Jewish refugees were part of the government's 'integration' strategy through economic development.

The Filipino-run state continued to enforce social divisions, this time with power vested into the office of the president: Manuel Quezon. On 15 November 1935, Quezon emerged as the elected president of the Commonwealth government of the Philippines.¹⁴⁹ This new form of government meant that the Philippine government was granted domestic sovereignty for a period of ten years, after which the US would formally grant full independence.¹⁵⁰ Washington retained authority over international matters such as concluding treaties with other states, and its interests in the islands were represented by an American High Commissioner who replaced the governor-general. Thus, two states governed the Philippines: the Philippine and American governments. The Commonwealth system, however, was interrupted by the Japanese occupation from 1942 to 1945. Quezon and part of his cabinet fled to the US to head a government-in-exile. Meanwhile, Japan declared an independent 'second' Philippine Republic, producing two Philippine states: Quezon's government was, for the international community, the legitimate Philippine government; the 'second' republic was a puppet state.

political factions through a party-based political system. Despite fractures, there were no ideological disparities among politicians. Parties were more of vehicles to dispense patronage during election season. Julio Cabral Teehankee, "Factional Dynamics in Philippine Party Politics, 1900–2019," *Journal of Current Southeast Asian Affairs*, May 2020.

¹⁴⁹ Through the 'Filipinisation' of politics, Quezon climbed through the political ranks (Senate President from 1917–1935) and served as president until his death in 1943, having won re-election in 1941. For Quezon's presidency, see: Alfred W. McCoy, "Quezon's Commonwealth: The Emergence of Philippine Totalitarianism," in *Philippine Colonial Democracy*, ed. Ruby R. Paredes and Michael Cullinane (New Haven, Connecticut: Yale University, 1988), 114–160; Abinales and Amoroso, *State and Society in the Philippines*, 153–157.

¹⁵⁰ These terms were outlined in the Tydings-McDuffie Act, also known as the Philippines Independence Act.

Quezon's clientelist style of governance did not ease Muslim discrimination and exclusion. He began a policy of Muslim (and broader non-Christian) integration into the Catholic-dominated state, attempting to realise what both Spanish and American colonial states failed to do. Belonging was not a simple matter of religious identity anymore; it was political. Muslim leaders' hesitation to 'integrate' under Manila's terms furthered the state's marginalisation of the minority. Another aspect of integration prioritised that Filipino-Christians were confirmed as the dominant population through a state-facilitated migration from 'overpopulated' regions in Luzon and Visayas to Mindanao. As I show in the next chapter, Quezon incorporated Jewish refugee resettlement – the so-called 'Mindanao Plan' – into this state project. Although an important humanitarian gesture, the 'Mindanao Plan' might have been designed as an opportunity for Quezon to extend his control into Mindanao. Ultimately, it never came to fruition. Nevertheless, one of the outcomes from this state-facilitated movement was that Mindanao became a region of Muslim displacement.

When the Japanese Army took control over the Philippines, guerrilla units comprised of both locals and foreigners emerged.¹⁵¹ Non-Filipinos included Americans, as well as refugees like Alexander Ivanov (Yvanoff), a Russian refugee who lived in Mindanao since the 1920s (see chapter four), and many Chinese residents in the Philippines.¹⁵² A sense of inclusivity and revolutionary consciousness rose among the masses who resisted Japanese rule.¹⁵³ This mixed membership shows the diversity of people who considered the Philippines home, fuelling a different kind of nationalist consciousness for freedom from the oligarchy. This decentralised guerrilla movement, however, also emphasised the strength of localised politics in the Philippines since the colonial period.¹⁵⁴

The American army returned at the end of 1944, ending Japanese occupation in July 1945. A year later, the US granted the Philippines its independence, conditioned on American terms. Certain aspects of Philippine sovereignty were compromised to deal with post-war reconstruction and the

¹⁵¹ James Morningstar, "War and Resistance: The Philippines 1942-1944" (PhD Thesis, University of Maryland, 2018).

¹⁵² 'Yvanoff (Alexander) papers (1957-1976)', Hoover Institution. Li Yuk-Wai, "The Chinese Resistance Movement in the Philippines During the Japanese Occupation," *Journal of Southeast Asian Studies* 23, no. 2 (1992): 308–321.

¹⁵³ Caroline Hau investigated Chinese-Filipino relations under the lens of 'revolution'. Hau, *The Chinese Question*, chap. 4.

¹⁵⁴ One of the most successful resistance units was the *Hukbalahap* (People's Anti-Japanese Army, called 'Huks') which fought north of Manila. Benedict Kerkvliet, *The Huk Rebellion: A Study of Peasant Revolt in the Philippines* (Rowman & Littlefield, 2002).

geopolitics of the Cold War.¹⁵⁵ Additionally, the ‘Filipino’ nation was still fragmented along socio-political lines and economic disparity.

Under Quezon, the Philippine state resembled colonial rule: it was dominated by the Manila-elite who provincialised those that did not fit their narrow definition of ‘Filipino’ and attempted to control them through ‘integration’. Muslim exclusion remained a feature of politics and society. Quezon’s attempt to integrate Muslim Mindanao translated into their further alienation particularly by settling Christian-Filipinos, and to an extent Jewish refugees, into the region.

The elites continued to govern upon independence and exploited post-war refugee issues for their own purposes. The process of state-formation for existing minorities did not change their outsider status in the Philippines.

The post-colonial / neo-colonial Philippines (1946-1975)

This section identifies some of the key geopolitical and national interests that informed post-colonial state formation and had implications for refugee policies. It begins by exploring how the emerging state sought to build its international profile and establish itself as a big player on the international stage through its membership to intergovernmental organisations. The discussion moves on to examine how the attempts to realise these interests perpetuated the marginalisation of the Chinese and Muslim minorities.

On 4 July 1946, the US formally granted Philippine independence; Manuel Roxas (1946-1948) was elected president with Elpidio Quirino as vice-president. Their success was a product of American-backing, mainly from Douglas MacArthur who ensured his friends – despite Roxas’ collaboration with the Japanese – obtained the executive positions.¹⁵⁶ Despite receiving full sovereignty, American influence and patronage seeped into the postcolonial period through backing preferred politicians who safeguarded US interests in the islands. The close Philippine-American relationship – a ‘neo-colonial’ one as some scholars suggested—was dictated by the post-colonial government’s post-war reconstruction and the geopolitics of the Cold War.¹⁵⁷

¹⁵⁵ The emerging state relied on the US for economic rehabilitation and security. Trade deals privileged American businesses while the threat of another war led many Filipino politicians to agree that the US keep some bases in the Philippines as a means to secure a mutual defence pact and grow the Philippines’ own armed forces. This was the Military Bases Act of 1947. However, a strong nationalist sentiment emerged among some politicians in response to American influence after independence.

¹⁵⁶ Roxas and his allies formed the Liberal Party, which challenged the Nacionalista Party (the old guard that existed under American rule). Cullather, *Illusions of Influence*, 45–46. See also: Abinales and Amoroso, *State and Society in the Philippines*, 163, 169; Dean J. Kotlowski, *Paul V. McNutt and the Age of FDR* (Indiana University Press, 2015), 382.

¹⁵⁷ American dependence led many scholars to conceptualise the Philippines as a neo-colonial state. Yet, as Nick Cullather argued, Filipino politicians were consciously pursuing their own agendas and knew how to leverage the Philippines’ strategic value to American policy, such as the use of military and naval bases in the country. Cullather, *Illusions of Influence*, 5, 84. For more on neo-colonialism, see: Stanley Karnow, *In Our Image: America’s Empire in the*

Meanwhile, nation-building in the post-war period was problematic. Post-colonial presidents attempted to centralise power at the hands of the executive but produced a weak nation. Most of the population felt ‘no connection to the state that in theory [was] the expression of their will’.¹⁵⁸ Since the post-colonial state reified colonial exclusions, groups that felt left behind in economic and political participation challenged the protection of elite power and elite expressions of ‘Filipino’ identity. There were consequences for those who attempted to resist the state. The state perceived them as ‘threats’ to its power and used different forms of violence through the infrastructure of the state: the government nationalised policies against migrants (mainly Chinese who were the largest ‘non-Filipino’ group) and mobilised the armed forces against ‘insurgents’ (Muslim ‘separatists’ and those associated with communism).¹⁵⁹ Meanwhile, some Chinese migrants sought citizenship and economic integration but encountered increased Sinophobia, while the state’s neglect of promoting Muslim political participation and development triggered separatist sentiments. The latter demonstrates how the process of state-formation generated displacement in the form of ‘Filipino refugees’.

The discussion below helps us understand the terms of asylum for Russian and Indochinese refugees (parts two and three). As the state formed itself internationally, we will see themes around membership to intergovernmental organisations, security matters being linked to Cold War geopolitics, and the development of an Asian-oriented foreign policy. These factors shaped Philippine refugee policies.

The emerging state’s international profile was important. Part of establishing Manila’s international image was through membership to intergovernmental organisations.¹⁶⁰ During the war, for example, Quezon’s administration saw the value of joining the United Nations as a means to gain—in Vice President Sergio Osmena’s words—‘international personality’ and be seen as ‘an equal’.¹⁶¹

Philippines, 1st ed. (New York: Random House, 1989); Daniel Schirmer and Stephen Shalom, *The Philippines Reader: A History of Colonialism, Neocolonialism, Dictatorship, and Resistance* (South End Press, 1987); Stephen Shalom, *The United States and the Philippines: A Study of Neocolonialism* (New Day Publishers, 1986).

¹⁵⁸ Kathleen Weekley, “The National or the Social? Problems of Nation-Building in Post-World War II Philippines,” *Third World Quarterly* 27, no. 1 (2006): 85–100; Bankoff and Weekley, *Post-Colonial National Identity in the Philippines*.

¹⁵⁹ There were about 150,000 registered Chinese in the Philippines in 1948. “Republic of the Philippines -- Summary of Basic Economic Information,” in *International Reference Service*, vol. VII, 102 (U.S. Department of Commerce, Bureau of Foreign and Domestic Commerce, 1950), 3. I only briefly discuss the Chinese minority here since a more in-depth discussion takes place in chapter eight of this thesis.

¹⁶⁰ Milton Walter Meyer, *A Diplomatic History of the Philippine Republic* (University of Hawaii Press, 1965); Bonifacio S. Salamanca, *Toward a Diplomatic History of the Philippines* (Quezon City: University of the Philippines, 1995). For Philippine participation in the formulation of the Universal Declaration of Human Rights, see: Glenn Mitoma, “Mode d’assujettissement: Charles Malik, Carlos Romulo and the Emergence of the United Nations Human Rights Regime,” in *Human Rights from a Third World Perspective: Critique, History and International Law*, ed. José-Manuel Barreto (Cambridge Scholars Publishing, 2014), 419–439.

¹⁶¹ Quezon signed the UN Charter on 10 June 1942. Sergio Osmeña, “The United Nations and the Philippines,” *The Annals of the American Academy of Political and Social Science* 228 (1943): 25–29.

The Philippine delegation played an active role in the UN, particularly through the figure of Carlos Romulo, who was President of the Fourth UN General Assembly (1949-1950).

In refugee matters, the Philippines voted in favour of the creation of UN refugee agencies: the IRO and UNHCR.¹⁶² Yet, its membership to intergovernmental organisations was not formalised until the 1980s. The Philippines withdrew its IRO membership in 1947; IRO noted that this was for ‘financial reasons’.¹⁶³ Thus, the Philippines was no longer a member when Quirino extended temporary asylum to Russian refugees in 1949. When UNHCR replaced the IRO, the new refugee agency cooperated with the Philippine government in the resettlement of remaining Russian refugees in 1951. Despite the personal friendship between the first High Commissioner Gerrit Jan van Heuven Goedhart and Romulo (then Philippine Secretary of Foreign Affairs), UNHCR only opened its Manila office in the late 1970s and the Philippine government only ratified the Refugee Convention and Protocol in 1981 (see chapter six).¹⁶⁴

The government’s retreat from international refugee protection for ‘financial reasons’ during the early years of independence reflects the emerging state’s primary concerns that demanded its resources: post-war reconstruction, economic development, and security.¹⁶⁵ As the discussion below shows, these concerns were used to justify the targeting of migrants and minorities.

In terms of security, the Philippine government joined America’s fight against communism and Filipino politicians saw opportunities in forging security ties with its Asian neighbours.¹⁶⁶ Diplomatic historian Milton Walter Meyer noted that for Quirino, the creation of an anti-communist alliance in Southeast Asia was his ‘most distinctive foreign policy’.¹⁶⁷ What emerged was the American-led Southeast Asian Treaty Organisation (1954-1977).¹⁶⁸

¹⁶² United Nations, ‘Constitution of the International Refugee Organisation’, 1946.

¹⁶³ International Refugee Organisation, ‘Observer’s report to the Ecumenical Refugee Commission, 1-22 May 1947’, 425.5.163 IRO General Council, 1949-1951, WCC Archives.

¹⁶⁴ Romulo figured in refugee matters, as part two and three of this thesis shows. He acknowledged his friendship with Goedhart in his memoir. Carlos P. Romulo, *I Walked With Heroes* (Pickle Partners Publishing, 1961), 211. Romulo had a long career in diplomatic affairs, serving under eight presidents. He was Quezon’s Secretary of Information during the war when he became chief delegate to the San Francisco Conference. In 1949, Romulo held the presidency of the General Assembly, championing human rights and self-determination, yet his actions towards refugees appear more contradictory as will be seen in the next chapters.

¹⁶⁵ Abinales and Amoroso, *State and Society in the Philippines*, 170–173.

¹⁶⁶ Odd Arne Westad, *The Global Cold War: Third World Interventions and the Making of Our Times* (Cambridge: Cambridge University Press, 2005); Yangwen Zheng, Hong Liu, and Michael Szonyi, *The Cold War in Asia: The Battle for Hearts and Minds* (Leiden: BRILL, 2010). Anti-communist measures in the Philippines emerged under the American colonial state, which suppressed identified communists the 1920s-1930s. Colleen Woods, “Seditious Crimes and Rebellious Conspiracies: Anti-Communism and US Empire in the Philippines,” *Journal of Contemporary History* 53, no. 1 (2018): 61–88.

¹⁶⁷ Meyer, *A Diplomatic History of the Philippine Republic*.

¹⁶⁸ Ji-Young Lee, “Contested American Hegemony and Regional Order in Postwar Asia: The Case of Southeast Asia Treaty Organization,” *International Relations of the Asia-Pacific* 19, no. 2 (May 2019): 237–267.

In the end of the 1960s, however, the Filipino government began showing more signs of resistance to the US and increased nationalism through Filipino-focused economic policies and the favouring an Asian-centric diplomacy. One of the important outcomes was the eventual creation of ASEAN in 1967, whose goals were peace and stability in the region. This regional orientation meant that realising ASEAN objectives would eventually have repercussions on how Southeast Asian states collectively responded to displacement in the region, not only concerning Indochinese refugees, but also the presence of refugees from the Philippines in Malaysia (see chapter six).¹⁶⁹

External security was linked to domestic issues. Quirino's presidency was concerned with what it labelled as a 'communist uprising': the so-called 'Huk rebellion' (1946-1954).¹⁷⁰ The state associated this movement with Chinese migrants, claiming (misleadingly) that 'Chinese communists in the Philippines' were Huk members.¹⁷¹ Part of the solution to weed out 'infiltrators' involved the Republic of China based in Taiwan; both governments conducted a series of brutal raids on 'communist' Chinese in the Philippines.¹⁷² The prioritisation of anti-communism (in the name of national security) also had profound impacts on refugees: Manila was suspicious of Russian refugees from China and used measures to restrict their mobility in the country (see part two). People on the move were at the intersection of security concerns and economic development, resulting in a restrictive environment (see chapter eight).

The fight against communism helped justify Chinese exclusion in the 1950s. Despite the long history of Chinese movement into the islands, the emerging state further reinforced their non-Filipino origins through obstacles to citizenship and economic nationalisation policies.¹⁷³ Instead of promoting 'integration', the government restricted access to citizenship, keeping the diaspora as outsiders. This question of integration was formed by prejudicial thinking that emphasised the

¹⁶⁹ ASEAN was founded by Indonesia, Malaysia, Philippines, Singapore, and Thailand. Amitav Acharya, "Culture, Security, Multilateralism: The 'ASEAN Way' and Regional Order," *Contemporary Security Policy* 19, no. 1 (April 1998): 55–84; Amitav Acharya, *Constructing a Security Community in Southeast Asia: ASEAN and the Problem of Regional Order* (Routledge, 2014).

¹⁷⁰ The key texts is Kerkvliet, *The Huk Rebellion*. See also: Vina Lanzona, *Amazons of the Huk Rebellion: Gender, Sex, and Revolution in the Philippines* (University of Wisconsin Press, 2009).

¹⁷¹ Meyer, *A Diplomatic History of the Philippine Republic*, 127.

¹⁷² For a more detailed discussion and analysis of the anti-communist efforts towards ethnic Chinese, see: Chien Wen Kung, "Nationalist China in the Postcolonial Philippines: Diasporic Anticommunism, Shared Sovereignty, and Ideological Chineseness, 1945-1970s" (Ph.D., Columbia University, 2018); Hau, *The Chinese Question*, 59. At least 30,000 Philippine Chinese were thought to be potential 'Communist supporters'. See: Sheldon Appleton, "Communism and the Chinese in the Philippines," *Pacific Affairs* 32, no. 4 (1959): 381.

¹⁷³ Since 1946, Chinese businesses controlled 70-80% of retail trade. The state targeted these businesses through economic nationalisation and the passing of the Retail Trade Act of 1954. Sheldon Appleton, "Overseas Chinese and Economic Nationalization in the Philippines," *The Journal of Asian Studies* 19, no. 2 (1960): 157–158. Prejudice against Chinese translated into legislation that emerged not only in the Philippines, but across Southeast Asia. Amrith, *Migration and Diaspora in Modern Asia*, chap. 4.

socio-cultural distinctiveness of the ‘clannish’ Chinese from the Filipino; the government’s ‘indecision’ on whether to integrate the minority or not prolonged their exclusion.¹⁷⁴

Archival documents from the 1950s show several petitions for Filipino citizenship or passports from Philippine-born Chinese or Filipinas who lost their citizenship by marriage to a Chinese citizen.¹⁷⁵ The question of their Filipino citizenship mainly stemmed from the Nationalist Republic of China’s nationality law that stipulated any person born from Chinese parents was considered a Chinese national. To illustrate, Mario Jabrese, who was Filipino-born Chinese, applied for a Filipino passport in 1947.¹⁷⁶ Based on Chinese law, his Chinese father passed on Chinese citizenship, despite having a Filipina mother. Being born in the Philippines, however, Jabrese identified as a Filipino. His application was successful, but it required government documents that stated he was not a security threat, as well as affidavits of support from his local community who vouched for his good moral character. These documents tell us that an arduous citizenship process existed and that the government was hesitant to extend or reinstate citizenship, but it was not impossible. They also show how belonging in the postcolonial Philippine state was not limited to legal definitions, but also included an extent of ‘informal membership’ among locals in everyday life. These ‘informal’ connections were vital in the process of obtaining formal membership. With the PRC’s establishment in 1949, however, a more restrictive environment emerged. Sinophobia was compounded by anti-communism, and as mentioned above, drew more political attention to the Chinese community who were persecuted based on communist suspicion; national belonging was more difficult. Their status only changed in 1975 (see chapter eight).

Meanwhile, two distinct identities between Muslim-Filipinos and Christian-Filipinos existed. Instead of a unified nation, there were incompatibilities in collective identity-formation. Mindanao was largely left to be governed by local leaders; the region became somewhat *terra incognita* to Manila-based officials despite their need to control it. Since Philippine independence, succeeding political administrations failed to encourage Muslim political assimilation. Manila sought to undermine Muslim leaders’ authority through land ‘development’ programmes and state-sponsored migrations, which intruded or ‘colonised’ traditionally-held Muslim territories. Christian-Filipinos were enticed by better socio-economic prospects of settling in ‘uninhabited’ and ‘cheap’ land through state-sponsored settlement. From 1948-1960s, 1.2 million persons settled in Mindanao. The Muslim population feared and became suspicious of a Christian domination of

¹⁷⁴ Antonio S. Tan, “The Changing Identity of the Philippine Chinese, 1946-1984,” in *Changing Identities of the Southeast Asian Chinese Since World War II: The Ethical Challenge of Biotechnology*, ed. Jennifer Cushman and Gungwu Wang (Hong Kong University Press, 1988), 179.

¹⁷⁵ B1F5 Chinese Immigration, 1946 – 1947, Quirino Papers, Filipinas Heritage Library (FHL).

¹⁷⁶ Memorandum for Undersecretary Africa, 1947, B1F5 Chinese Immigration, 1946 – 1947, Quirino Papers, FHL.

their territories.¹⁷⁷ Furthermore, Muslim local history was never added to the Philippines' 'national history'.¹⁷⁸ By the late 1960s, one in every four Mindanao residents was born outside the southern island.¹⁷⁹

By looking at the state's attitudes and exercise of sovereignty over Mindanao, it can be said that migration and conflict are linked. On the one hand, migration prompted conflict. The state's facilitation of Christian in-migration exacerbated Muslim marginalisation, although this seems more of an unintended by-product from the perspective of Christian-Filipinos. In the 1970s, the growth of Muslim discontent with Manila led to an armed rebellion from several Muslims: the Moro National Liberation Front (MNLF) called for a separatist state (*Bangsa Moro*) and justified armed rebellion as 'an act of self-determination'.¹⁸⁰ In 1972, Marcos responded to separatism by mobilising the armed forces to suppress the movement.¹⁸¹

On the other hand, conflict generated displacement, which manifested in two ways: the first was the large-scale forced movement into Sabah, Malaysia (detailed in chapter six); the second was the creation of mass internal displacement in Mindanao (this aspect remains outside the scope of this thesis). Those civilians who sailed to Sabah were admitted by the local government who recognised them as 'refugees', based on humanitarian considerations, not under international refugee law.¹⁸² In 1973, there were around 33,000 Filipino refugees; that number increased over the years and by 1977, there were 70,000.¹⁸³ Meanwhile, the UNHCR (which opened its Manila office in 1977) estimated that there were 52,000 internally displaced persons.¹⁸⁴ The emergence of displaced Filipinos was not a sudden or emergency situation. It was an outcome of economic stagnation and

¹⁷⁷ Suhrke and Noble, *Ethnic Conflict in International Relations*, 179–180; Amrith, *Migration and Diaspora in Modern Asia*, 136–137.

¹⁷⁸ Abinales and Amoroso, *State and Society in the Philippines*, 188.

¹⁷⁹ Jorge V. Tigno, "Migration and Violent Conflict in Mindanao," *Population Review* 45, no. 1 (October 2006): 28; Frederick L. Wernstedt and Paul D. Simkins, "Migrations and the Settlement of Mindanao," *The Journal of Asian Studies* 25, no. 1 (1965): 95.

¹⁸⁰ In 1973, the MNLF comprised an army of 15,000 – 20,000, including a solid base of support in Muslim communities in the southern Philippines, as well as receiving support from Libyan and Malaysian governments. Suhrke and Noble, *Ethnic Conflict in International Relations*, 181–191. See also: Carl Landé, "Ethnic Conflict, Ethnic Accommodation, and Nation-Building in Southeast Asia," *Studies in Comparative International Development* 33, no. 4 (1999): 99.

¹⁸¹ Muslim separatism was one reason why Marcos declared martial law in 1972 (the other being the rise of left-wing insurgents known as the New People's Army). Martial law, for Marcos, was meant to protect the Philippine Republic from 'subversive groups' who threatened to overthrow the state.

¹⁸² Malaysia is not a signatory to the UN's Refugee Convention and Protocol. Meanwhile, Sabah was also contested territory between the Philippines and Malaysia, as the Philippine government has historical claims on this island. See: Lela Garner Noble, *Philippine Policy Toward Sabah: A Claim to Independence* (Association for Asian Studies, 1977).

¹⁸³ 'Malaysia row over 33,000 refugees', *The Sunday Times*, 22 April 1973. 'Filipino refugees in Malaysia, 1973-1980', 11/2/10-100.MLS.PHI[a], UNHCR Records and Archives. UNHCR reported 80,000 in 2016. The refugee organisation phased-out its ten-year programme for Filipino refugees in Sabah in 1987. UNHCR, "Filipino Refugees in Sabah", <http://reporting.the.unhcr.org/node/9993>

¹⁸⁴ F.L. Pijnacker-Hordijk, "Note for the File," November 1977, 11/2/10-100.PHI.ICH, UNHCR Records and Archives.

underdevelopment, political instability, and increased militarism amongst Muslim separatists – factors that had its roots in the colonial period. The acts of separatism and fleeing reflect the extent to which nationalism in the southern Philippines did not hold the same gravitas as the state sought to uphold. Instead of asserting membership to the nation, many Muslim-Filipinos opted for independence – life outside the nation-state was a better option. For non-combatants, involuntary movement to Sabah was one of the only choices to survive.

In 1986, Marcos was ousted through a ‘People Power Revolution’ that reconstituted democracy. The following administrations continued to negotiate with the MNLF. The MNLF conflict continues until today; a fragile peace exists as the calls for *Bangsa Moro* still remain strong among many in Mindanao.¹⁸⁵ Many in the government continue to be suspicious of Muslim communities.

Upon independence, various political administrations sustained colonial legacies of exclusion towards Chinese migrants and the Muslim minority. Sovereignty and state interests enabled those in power to dictate and protect their version of who belonged in Philippine society. During the early years of the Cold War, those the government accused of communist associations were persecuted, many of whom were Chinese migrants. The state also contested the national belonging of those who considered the Philippines as home by placing obstacles to citizenship. Meanwhile, any threat to power, such as the MNLF, was met with violence. The next chapters will show the extent to which these practices and attitudes influenced Philippine refugee policy and how refugees were used to further marginalise existing minorities, whether by attempting to extend state control to Mindanao (such as Quezon’s ‘Mindanao Plan’) or the rejection of displaced Chinese.

This chapter traced the development of the Philippine state from colonial times to the Marcos administration. It serves as a backdrop to the case studies on refugee admissions, discussing how the state formed in relation to its ‘others’, particularly focusing on Chinese and Muslim populations. These groups’ exclusion and marginalisation from the colonial period are a constant reminder of the plurality of Philippine society, that the ‘Filipino’ is not a presumed reality but constructed by different groups at different times. Amidst the different definitions of being ‘Filipino’ and belonging, the elite’s version dominated – one they sought to protect. Exclusion and belonging were entangled into socio-economic and political dimensions that stemmed from the colonial state’s ethno-religious discrimination. Policies towards non-Filipinos, however, did not necessarily reflect the realities on the ground. Based on the few instances mentioned earlier in this chapter, the interaction between mainstream society versus marginalised groups show how the

¹⁸⁵ Mely Caballero-Anthony, “Revisiting the Bangsamoro Struggle: Contested Identities and Elusive Peace,” *Asian Security* 3, no. 2 (May 2007): 141–161.

lines between the groups were blurred. Different groups married, some fought together against a foreign power.

The episodes of refugee admissions that follow cannot be detached from the context discussed here. Successive political administrations exercised sovereignty in managing the Philippine population. Since refugees were non-citizens, Quezon, Quirino and Marcos attempted to separate displaced groups from the local population, concentrating them in spaces such as refugee camps. At the same time, refugees enjoyed a kind of privileged status vis-à-vis the Chinese and Muslim minorities. Thus, the policies that extended asylum to different refugee groups also reinforced social inequalities and hierarchies, emphasising the outsider status of Chinese and Muslim persons. Refugee admissions went hand-in-hand with the persecution of migrants and minorities.

Part One

Jewish Refugees in the

Philippines,

1937-1941

Chapter Two

Jewish refugee 'rescue' at the interstices of independence

[T]he President is authorized... for humanitarian reasons, and when not opposed to the public interest, to admit aliens who are refugees for religious, political, or racial reasons, in such classes of cases and under such conditions as he may prescribe.'— Section 47.B, The Philippine Immigration Act of 1940 (or Commonwealth Act No. 613)¹⁸⁶

During the interwar years, the 'refugee' label gained legislative currency in the Philippines. The provision above – Section 47.B of the Philippine Immigration Act of 1940 – was (and still is) the cornerstone of Philippine refugee policy. This provision authorised the Philippine president, Manuel Quezon (1935-1943), to admit refugees outside of the quota-system that formed part of the new Philippine Immigration Act. The need for this special provision was part of a complex set of events at the interstices of independence that enabled the Commonwealth government to extend asylum to over 1,300 Jewish refugees from 1938 to 1941.

Section 47.B directly related to Quezon's response to the Jewish refugee 'problem'. It was a provision created in order to realise the so-called 'Mindanao Plan', as termed by Frank Ephraim in 2006, a former Jewish refugee and academic.¹⁸⁷ This plan proposed to admit 10,000 Jewish refugees over a ten-year period as agricultural settlers in the southern island. Agricultural resettlement was the adopted 'solution' from the American-led Evian Conference of 1938, as discussed below. The Philippine Commonwealth, as a semi-sovereign state, was one among a few countries that agreed to Jewish refugee resettlement, the largest of its kind in Asia.

The 'Mindanao Plan' was one of two inter-related strands of Philippine responses to Jewish displacement. The other was a special immigration programme that enabled pre-selected German Jews to enter the Philippines, abiding by American immigration laws that extended to the islands. This programme began in 1938 under the auspices of Manila's Jewish community who set up an ad hoc refugee organisation: the Jewish Refugee Committee (JRC). The latter forms the subject of the next chapter, but I briefly introduce the programme below since it laid the foundations for the 'Mindanao Plan'.

¹⁸⁶ Section 47.B, Commonwealth Act No. 613. (Philippines)

¹⁸⁷ Frank Ephraim, "The Mindanao Plan: Political Obstacles to Jewish Refugee Settlement," *Holocaust and Genocide Studies* 20, no. 3 (2006): 410–436.

This chapter disentangles the circumstances that enabled German Jews to find asylum in the Philippines. Jewish refugee ‘rescue’ coincided with various aspects of state-formation that occurred during the Commonwealth period (1935-1946). Jewish refugees were visible in the Philippines of the 1930s. They formed part of and shaped immigration debates, development plans, and Philippine-American relations. This chapter explores questions around the Commonwealth government’s perception of refugees, not only in immigration terms, but also amidst broader national interests as the country transitioned to full sovereignty. This chapter asks what refugee admissions can tell us about the nature of sovereignty at the interstices of independence. In order to answer this, I explore both the national and international levels of the refugee regime, analysing how the Philippine government presented its decision to admit Jewish refugees to both a domestic and international audience.

This chapter argues that Quezon’s Jewish refugee policy, though couched in humanitarian principles, considered political interests to be paramount. To an extent, refugee aid further reinforced social and ethnic hierarchies in Philippine society. Jewish refugees were instrumental to national development goals and Quezon’s consolidation of power in Mindanao. Yet, large-scale refugee migration can be seen as part of the broader Christian-Filipino migration programmes that exacerbated anti-‘Filipino’ sentiments among Muslims. Jewish refugee admission also contrasted with Chinese and Japanese immigration, which politicians widely opposed in the 1930s.¹⁸⁸ Meanwhile, the ‘Mindanao Plan’ brought the semi-sovereign state on to the international stage, earning Quezon some goodwill among global powers – something to which the president attached great importance.

Jewish refugees were not only Quezon’s concern, but also that of Manila’s Jewish community, American High Commissioner Paul McNutt, the US State Department and American Jewish organisations. These were the key actors in the Philippines. However, I focus mainly on the Philippine government, the Frieder brothers as the leaders of Manila’s Jewish community, and McNutt as they formed the heart of the refugee regime that emerged in Manila. The Frieders and McNutt were important figures within Quezon’s circle – thus Jewish refugee policy was a locally-based response among Manila’s elite. Since the Philippines was both under Philippine and American governance during the Commonwealth period, this chapter also presents the extent to which Philippine refugee policy was intertwined with American concerns about Jewish refugee

¹⁸⁸ Lloyd Millegan, “Census of the Philippines: 1939,” *The Far Eastern Quarterly* 2, no. 1 (1942): 77–79.

‘rescue’.¹⁸⁹ These different actors in the refugee regime had varying interests at stake in aiding refugees and defined ‘rescue’ in different ways.

Since American immigration laws applied to the Philippines, the question of refugee admission was in the hands of the American High Commissioner McNutt and Quezon. Their interest in refugee ‘rescue’ meant that the immigration programme progressed with relative ease and was not subjected to legislative debate; the ‘Mindanao Plan’, however, coincided with the drafting of a new immigration law and was subjected to debates. Still, internal and external constraints to Jewish refugee ‘rescue’ existed, such as domestic land ownership laws and opposition from both the public and politicians. These setbacks were amplified by the Japanese occupation, which lessened state (including Quezon’s) interests; occupation ended any attempt to resettle refugees. These factors led to the failure of the ‘Mindanao Plan’, which never came to fruition. Nevertheless, the special immigration programme enabled 1,300 Jewish refugees to seek asylum in the Philippines.

My research interests about sovereignty, state-formation and how they relate to refugees expands the literature on Jewish refugee admission to the Philippines. Published research has explored the role of McNutt and the Jewish community, while others investigated this episode through the lens of Memory Studies.¹⁹⁰ One of the key sources from refugee perspectives remains to be the published account of Frank Ephraim, who was a child refugee. Later he became an academic and his monograph about Jewish refugees in the country was informed by archival materials and interviews with former refugees in the 1990s who resettled in the US after the Second World War.¹⁹¹ Meanwhile, Bonnie Harris recently published a monograph on the history of Jewish refugee admission to the Philippines; she also discusses the politics behind refugee admission, using Ephraim as a key source.¹⁹² I expand on their analysis of this episode to emphasise that the project also had repercussions on existing migrants and minorities, and how refugees thereby helped to constitute the state. While these histories have situated this episode of refugee admission within studies of the Jewish diaspora in Asia or the Holocaust, this research merges Refugee Studies with the development of Philippine history during the process of decolonisation.

¹⁸⁹ For more on US Jewish refugee policy, see: Loescher and Scanlan, *Calculated Kindness: Refugees and America’s Half-Open Door, 1945-Present*.

¹⁹⁰ A few examples include: Goldstein, *Jewish Identities in East and Southeast Asia*; Jonathan Goldstein and Dean Kotlowski, “The Jews of Manila: Manuel Quezon, Paul McNutt, and the Politics and Consequences of Holocaust Rescue,” in *Between Mumbai and Manila: Judaism in Asia Since the Founding of the State of Israel (Proceedings of the International Conference, Held at the Department of Comparative Religion of the University of Bonn, May 30, to June 1, 2012)*, ed. Manfred Hutter (V&R unipress GmbH, 2013), 123–137; Kotlowski, “Breaching the Paper Walls”; Tirol, “Of Forgetting and Remembering: Social Memory, Commemoration, and the Jewish Refugees in the Philippines During the Second World War.”; Martin, “Manilaner Memories.”

¹⁹¹ Ephraim, *Escape to Manila*.

¹⁹² Harris, *Philippine Sanctuary A Holocaust Odyssey*.

This chapter begins by introducing immigration issues in the 1930s. This sets the scene for the origins of Jewish refugee admission in the Philippines, emphasising how it was constrained by the notion that no migrant would become a public charge. The following section discusses the international response to Jewish refugees, which contextualised how the ‘Mindanao Plan’ was conceived. This chapter ends with the developments that ultimately led to the failure of the Mindanao resettlement project and the beginning of the Japanese occupation. The next chapter focuses-in detail on the JRC, the special immigration programme and Jewish refugee life during the war.

The Philippines and people on the move in the 1930s

Immigration was a politicised issue in the 1930s. This section presents some themes that prompted political debates around a new immigration law, which became more restrictive to people on the move. Any changes to Philippine immigration law, per the 1935 Constitution of the Philippines, required American presidential approval.¹⁹³ This meant that refugee issues, being an immigration affair, entailed American intervention, which both hindered and progressed efforts to admit Jewish refugees.

Washington ushered in the Commonwealth government in 1935, during a global depression. The new government’s economic outlook was unstable since the strictures of the Tydings-McDuffie Act, which guaranteed Philippine independence, placed the Filipino-led government in a disadvantaged position.¹⁹⁴ On the one hand, the agricultural industry – the main source of economic revenue of the elite – no longer had duty-free access to the US market. On the other, any adjustments to the Philippine economy were constrained by the very nature of Philippine domestic sovereignty: the Philippine government could not conclude treaties with any other state. As a result, the Philippine economy increased its dependency on the US, accelerating underdevelopment. From 1938 to 1940 the Philippines ran a trade deficit with the US, as well as the rest of the world.¹⁹⁵ One of the outcomes was that Filipinos turned their eyes to immigrants – scapegoats for economic woes.

Questions around immigration regulation seeped into political debates at the National Assembly, the legislative body of the government. These debates showed that a majority of politicians preferred a restrictive immigration quota system in order to manage who could enter the islands.

¹⁹³ Matters affecting currency, imports / exports, and immigration policies required the approval of the American president. Section 9, Constitution of the Philippines (1935). I also discuss the Commonwealth government in chapter one.

¹⁹⁴ Steve MacIsaac, “The Struggle for Economic Development in the Philippine Commonwealth, 1935-1940,” *Philippine Studies* 50, no. 2 (2002): 146–147.

¹⁹⁵ MacIsaac, 161–162.

Based on the 1939 census, the largest immigrant groups were the Chinese and Japanese, followed by Americans and Spaniards.¹⁹⁶ Politicians believed that the presence of thousands of Chinese and Japanese migrants meant that American immigration policies were only leniently applied to the Philippines. As chapter one has shown, anti-Chinese sentiments were prevalent among the Filipino elite. In the 1930s, this took on a more general anti-Asian climate targeting not only Chinese but also Japanese migrants who lived in Mindanao.¹⁹⁷

Since the 1900s, Washington extended American laws, including the 1902 Exclusion Act that targeted Chinese migration to the US mainland. American officials hoped to avoid Asian migrants using the Philippines as a backdoor to the United States. American control of Philippine immigration, however, was fluid: immigration officials were ‘bypassing immigration laws that applied in the continental US’ allowing Chinese and Japanese immigrants to settle around the islands ‘despite local Philippine opposition and at a time when these same immigrants were excluded from the [US] mainland’.¹⁹⁸ Meanwhile, the porosity of the Philippine archipelago’s borders also meant that unauthorised migrations occurred.¹⁹⁹ Filipinos, according to Aruna Gopinath, thought that Chinese and Japanese migrants were ‘primarily interested in the exploitation of the country’s national resources rather than in assimilating themselves into Philippine society’.²⁰⁰ In lieu of this, Quezon’s plans to admit thousands of Jews while restricting Asian migration struck a chord with Japanese officials (see chapter eight). Refugee admission reinforced inequalities among migrants.

Meanwhile, other conflicts in the 1930s brought non-Jewish refugees to the Philippines: an unknown number of Spaniards fleeing the civil war (1936-1939), and those uprooted by the Sino-Japanese War in 1937, namely Americans and Filipinos.²⁰¹ Over 3,000 American and 600 Filipino

¹⁹⁶ Millegan, “Census of the Philippines.”

¹⁹⁷ This anti-Asian outlook is discussed in Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947.” Japanese migrants settled in Mindanao early into the American colonial period for agriculture, settling there until the Second World War. See: Patricio Abinales, “Davao-Kuo: The Political Economy of a Japanese Settler Zone in Philippine Colonial Society,” *Journal of American-East Asian Relations* 6, no. 1 (January 1997): 59–82; Lydia N. Yu-Jose, *Japan Views the Philippines, 1900-1944* (Ateneo University Press, 1999).

¹⁹⁸ Goldstein and Kotlowski, “The Jews of Manila: Manuel Quezon, Paul McNutt, and the Politics and Consequences of Holocaust Rescue,” 130.

¹⁹⁹ Cullather, *Illusions of Influence*, 15; Burns, “A New Pacific Border.”

²⁰⁰ Aruna Gopinath, “President Manuel Quezon and Economic Protectionism, 1935-41,” *Philippine Studies* 34, no. 2 (1986): 141.

²⁰¹ It is difficult to find data on Spanish refugees in the Philippines since it is more likely they travelled to the Philippines through regular migration, using personal networks for employment and assistance. Florentino Rodao researched on the Spanish community in the Philippines during the Spanish Civil War, but makes no mention of refugees, or numbers of new arrivals fleeing the war. Florentino Rodao, “Spanish Falange in the Philippines, 1936-1945,” *Philippine Studies* 43, no. 1 (1995): 3–26. Based on an interview I had with Isabel Perales-Fina, her parents left Spain to avoid the war, but were able to move to Manila through support from friends already there. (Interviewed by telephone, 20 August 2018).

refugees fleeing China were welcomed by Quezon through a presidential proclamation, demanding that local municipalities hosting refugees provided necessary aid.²⁰² It is likely that Chinese refugees also arrived but probably through regular migration paths; tensions sparked between Chinese and Japanese communities in Manila.²⁰³ Refugees' presence emphasises the malleability and ad hoc nature of Philippine refugee policy – some groups received more help from the government than others. Several specific points must also be highlighted.

First, despite the humanitarian aspects of Quezon's reception of refugees, the outcomes were very different for American and Filipino refugees. Archival documents show that the president mobilised the Philippine Chapter of the American Red Cross (Red Cross hereafter) to provide assistance; he further claimed that any funds not met for American refugees' expenses would be met by his government.²⁰⁴ However, Filipino refugees (those without personal networks in the archipelago) were treated differently: they were under the care of a hastily set-up sub-committee who needed to loan and furnish a building in Manila to accommodate them.²⁰⁵ There were no messages of welcome either.

Second, the absence of any laws or presidential actions towards Chinese refugees suggests two things. On the one hand, displaced Chinese found their own ways into the archipelago using personal networks. On the other, Quezon did not want to admit Chinese refugees. Refugee policies towards displaced Chinese are not explicit in the sources, and that absence reflects the state's selective response of welcoming Western refugees. Quezon's approach to displaced populations was thus inconsistent.

As we have seen, the Philippines was a destination for people on the move, whether for economic opportunities or fleeing conflict. Amidst economic concerns, however, they became targeted by politicians who sought to exercise domestic sovereignty over its borders. The 'immigration issue' prompted debates in 1939 about what a new independent Philippine immigration would look like. As migrants were caught up in this process of state-formation, the question of admitting Jewish refugees emerged. The discussion below presents very different circumstances for Jewish refugees,

²⁰² Proclamation No. 173, s. 1937 (Philippines). Interestingly, Quirino, who was then Secretary of the Interior, signed this proclamation – the future president engaged in refugee policy before his extension of asylum to the Russians in 1948. British refugees from Hong Kong were later temporarily accommodated too.

²⁰³ Antonio S. Tan, *The Chinese in the Philippines During the Japanese Occupation, 1942-1945* (University of the Philippines, 1981).

²⁰⁴ 'MLQ radio message to American audience and extending Filipino hospitality to American refugees from China', 1937, Pres. Manuel Luis Quezon Papers, National Library of the Philippines.

²⁰⁵ Alfonso J. Aluit, *The Conscience of the Nation: A History of the Red Cross in the Philippines, 1896-1962* (Bookman Printing House, 1963), 279. Aluit's history of the Red Cross lacks some instances of refugee assistance, particularly those given to Russian refugees in 1923 (see chapter four).

exploring how the architects of the Commonwealth government's Jewish refugee policy legitimised refugee 'rescue' amidst the politicised immigration environment.

Jewish refugee 'rescue': Not a public charge

Frank Ephraim was a child refugee when his family moved to the Philippines in 1938, prompted by 'Kristallnacht' in November that year. The Ephraims were able to secure visas through financial support from relatives already in the archipelago. "There was no future for us in Germany", Ephraim wrote, "our only avenue for escape was the offer of an affidavit for the Philippines [...]. We were able to get entry visas when a distant relative in Manila helped put together the financial guaranties required by the U.S. immigration law that applied to the Philippines".²⁰⁶ His journey, along with 1,300 others, was possible because of the special immigration programme dedicated to admitting selected Jewish refugees. This section presents some of the crucial figures who proposed what became this special immigration programme, which was a turning point for Philippine refugee policy.

Jewish refugee assistance began in August 1937 when Quezon and McNutt each received a telegram from the German consul in Manila requesting for 70 German refugees from Shanghai – including 28 Jews – to be admitted to the islands.²⁰⁷ Each independently authorised the admission of these refugees 'on the condition that they would not become a public burden', adding that the German community take responsibility for them—enter Manila's Jewish community, who set up the Jewish Refugee Committee (JRC).²⁰⁸ The JRC furnished the refugees with clothes, food and housing. The community's leaders were the Frieder brothers who were tobacco manufacturers from Ohio and ran the Helena Cigar Factory in Manila. This episode was one of the reasons that McNutt (who had strong disposition to help Jewish refugees) and the Frieders advocated for more Jewish refugees to be admitted to the archipelago.

Scholars have debated on whom to credit for the programme's inception: Manila's Jewish community, McNutt, or American Jewish organisations.²⁰⁹ Whatever the origins, between February and May 1938, McNutt and Quezon approved a Jewish refugee immigration programme, provided that the JRC assumed responsibility for administering refugees and ensuring that none would be a

²⁰⁶ Ephraim, *Escape to Manila*, 3–5.

²⁰⁷ Goldstein, *Jewish Identities in East and Southeast Asia*. 51. For a history of the Jewish community in Shanghai, see: Ristaino, *Port of Last Resort*, 2001; Irene Eber, *Wartime Shanghai and the Jewish Refugees from Central Europe: Survival, Co-Existence, and Identity in a Multi-Ethnic City* (Walter de Gruyter, 2012).

²⁰⁸ In the 1930s, there were about 150 Jews living in the Philippines. Goldstein and Kotlowski, "The Jews of Manila: Manuel Quezon, Paul McNutt, and the Politics and Consequences of Holocaust Rescue." 123–126.

²⁰⁹ Harris, *Philippine Sanctuary A Holocaust Odyssey*, 73; Kotlowski, "Breaching the Paper Walls"; Ephraim, *Escape to Manila*, 28–29.

public charge.²¹⁰ McNutt's and Quezon's approval demonstrates the complexities between domestic sovereignty and immigration.

What emerged was the result of a collaboration among the JRC, McNutt, American Jewish organisations, the State Department and Philippine government. They agreed to admit an unspecified number of Jewish refugees through a pre-selected immigration programme based on professions that were 'needed' in the Philippines (such as physicians, dentists, accountants), as well as on refugees' financial capacity.²¹¹ By May 1938, the JRC, through Europe-based Jewish organisations, advertised and processed applications for migration to the Philippines. The Philippine government confirmed the names on the list, and a financial requirement of \$1,200 was deposited to a bank in Manila, a sum enough to support a refugee for two years. The US State Department then issued Philippine visas in American consulates. Upon arrival in Manila, members of the Jewish community provided financial and material aid. The JRC became the de facto coordinating body for all Jewish immigration matters (chapter 3).

The immediacy of the programme's development over a couple of months in 1938 reflects the nature of immigration policies of the Commonwealth state. American laws still applied to the Philippines and the main point of concern was that no refugees should be a public burden. McNutt supported the programme having learned that the High Commissioner's office had the power to waive visa restrictions to the Philippines.²¹² The drafting of the new immigration bill began in 1939, months after the programme was already in place. This bill, however, directly affected the 'Mindanao Plan' as I discuss later. The success of the programme amidst the increased politicisation of immigration matters also reflects certain aspects of Quezon's presidency. On the one hand, the president had personal reasons; during his visit to Berlin in 1937, Quezon was 'troubled by the sight of a Nazi parade'.²¹³ On the other, the president's amenability to the programme might be a result of political patronage. Quezon, McNutt and the Frieders shared the same social circles. Though the Frieders' support for Quezon's political campaigns is not explicitly revealed in the sources, it is likely that they played a part in financing campaigns like many other American businessmen did then.²¹⁴

²¹⁰ Dean Kotlowski extensively researched McNutt's career, situating his efforts to assist refugees amidst broader interests, including running for the US presidency. Kotlowski, "Breaching the Paper Walls"; Goldstein and Kotlowski, "The Jews of Manila: Manuel Quezon, Paul McNutt, and the Politics and Consequences of Holocaust Rescue," 130. Goldstein and Kotlowski, 130.

²¹¹ An example of this list is in the next chapter.

²¹² Kotlowski, "Breaching the Paper Walls."

²¹³ Goldstein and Kotlowski, "The Jews of Manila: Manuel Quezon, Paul McNutt, and the Politics and Consequences of Holocaust Rescue." 131.

²¹⁴ Manuel Caoilo, "Quezon and His Business Friends: Notes on the Origins of Philippine National Capitalism," *Philippine Journal of Public Administration* XXXI, no. 1 (1987): 65–106.

By November 1938, the immigration programme began to receive media attention. National newspapers reported that a little over 100 refugees were in Manila, most of whom found employment.²¹⁵ Ephraim and his family belonged to that number. Manila seemed to be an unlikely destination for Jewish refugees to choose, but the archipelago's status as an American Commonwealth made it an ideal jump-off point for migrating to the US. After five years' residence in the Philippines, non-citizens could immigrate to the US without coming under American immigration quotas— something Jewish refugees took into consideration.²¹⁶

Meanwhile, the presence of Jewish refugees produced a mixture of responses among the local population. Many expressed solidarity with persecuted Jews, exemplified by two anti-Nazi campaigns that took place in response to Kristallnacht in Manila – organised without Jewish prompting.²¹⁷ As we shall see later, pockets of opposition also emerged when Filipinos felt threatened that their professions were at stake. The loudest opposition came from the new German Consul in Manila who pressed the German Club to expel its Jewish members in 1938.²¹⁸ This did not happen. Nazi policies and mentalities failed to surface among Manila's German community.

In December 1938, Quezon used newspapers to publicise his approval of Jewish immigration to the archipelago, claiming that these refugees were not a 'burden on the government'.²¹⁹ He added that he opposed an 'influx of large numbers of immigrants' which would 'create a problem', but was 'not going to close our doors to oppressed people. [...] This is the time to show that we love liberty by opening our shores to persecuted people.' Aware of the immigration issues and the calls to restrict numbers, Quezon appealed to humanitarian sentiments to legitimise the programme. Similar rhetoric would be used a few months later when Quezon announced the Philippines' contribution to international efforts: the 'Mindanao Plan'.

The politicisation of immigration constrained Jewish refugee admission by imposing a selective application process. Jewish migration to the Philippines was not open-ended, and the architects of the immigration programme intended to abide by contemporary laws. Nevertheless, despite its limitations, the Philippines was one among a few states that welcomed displaced Jews. Prior to international efforts to address the Jewish refugee 'problem', embodied by the 'solutions' sought

²¹⁵ "Jewish Refugees Slowly Drift to Philippines; 100 Already Absorbed," *Manila Daily Bulletin*, November 1938.

²¹⁶ Eber, *Wartime Shanghai and the Jewish Refugees from Central Europe*. 63.

²¹⁷ "Slashing Attacks Against Nazi Intolerance Made at Two Gatherings," *Manila Daily Bulletin*, November 1938.

²¹⁸ Kotlowski, "Breaching the Paper Walls," 881.

²¹⁹ 'Willing to Aid Refugees, says Quezon', *The Daily Tribune*, 6 December 1938.

during the Evian Conference, the Philippines already presented itself as a 'haven' for several hundred Jews.

The Jewish refugee 'problem' and the international response

The 'Mindanao Plan' was Quezon's large-scale project that proposed to admit 10,000 Jewish refugees over a ten-year period. To understand how this plan developed, we need to look at conversations on the international level of the refugee regime, particularly those that took place during the Evian Conference of 1938. This conference sought to address the Jewish refugee 'problem' among state leaders. Although the Philippines did not have a delegation being a semi-sovereign state, the proposed 'Mindanao Plan' became one of a few important initiatives that responded to Jewish displacement. I do not intend to go in depth about the Conference or other international efforts here since there has been extensive literature on this.²²⁰ This section is particularly interested in the outcomes of the Conference: the proposals for agricultural resettlement that paved the way for Quezon to contribute to global initiatives.

The Philippine response reflects the hesitation of powerful states to admit refugees and raises questions why a semi-sovereign state would open its borders when many did not. These decisions, however, also involved American interventions and disclose the extent to which Manila and Washington negotiated Philippine sovereignty.

When the Nazi party came into power in 1933 and enforced the Nuremberg Laws, thousands of Jews were persecuted and forced to leave Nazi Germany – these displaced persons came under the protection of the League of Nations' Office of the High Commissioner for refugees.²²¹ The League was ineffective as the interwar period saw the rise of immigration restrictions, which created obstacles for refugee protection.²²² States were reluctant to open borders to refugees, but were open to discussing ways to address the Jewish refugee 'problem'. US president Franklin Roosevelt (1933-1945) called for the Evian Conference.²²³

Participating states formed a new refugee agency: the American-led Intergovernmental Committee on Refugees (IGCR). This new organisation cooperated with the League of Nations; many states

²²⁰ Some examples: Henry L. Feingold, *The Politics of Rescue: The Roosevelt Administration and the Holocaust, 1938-1945* (New Brunswick, N.J: Rutgers University Press, 1970); Louise London, *Whitehall and the Jews, 1933-1948: British Immigration Policy, Jewish Refugees and the Holocaust* (Cambridge University Press, 2003); Michael Robert Marrus, *The Unwanted: European Refugees in the Twentieth Century* (Oxford: Oxford University Press, 1985).

²²¹ Louise Holborn, "The League of Nations and the Refugee Problem." *The Annals of the American Academy of Political and Social Science* 203 (1939): 133-135.

²²² Torpey, *The Invention of the Passport Surveillance, Citizenship, and the State*.

²²³ Representatives from 32 countries attended the conference in Evian-les-Bains, France, in July 1938. They were joined by a number of refugee organisations and observers.

saw the League's refugee agencies as 'impotent' because it could not negotiate with Berlin.²²⁴ Governments tasked the IGCR to search for resettlement sites and confer with Berlin over refugees.²²⁵ Resettlement, however, was difficult to pursue. Traditional countries of refugee resettlement like France and the US closed their borders, the British rejected Palestine as an option; other delegates declined, citing their own economic issues and restrictive immigration laws. Instead, participating states prioritised the search for 'vacant places' where Jewish refugees could live permanently – they searched outside Europe, including the colonies.²²⁶

The quest for agricultural resettlement spaces were less humanitarian, more political, and did not address the root of the 'problem'. According to historians on the Roosevelt administration, the president had a stake in post-war agricultural resettlement schemes for refugees.²²⁷ These settlements provided opportunities for trade and development of 'underdeveloped land', where there was a 'need' for efficient population distribution.²²⁸ To investigate further, Roosevelt created the President's Advisory Commission on Political Refugees (Advisory Commission hereafter), tasked with research and collection of data for potential colonisation possibilities as agricultural settlements.²²⁹ Isaiah Bowman (an authority on frontier settlement) led the Advisory Commission. In 1939, the New York-based Jewish organisation, Refugee Economic Corporation (REC), funded him to lead a team to explore the possibility of using areas in Mindanao for refugee settlement.

Roosevelt's interest in agricultural resettlement schemes brought the Philippines into Washington's periphery. The nature of the Philippine Commonwealth state meant that the 'Mindanao Plan' was not simply a Philippine contribution to the Jewish refugee 'problem', but also partly an American one, without admitting refugees to the US per se. Washington hesitated to admit Jewish refugees (many in the State Department and Congress were anti-Semitic); there were no serious considerations for resettlement within the US.²³⁰ Instead, Washington found the prospect of

²²⁴ Feingold, *The Politics of Rescue*, 30; Skran, *Refugees in Inter-War Europe*, 230–240; Holborn, "The League of Nations and the Refugee Problem," 133.

²²⁵ "Intergovernmental Committee on Refugees," *International Organization* 1, no. 1 (1947): 144.

²²⁶ Refugee resettlement schemes within Europe had already been under the League of Nations, such as the population exchange between Greece and Turkey. Meanwhile, among other possible refugee resettlement projects (such as Madagascar, Ethiopia, North Borneo), only the Dominican Republic's proposal came to fruition, admitting 757 refugees. Matthew Frank, "The Myth of 'Vacant Places': Refugees and Group Resettlement," in *Refugees in Europe, 1919–1959: A Forty Years' Crisis?*, ed. Matthew Frank and Jessica Reinisch (Bloomsbury Academic, 2017), 121–146. For the Dominican Republic's response to Jewish displacement, see: Allen Wells, *Tropical Zion: General Trujillo, FDR, and the Jews of Sosua* (Durham: Duke University Press, 2009), xxii.

²²⁷ Feingold, *The Politics of Rescue*; Neil Smith, *American Empire Roosevelt's Geographer and the Prelude to Globalization* (Berkeley: University of California Press, 2004).

²²⁸ Smith, *American Empire Roosevelt's Geographer and the Prelude to Globalization*, 313.

²²⁹ Jewish agricultural resettlement was not novel in the 1930s, but can be traced to 1924 in Soviet Russia. Jonathan L. Dekel-Chen, *Farming the Red Land: Jewish Agricultural Colonization and Local Soviet Power, 1924-1941* (New Haven: Yale University Press, 2005).

²³⁰ Anti-Semitism spread in the 1930s as one response to the Depression. Feingold, *The Politics of Rescue*, 8,93.

resettlement in US possessions more promising and added the Philippines into a list of possibilities for Jewish resettlement since it was still an American territory.²³¹

Meanwhile, the lack of commitment from the international community placed significant responsibilities on the Jewish diaspora. American and European Jewish organisations, like the American Jewish Joint Distribution Committee (JDC) and Hebrew Immigrant Aid Society (HIAS) provided relief and funds, and negotiated with states for refugee protection.²³² In the Philippines, funds from the JDC and REC were instrumental in enabling refugee immigration.²³³

By the end of 1938, there were at least 500,000 displaced Jews worldwide. International response for resettlement and protection was lacking. Immigration restrictions, as we have seen, yielded negative responses to the Evian Conference's proposed resettlement schemes. Meanwhile, the Philippines' status as a Commonwealth state made it an alternative American option without compromising immigration to the US mainland. Yet, the possibility of Mindanao as a space for resettlement was subject to Quezon's approval. As the next section shows, the Philippine president saw a means to incorporate his own political interests into Jewish refugee 'rescue'.

The politics of refugee resettlement in Mindanao

The 'Mindanao Plan' was a complex matter. As a large-scale resettlement programme, different actors were involved, such as the Philippine and American governments, the JRC and American Jewish organisations; each had its own stake in the project's success. I draw attention to the role of the state as a complex actor. One reason was that different actors within the state (both Philippine and American) created inconsistencies in the project's progress. Quezon personally integrated himself into the project, using refugee resettlement as one means to realise his own development and political goals. Yet, restrictive immigration policies and domestic land ownership laws, combined with scepticism from the US State Department, constrained the 'Mindanao Plan's' immediate execution.²³⁴

²³¹ Alaska was also considered as a resettlement area, but the idea was shelved on the basis that it could be used as a backdoor to enter the US, and that new immigration laws were needed to restrict immigration from there. Feingold, 98–99.

²³² Avinoam Patt et al., *The JDC at 100: A Century of Humanitarianism* (Wayne State University Press, 2019); Yehuda Bauer, *American Jewry and the Holocaust: The American Jewish Joint Distribution Committee, 1939-1945* (Wayne State University Press, 2017); Valery Bazarov, "HIAS and HICEM in the System of Jewish Relief Organisations in Europe, 1933–41," *East European Jewish Affairs* 39, no. 1 (2009): 69–78. These sources overlook the Philippines response.

²³³ The JDC was created in 1914 to provide assistance to Jewish refugees in Eastern Europe, and had already experienced resettling Jews into farms in Russia from 1924 to 1938. The REC was a private agency interested in agricultural resettlement.

²³⁴ Ephraim, "The Mindanao Plan," 411.

Compared to the speed at which the special immigration plan developed, the ‘Mindanao Plan’ took three years to be negotiated among different figures, only to end with no refugees stepping foot in the southern island. Nevertheless, the politics behind the project yields important aspects about how Jewish refugees became visible to Filipinos, what responses Filipinos had to their admission, and how refugees formed part of Philippine state-formation through national immigration law.

The ‘Mindanao Plan’s’ proposal was conditioned on Philippine terms, in spite of American interests in the project’s success. It specified that 1,000 refugees enter the Philippines annually over ten years, and imposed other conditions: a committee representing Jewish refugees provide all funds, refugees would engage in subsistence farming and acquire naturalisation ‘thereby expressing their intention to become Filipino residents’.²³⁵ Refugees were also required to live in the agricultural colony until being granted citizenship, after which they could choose where in the Philippines to live.

The idea of a Jewish agricultural settlement was more strategic than humanitarian, specifically for Quezon. Refugee ‘rescue’ was, from the very beginning, intertwined with the president’s political agenda. When the JRC approached Quezon about the possibility of using Mindanao for large-scale Jewish refugee resettlement, the president immediately agreed, claiming that the southern island had “the most wonderful uncultivated land in the entire world”.²³⁶ He, along with American officials, believed that Mindanao was an ideal site for development: it was ‘sparsely populated’ and comprised ‘under-developed lands’.²³⁷ The ‘Mindanao Plan’ masked any domestic issues related to refugee resettlement in the southern island. Instead, it gave an impression that Mindanao was open for settlement.

Refugee resettlement complemented Manila’s attempt to further its control over Mindanao and reinforce social and ethnic inequalities (chapter one). According to Ephraim, the Philippine government never made any land review prior to submitting the proposal.²³⁸ This could mean that Jewish migration was simply intertwined with the broader state-facilitated migration programme, that lands meant for Filipino farmers could also be used for Jewish refugees. (I discuss some opposition to refugee resettlement below.) Thousands of refugees not only provided labour for development but were also envisaged as agents for demographic change in the southern island. A large presence of Jewish refugees could be used as a ‘cultural leverage against Muslim insurrection

²³⁵ For the outlines of the plan, see: Ephraim, 416.

²³⁶ Herbert Frieder to Bruno Schachner, 8 December 1938, ‘Philippines – Subject Matter, Resettlement, JDC Archives.

²³⁷ Feingold, *The Politics of Rescue*, 98.

²³⁸ Ephraim, “The Mindanao Plan,” 421.

and Japanese exploitation on that Philippine island'.²³⁹ Meanwhile, Jewish refugee 'rescue' was also a means for the Philippine government to emphasise inequalities among non-Filipinos. The rhetoric used in the 'Mindanao Plan' suggests that the process of naturalisation for Philippine citizenship was liberalised for Jewish refugees, while restrictive rules generally made naturalisation difficult, especially for Chinese migrants.²⁴⁰

On the international level, the 'Mindanao Plan' was a bold statement, especially since it was one of the larger resettlement plans proposed for Jewish refugees. During the IGCR meeting on 13 February 1939, the State Department presented the 'Mindanao Plan' on behalf of the Philippine government.²⁴¹ American Jewish organisations sent the president their praises and were keen to lend their support through funding the programme. Quezon was conscious of the impact the large-scale resettlement plan would have on the Philippines' international standing as it transitioned to independence.

Any possibility for Jewish resettlement, however, needed to abide by the new Philippine immigration laws, which the National Assembly was still debating (and when passed required Roosevelt's approval too). In the meantime, the JRC and Quezon utilised the infrastructure of the special immigration programme to select refugees suitable to agricultural life – as I discuss below, this influenced the way refugees applied for Philippine visas. The JRC took on a central role, coordinating with the Philippine and American officials, administering American Jewish organisations' funding, advertising and processing applications from Europe and Shanghai for migration to the southern island.

The 'Mindanao Plan' was publicised by the national media and drew both support and opposition. Since immigration was a heated subject of debate, Quezon justified the project using the language of humanitarianism and stressing the selective nature of refugee admission. He explained that the Commonwealth Government 'could not turn a deaf ear' to the plight of Jewish refugees and needed to 'do its share in meeting the situation'.²⁴² Quezon also made it clear that refugees were chosen for particular skills that would benefit the Philippines: 'Only those whose professional qualifications, particularly in science, could supply needed services in the Philippines, have been admitted'. The 'Mindanao Plan', the government further emphasised, ensured that refugees would

²³⁹ Harris, *Philippine Sanctuary A Holocaust Odyssey*, 121. See also: Kotlowski, "Breaching the Paper Walls," 889.

²⁴⁰ Aguilar, "Philippines," 332.

²⁴¹ "Quezon Bids Reich Exiles To Mindanao: Dominican Republic, Australia Offer Havens," *The Washington Post*, February 1939.

²⁴² "Statement of President Quezon on Jewish Settlement in Mindanao," Official Gazette of the Republic of the Philippines, February 1939, <https://www.officialgazette.gov.ph/1939/02/15/statement-president-quezon-on-jewish-settlement-in-mindanao-february-15-1939/> (accessed 6 May 2019).

not interfere with Filipino farmers, and that this agricultural venture would benefit Filipinos with ‘new techniques’ in the field.²⁴³ Powerful local figures such as Jorge Bocobo, President of the University of the Philippines, and Quintin Paredes, National Assembly Floor Leader, expressed their support for the Jewish refugee admission.²⁴⁴

Despite governmental assurances, politicians and members of the public voiced their opposition. One of the key figures was the new High Commissioner Francis Sayre who replaced McNutt in October 1939. The agricultural colony, in his opinion, was ‘utterly impractical’ as Jews were urban dwellers, not agricultural workers.²⁴⁵ Meanwhile Emilio Aguinaldo, who led the Philippines to independence from Spain in 1898, published an editorial demonising Jewish migration to the country using anti-Semitic tropes.²⁴⁶ Public opposition mainly came from farmers migrating to Mindanao, citing that any land there should be for Filipinos.²⁴⁷ Strong nationalist sentiments existed among the masses as the prospect of independence drew closer.

The ‘Mindanao Plan’ also stresses that amidst various displaced populations, the government privileged displaced German Jews. The Philippines was predominantly a Catholic nation but made no attempts to ‘rescue’ Catholic refugees from the European conflict. Manila’s Archbishop Michael O’Doherty, for example, asked the Philippine government if Catholic refugees from Germany could also be admitted.²⁴⁸ The president’s secretary explained that any refugees needed vetting to ensure ‘they will not be undesirable elements, nor displace any Filipino in any work’. It is unclear what transpired from this, but the government’s response was markedly different from its attitudes towards Jewish refugees. Numbers was certainly an issue, especially with the desire of Filipino politicians to limit how many migrants entered the country. Finances were another matter. While no Philippine funds were used for the ‘Mindanao Plan’ (being fully funded by American Jewish organisations), Catholic refugee admission might incur expenses on the government. Moreover, the ‘Mindanao Plan’ was not just a Philippine venture, Washington had a stake in it too and Quezon needed to please the colonial power. Meanwhile, the absence of the Church in primary and secondary sources makes it clear that it was not involved in refugee ‘rescue’ at this time.

²⁴³ Feingold, *The Politics of Rescue*, 98.

²⁴⁴ ‘Bocobo tells Jews we understand because we suffered tyranny too’, *The Philippine Herald*, 16 March 1939. ‘Paredes Favors Quezon Plan for Jewish settlers’, *The Daily Tribune*, 29 March 1939.

²⁴⁵ Kotowski, “Breaching the Paper Walls,” 891.

²⁴⁶ Harris, *Philippine Sanctuary A Holocaust Odyssey*, 133–134. Aguinaldo initially put himself forward as the opposition candidate against Quezon in 1935. As an opponent of the President, the ‘Mindanao Plan’ might have been an opportunity for Aguinaldo to raise opposition to the president – that Jewish refugees were going to be a ‘burden’ on the state.

²⁴⁷ “Boholanos Oppose Establishment of Jewish Colonies,” *Manila Daily Bulletin*, June 1939. ‘Vamenta reports scepticism over Jewish influx’, *Manila Daily Bulletin*, 11 March 1939.

²⁴⁸ ‘Refugee Policy’, *The Philippine Herald*, 8 May 1939

Although the Church explicitly protested Nazi persecution of Jews, along with Catholics and Roma, it is unclear to what extent the Church supported the Jewish refugee immigration programmes in the Philippines.

Despite the opposition mentioned above, the 'Mindanao Plan' moved forward with American and Philippine cooperation. Washington supported the 'Mindanao Plan' because it had its own interests in the IGCR's success in refugee resettlement. One reason that both Ephraim and Harris brought forward was that the US, especially the State Department, believed that the project's failure could mean that Washington would have to allow refugees into the mainland and fund their migration.²⁴⁹ Ephraim and Harris have discussed the American government's role in the 'Mindanao Plan', but I want to take their conclusions further by suggesting that through the Mindanao project, the Philippines was a 'buffer state' – a form of 'remote control' in which the American government prevented the movement of refugees to the mainland.²⁵⁰ This is evinced by Roosevelt's creation of a 'Mindanao Exploration Commission' (MEC) and the inclusion of Section 47.B in Philippine immigration law.

In order to ensure the 'Mindanao Plan's' success, Roosevelt's Advisory Commission sent Bowman to lead the MEC and find suitable land for refugee resettlement.²⁵¹ The MEC canvassed the island of Mindanao from May to July 1939, recommending a 10,000-acre plot as 'ideal' for Jewish resettlement in the province of Bukidnon in the southern island.²⁵² Based on the MEC's findings, the JDC and REC formed an 'Agro-joint committee' that prioritised the 'Mindanao Plan' and began negotiations for purchasing property.²⁵³ These negotiations, however, were delayed by legalities about land ownership in the Philippines (see below) and the outcomes of the immigration law debates.

The drafting of the Philippine Immigration Act could also have been an opportunity for Washington to protect its interests by ensuring refugees could legally enter the islands. Washington recommended that two American immigration experts (Foreign Service Officer George Brandt and Deputy Commissioner of the Immigration and Naturalization Service Irving Wixon) advise the drafting process.²⁵⁴ The new Immigration Act passed through the National Assembly as Commonwealth Act No. 613 (or the Philippine Immigration Act of 1940, which is still used today).

²⁴⁹ Ephraim, "The Mindanao Plan," 415; Harris, *Philippine Sanctuary A Holocaust Odyssey*, chap. 4.

²⁵⁰ For the concept of 'remote control', see: FitzGerald, *Refuge beyond Reach*.

²⁵¹ This commission was a five-man team of American experts on frontier settlements. Quezon initially tried to push for another island, Pollilo, but Bowman's team rejected this because it was in the path of typhoons.

²⁵² Harris, *Philippine Sanctuary A Holocaust Odyssey*, 139.

²⁵³ Ephraim, "The Mindanao Plan," 422.

²⁵⁴ US High Commissioner to the Philippines, *Annual Report of the United States High Commissioner to the Philippine Islands*, (Manila, 1940): 35.

This new law restricted entry into the Philippines to 500 per nationality per annum —far short of the proposed 1,000 refugees proposed in the ‘Mindanao Plan’. It passed by a vote of 67 to 1 —a direct reaction increasing unchecked immigration.²⁵⁵

The resettlement project’s execution, however, depended on the terms of the new immigration law so that the proposed number of 1,000 refugees could enter the country annually over the ten-year period. In response to the new quota system, Brandt expressed his concerns about Jewish refugee resettlement to the Assistant Secretary of State: the 500 limit “will affect the entry of refugees”, he wrote, and suggested the inclusion of a special provision under which the Philippine president could waive all restrictions for entry based on religious, political, or racial persecution.²⁵⁶ After several debates in the National Assembly, Section 47.B was included.²⁵⁷ This provision, as the cornerstone of Philippine refugee policy, has colonial origins (see chapter eight), but it also gave the impression that the independent Philippines was, to an extent, willing to admit refugees. On 26 August 1940, Roosevelt approved the new Philippine immigration law. Jewish organisations were optimistic that Jewish refugees could now be admitted for the ‘Mindanao Plan’. Other hurdles, however, delayed any progress, as I discuss below.

The inclusion of Section 47.B testifies to refugees constituting part of the Philippine state-formation process, that both Quezon and Roosevelt’s desire for the project’s success resulted in the ‘refugee’ label gaining legislative currency in the Philippines. Its inclusion also manifests the restrictive attitudes within the National Assembly that, knowing the ‘Mindanao Plan’ existed, still voted to limit the overall quota to 500 instead of 1,000. Politicians were less concerned about refugee ‘rescue’ than economic and political interests, with some assemblymen claiming the new quota permits non-Filipinos to enter as far as the ‘national economy will permit’.²⁵⁸ According to Harris, part of that reason was that an extent of anti-Semitism existed among some politicians, and that some assemblymen ‘believed that Quezon had acted impulsively when he offered Mindanao lands’ for the large-scale resettlement without consulting them.²⁵⁹ The 500 quota, it appears, was also a form of resistance to the president; yet the provision placed the president in a powerful position, able to go beyond the quotas for groups he perceived as ‘refugees’ per Section 47.B’s definition.

²⁵⁵ Gopinath, “President Manuel Quezon and Economic Protectionism, 1935-41.” 141.

²⁵⁶ Ephraim, “The Mindanao Plan,” 417.

²⁵⁷ The new immigration law received protests from Chinese and Japanese officials. I discuss this in chapter eight.

²⁵⁸ ‘Quezon power under alien bill limited’, *The Philippine Herald*, 3 May 1940.

²⁵⁹ Harris, *Philippine Sanctuary A Holocaust Odyssey*, 143.

While the American and Philippine governments coordinated the search and purchase of suitable land, the JRC sought out applicants and ensured the project was fully funded.²⁶⁰ Various Jewish organisations advertised the ‘Mindanao Plan’ in Europe and Shanghai, looking for able-bodied refugees and those with agricultural backgrounds to apply.²⁶¹ Refugees’ letters reached Quezon’s office in the first half of 1939.²⁶² Siegmund (Sigmund) Tauber was one of the many refugees who asked Quezon for admission to the Philippines under the ‘Mindanao Plan’, despite the lack of agricultural skills. He wrote from Vienna:

Undersigned, a Viennese Jew begs for himself and his family (consisting of 10 persons) for the permission of entering [the Philippines].

[...] In Vienna we are cutters and sewers for bodylinen [sic] for ladies and gentlemen; yet we know to do the agricultural work too, because we had once a small farm and were [breeding] fowls.

I suppose that the fate of the German Jews is not unknown to you. Excellence, (we must emigrate), and so I am convinced you will fulfil my request.

We have no money in the foreign country but we will take with us as many agricultural implements as we [...] are allowed by the office of our country. [...]

If your generosity should still go farther and you would allow a greater number of Viennese Jewish families to immigrate... and to find a new home, I should take pains to put together a society of healthy and industrious families.

Thanking you in advance.²⁶³

Not having heard back, Tauber wrote again two months later. Along with many other letters, the government did not answer. Unable to find asylum, he was deported to the camps in 1942 and killed in Auschwitz.²⁶⁴

²⁶⁰ Financial discussions form a bulk of the discussions found in the ‘Philippines- Subject Matter, Resettlement’ files of the JDC Archives.

²⁶¹ These calls and application forms are found in the ‘The archives of the Far Eastern Jewish Central Information Bureau (DAI)JEWICIB) Harbin-Shanghai’ RG-68.114M, US Holocaust Memorial Museum (USHMM) Archives.

²⁶² These letters are part of the President Manuel Luis Quezon Papers at the National Library of the Philippines. See also: Ber Kotlerman, ‘Philippine Visas-for-Jews from the Perspective of 1939 Unanswered Letters to President Quezon,’ *Darbai Ir Dienos*, no. 67 (2017): 273–291.

²⁶³ Sigmund Tauber to the President Mr. Manuel Quezon, 11 April 1939, Series VII, Box 171, Pres. Manuel Luis Quezon Papers, National Library of the Philippines.

²⁶⁴ Sigmund Tauber, Database of victims, <https://www.holocaust.cz/en/database-of-victims/victim/59605-sigmund-tauber/> (accessed 15 July 2020).

The government's silence was a reminder of the limits of Philippine refugee policy, that only 1,000 among hundreds of thousands could be selected that year. However, no refugees would make it to Mindanao nor, it appears, were any admitted under the terms of the 'Mindanao Plan'.

The circumstances around the failure of the 'Mindanao Plan' can be narrowed down to three general reasons: legal questions about land ownership, changing interests or commitments by certain key actors to refugee resettlement, and the Second World War. For Ephraim, the negotiations that occurred on the state level about land ownership had the most profound implications for the 'Mindanao Plan' and why it failed.²⁶⁵ The National Development Corporation, which was responsible for the lease or sale of public lands, stalled any efforts by challenging the JRC and REC on the legalities of their purchase until mid-1941.²⁶⁶ A year after the conference, nothing had been accomplished. Quezon did not intervene nor did the government extend any exemptions for refugees – that exemption only came in the form of admission outside of the quota system. The State Department's commitment to Jewish refugees was ambivalent from the beginning, worried more about the possibility of needing to admit refugees to the US mainland than the need to protect them. Meanwhile, Quezon and the JRC relied heavily on McNutt for American support; replacing him, Sayre's hesitation made coordination with US officials more difficult.

Quezon's own commitment is worth analysing more as his interests and motivations shifted around. His personal and humanitarian interests in refugee 'rescue' were exemplified by dedicating his own property, Marikina Hall, to Jewish refugees in 1940.²⁶⁷ Ephraim argued that Quezon's political interests in leading the Philippines into independence preceded refugee 'rescue'.²⁶⁸ I agree with Ephraim to the extent that Quezon wanted to remain in power, but Quezon's stance on independence was ambivalent, as Dean Kotlowski argued.²⁶⁹ What is clear is the president's interest in maintaining his control over the Philippines as he pursued a re-election campaign for 1941, which he also won. It is unclear to what extent Jewish refugee 'rescue' played a role in his re-election, but it is likely that it played a part through some manoeuvring between his patronage network (McNutt and the Frieders) and assemblymen. While Quezon supported the 'Mindanao Plan' and was personally involved in the MEC's search for suitable sites, he also made no attempt to overhaul existing land ownership laws that delayed the project's progress nor insisted on

²⁶⁵ Ephraim, "The Mindanao Plan," 423–429.

²⁶⁶ Feingold, *The Politics of Rescue*, 78.

²⁶⁷ "Jews to Come in Gradually Says Quezon," *Manila Daily Bulletin*, April 1940. Marikina Hall was destroyed during the Second World War.

²⁶⁸ Ephraim, "The Mindanao Plan," 429.

²⁶⁹ Dean Kotlowski, "Independence or Not? Paul V. McNutt, Manuel L. Quezon, and the Re-Examination of Philippine Independence, 1937–9," *The International History Review* 32, no. 3 (September 2010): 501–531.

increasing the quota of 500 migrants. Quezon's interest in the refugee issue, however, waned by mid-1941; his attention was caught by oncoming war. Domestic and international circumstances and changing interests complicated any measures for the 'Mindanao Plan' to move forward.

This chapter has demonstrated how the Philippine state responded in different ways to displacement in the 1930s, with a particular focus on the Jewish refugee 'problem'. Amidst the different groups of refugees, displaced German Jews managed to enter the archipelago through two state-facilitated immigration avenues: a special immigration programme and the 'Mindanao Plan'. These projects enabled the admission of a large number of refugees without compromising national interests or immigration policies.

The different actors and their agendas in the resettlement venture tell us about the importance of individual actions and commitments to refugee 'rescue' that factor into a project's success or demise. Key actors – Manila's Jewish community, American Jewish organisations and both the Philippine and American governments – each had different interests which helped the venture move forward or constrain it. The 'Mindanao Plan' served Quezon's political agenda for the island, as well as Washington's own interests in addressing the Jewish refugee 'problem'. For Quezon, refugee resettlement provided an opportunity to realise his broader plans around development and demographics in Mindanao. To an extent, the humanitarian gesture of 'rescue' masked the consequences of development for the Muslim minority. For Washington, it was a chance to contribute to the international efforts without compromising its own interests in keeping refugees out of the mainland, although the State Department had reservations. Though Quezon sanctioned refugee resettlement, politicians and members of the public opposed it. The 'Mindanao Plan' succumbed to legal issues, changing interests, and the on-coming war. These different considerations all impinged on the local refugee regime.

The foregoing discussion also demonstrates that refugee 'rescue' became intertwined with the process of state-formation as the Philippines transitioned to independence. The 'Mindanao Plan' was one way for Quezon to assert the country's entry into the international community and earn it some humanitarian credentials. He claimed in 1940 that the admission of Jewish refugees was "showing the world the kind of people we really are: hospitable, just and humane".²⁷⁰ Domestically, refugee admission affected the shape of the 1940 Immigration Act. After decades of American policies regulating migration, many members of the public and politicians wanted a more restrictive law in response to what they perceived were increasing numbers of Chinese and Japanese newcomers. The 'Mindanao Plan' necessitated a special provision to allow refugees to enter over

²⁷⁰ "Jews to Come in Gradually Says Quezon."

and above the 500-quota limit. This remains an important legal provision for succeeding refugee admissions and rejections. Meanwhile, the nature of the Commonwealth government's semi-sovereign status also meant that Washington's intervention in Jewish refugee admission was an attempt to shape the Philippines' own formation so that its own interests could be met.

Given the paucity of resettlement options, the 'Mindanao Plan' served as an important element in the international refugee regime. At the same time, however, the complex situation on the ground determined the outcome. Ultimately, the failure of the plan had profound repercussions for refugees. The intricacies of sovereignty and statecraft failed them. The next chapter looks at Jewish refugee admission from the Committee's perspective, exploring the ways it negotiated with those in power in order to 'rescue' as many refugees as possible. Although the 'Mindanao Plan' failed, the overall efforts to 'recue' refugees proved successful, in so far as around 1,300 Jewish refugees were saved from Nazism under the special immigration programme. But they escaped one war only to end up living through another one. I depict something of their lives in the next chapter in order to emphasise the important role the JRC had in refugee 'rescue'.

Chapter Three

Manila's Jewish Refugee Committee and the politics of immigration

A Philippine visa meant life or death for many Jewish refugees like Siegfried Strausser, a cigar maker from Mannheim, Germany.²⁷¹ A Philippine visa 'rescued' him from Dachau, where the Gestapo deported him after Kristallnacht in November 1938. This visa was possible through an ad in a Jewish newspaper advertising a job for a cigar maker in the Philippines – the Helena Tobacco company run by the Frieder brothers. His wife Klara applied and they both received visas for the Philippines, enabling Strausser to leave Dachau and sail to the Philippines on 2 February 1939; Klara followed a few months later. Strausser was one of the 1,300 Jews who were admitted to the Philippines based on the special immigration programme under the auspices of the Manila's Jewish Refugee Committee (JRC).

This chapter focuses on the work of the JRC, a non-governmental organisation (NGO) that not only provided welfare assistance but also took on state-like functions. The JRC's origins can be traced back to 1937 when 28 German Jews arrived from Shanghai. It was an ad hoc committee set up by members of Manila's Jewish diaspora that quickly transformed into a more formal organisation responsible for all matters relating to Jewish refugee admission. This chapter focuses on one of its key responsibilities: implementing the special immigration programme that offered visas to pre-selected Jewish refugees. The JRC in effect functioned as the Philippines' immigration department for displaced Jews – all Jewish immigration matters were its responsibility, including the 'Mindanao Plan' (see chapter two). Some of its duties involved advertising and processing applications for the special immigration programme, and approving names sent to the US consulates for visas.

This chapter adds another dimension to what we already know about the state's role in Jewish refugee 'rescue'. It argues that the JRC held considerable power in the refugee regime. Its power was manifested by its ability to control immigration and decide who among the refugee applicants, like Strausser, were entitled to be granted Philippine visas. It tells us that Quezon's grip of power was sufficiently strong, enabling him to devolve all responsibility for refugee relief to an NGO. This chapter demonstrates how the JRC, with its state-like functions, did not pose a threat to the government but exercised a degree of autonomy and flexibility in pursuit of its own interests.

Despite its central role in Jewish refugee 'rescue', the JRC was constrained by the state in different ways. The JRC exercised its autonomy only within the confines of the American immigration laws

²⁷¹ Ephraim, *Escape to Manila*, 54–55.

that applied to the archipelago. We saw in the previous chapter that Quezon and McNutt only approved the special immigration programme on the grounds that no refugee would become a public charge. This limitation shaped the selective nature of the programme, one based on ‘desired’ professions in the Philippines. Given this list, however, the JRC could not ensure that Jewish professionals got the jobs they were qualified for. I use the example of Jewish doctors and the absence of the state’s intervention to illustrate this point. Additionally, the JRC was unable to prevent the failure of the ‘Mindanao Plan’.

The JRC was not a static organisation. We shall see how particular circumstances required the organisation to adapt in order to pursue its interests. For example, the Japanese occupation transformed the entire Jewish community and along with it the structure of the JRC. Japanese officials interned Allied nationals, among them community leaders who were involved in the JRC’s operations. Despite the important work of the committee, the JRC had a lifespan – refugee admission and assistance were its *raison d’être*. When no longer needed after the war, it ceased to exist.

This chapter is divided into three parts. Part one introduces the Jewish diaspora in order to map out the circumstances that necessitated Manila’s Jewish community to intervene on behalf of Jewish refugees. The next section is about the special immigration programme, and emphasises the important work of the committee in making it possible for around 1,300 refugees to enter the country by 1941. The chapter ends with a glimpse into life under Japanese occupation, showing how refugee aid transformed under wartime conditions, and the emigration of refugees from the Philippines to resettle in the US. In its short existence, the JRC was a significant actor in Jewish refugee ‘rescue’, filling in the protection gap between the state and the refugee.

The origins of the JRC

The arrival of Jewish refugees shaped Manila’s Jewish community, which comprised around 150 members. Prior to 1937, this community was largely fragmented with many embracing a more secularised identity. The arrival of the Shanghai-based refugees triggered a unifying response. Minna Gabermann, a member of the Jewish diaspora and Manila’s elite, recalled in 1975 that they “only became Jewish conscious in a deep way when the terrible threat came out of Europe and suddenly there were Jews in desperate need of help”.²⁷² These Jewish refugees were neither under the care of the Philippines’ German community, nor recipients of any relief from the state. Motivated by compassion and a new sense of Jewish communal identity, the community hastily

²⁷² As quoted in Jonathan Goldstein, “Shaping Zionist Identity: The Jews of Manila as a Case Study,” *Israel Affairs* 15, no. 3 (2009): 10.

formed the JRC; the Frieder brothers (Alex, Herbert and Philip) assumed leadership and rotated as the JRC's president until the eve of the Japanese occupation in late 1941. Manila's Jewish community bridged the gap between the state and these refugees; the JRC was thus a manifestation of diasporic mobilisation.²⁷³ The diaspora grew with the selective immigration programme that brought 1,300 refugees to Manila.

This initial encounter with the refugees from Shanghai set the precedent for the larger immigration programme in 1938 and the 'Mindanao Plan' in 1939, transforming the JRC from its ad hoc beginnings into a more formal organisation involved in international refugee assistance. The Commonwealth government devolved all refugee relief to the JRC for the success of Jewish refugee admission – a venture the state had a stake in (see chapter two). The JRC's transformation reflects the capacity and political connections that its members had. The organisation emerged from the locally-embedded Jewish diaspora whose many members, like Gabermann and the Frieders, belonged to Manila's high society.²⁷⁴ Members of the JRC, thus had the financial capacity to support refugees. We have also seen in the previous chapter that the Frieders had important connections to politicians like Quezon and McNutt. These connections were important in securing governmental approval for any Jewish immigration plans and giving the organisation a degree of autonomy. The organisation's goal was to 'rescue' as many refugees through immigration and resettlement.

The need for an organisation to assist with Jewish refugees indicates the absence of any refugee-related organisations in the Philippines. During American rule, Manila's elite – both foreigners and Filipinos – used philanthropic ventures as a means of legitimising social status.²⁷⁵ This culture resonates with the JRC's origins as an elite-led endeavour. Philanthropy, however, does not explain why no other refugee-related organisations took responsibility for Jewish refugees.

Instead, there is evidence wherein the diaspora became a humanitarian actor in providing aid to non-Filipinos. The Chinese community in the Philippines, for example, had the 'tradition' of organizing themselves to 'protect their interests' and took part in the broader relief efforts in China.²⁷⁶ The same could be said for Jewish refugees when Manila's Jewish community mobilised relief through the JRC. Diasporic mobilisations were an alternative response to the lack, absence,

²⁷³ For a discussion on the role of diaspora in Refugee Studies, see: Van Hear, "Diaspora."

²⁷⁴ The Frieder brothers were one of the many American entrepreneurs who found business opportunities in the islands, establishing the Helena Tobacco Company in 1918. For a history of the Jewish community in the Philippines, see: Goldstein, *Jewish Identities in East and Southeast Asia*. Emil Bachrach, for example, funded the construction of the synagogue in Manila, "Temple Emil". He was a businessman-cum-philanthropist 'who supported both Jewish and Christian causes'. Harris, "Manila Memories: History of Jews in the Philippines."

²⁷⁵ Clarke, *The Politics of NGOs in Southeast Asia*, 53–55.

²⁷⁶ Yuk-Wai, "The Chinese Resistance Movement in the Philippines During the Japanese Occupation," 309.

or unwillingness of the state to provide assistance. As we have seen in the previous chapter, the state was mainly concerned about the legality of refugees' admission to the archipelago and did not extend relief once refugees arrived in the Philippines (an exception were the American refugees who arrived from China). The absence of any organisation focused on refugee assistance and the Commonwealth Government's unwillingness to provide aid beyond visas created a niche for Manila's Jewish community. This was not a reflection of a weak Commonwealth state, rather a conscious decision to delegate responsibility. In order to further its political agenda, the Philippine government depended on the JRC for all aspects of Jewish immigration matters.

The JRC, as the sole provider of aid for Jewish refugees in the Philippines, also reaffirms the more global nature of Jewish refugee protection: the (mis)conception that Jewish refugees as a responsibility of the Jewish diaspora. The JRC was also one part of a complex network of ad hoc and established organisations that helped refugees. For the immigration programme to succeed, for example, the JRC needed the support of other Jewish organisations, particularly those in Europe (*Hilfsverein der deutschen Juden* (Relief Association of German Jews) and HICEM) and Shanghai (Far Eastern Jewish Central Information Bureau (DALJEWICIB) who could advertise and process applications to the Philippines.²⁷⁷ The JRC significantly depended on American Jewish organisations like the Jewish Joint Distribution Committee (JDC) and Refugee Economic Corporation (REC), which provided funds in order to secure visas for German Jews. As a nascent organisation, the JRC needed to negotiate its position amidst more-established and experienced Jewish migration agencies, and assert the importance of its operations amidst the broader projects of the JDC and REC. Despite the 'Mindanao Plan' being one of the largest plans for Jewish agricultural resettlement at the time, it was only one among other projects in Sto. Domingo, the United States, Canada, Argentina, Australia and Bolivia.²⁷⁸

Meanwhile, other local committees elsewhere also emerged as ad hoc responses to aid Jewish refugees.²⁷⁹ What sets the JRC apart from these local-based committees, as the next section shows, was that it not only influenced the creation of an immigration programme to resettle Jews, but it

²⁷⁷ *Hilfsverein der deutschen Juden* was established in 1901. Under Nazi Germany, it aided German Jews emigrate until it was closed down by Nazi officials in 1939. HICEM was a joint venture among HIAS (USA), the Jewish Colonisation Association (France), and Emigdirect (Germany). The Far Eastern Jewish Central Information Bureau for Emigrants (referred to as DALJEWICIB in everyday usage) was under HICEM and established in 1917. Originally based in Harbin, DALJEWICIB moved to Shanghai in 1939. For Jewish organisations in Europe, see: Bazarov, "HIAS and HICEM in the System of Jewish Relief Organisations in Europe, 1933–41."

²⁷⁸ Flexner to Komlos, 26 December 1939, Philippines – Subject Matter, Resettlement, JDC Archives.

²⁷⁹ Bill Williams, "The Work of Succouring Refugees Is Going Forward: The Manchester Jewish Refugees Committee, 1939–1940," in *Jews and Other Foreigners*, Manchester and the Rescue of the Victims of European Fascism, 1933–40 (Manchester University Press, 2011), 143–169; Pamela Shatzkes, "Kobe: A Japanese Haven for Jewish Refugees, 1940–1941," *Japan Forum* 3, no. 2 (1991): 257–273.

had the power to control it. The JRC acted like an immigration department – it took on state-like functions.

Refugee ‘rescue’ as a selective immigration programme

Between 1938 and 1941, the JRC expanded its operations to handle all Jewish refugee matters in the Philippines, including immigration procedures and welfare provision. This section centres on the selective immigration programme that enabled over 1,300 Jewish refugees to migrate to the Philippines. The JRC’s functions required it to liaise with other international organisations and both the Commonwealth and American governments to coordinate the approval of names for visas to the Philippines. I argue that by selecting refugees and issuing them with visas, the JRC acted as a semi-official organisation on behalf of the state. The organisation can be seen as a ‘quasi-autonomous NGO’ which, Elizabeth Ferris described as one that instead of acting independently, became ‘another expression of their government’s policies’.²⁸⁰ The lines are blurred in delineating where the state ends and the NGO begins. An ‘identity crisis’ exists in which the state takes on humanitarian functions, while NGOs take on state-like responsibilities.²⁸¹

The special immigration programme discloses how the organisation pursued its interests and goal of admitting as many refugees amidst constraints from the state, which was ‘gatekeeper’ and could choose to bring Jewish immigration to a halt if it wished. These constraints were embodied by the ‘no public charge’ clause in immigration law (see chapter two). In order to abide by these constraints, the JRC curated a conservative programme that admitted who they claimed were ‘desirable’ persons. Meanwhile, the JRC’s autonomy is more visible when looking at its responsibilities outside of immigration control, such as in welfare provision and helping refugees integrate to Philippine society.

Immigration became the JRC’s prerogative because of the on-going debates around immigration (see chapter two). Bonnie Harris argued that Quezon’s dependence on the JRC was a result of the president’s overhaul of the immigration bureau – that simply there was no one else in the government who could do it.²⁸² As a result, the JRC reviewed ‘all applications for immigration to the Philippines, not just those of Jewish refugees’. I cannot verify if *all* immigration fell to the JRC, but I want to emphasise that Quezon likely opted not to use the state’s resources lest it be

²⁸⁰ Ferris, *The Politics of Protection*, 104.

²⁸¹ Michael N. Barnett, *The Empire of Humanity: A History of Humanitarianism* (Ithaca; London: Cornell University Press, 2011), 222; Barnett and Weiss, *Humanitarianism in Question*, 3, 14–15.

²⁸² Harris, *Philippine Sanctuary A Holocaust Odyssey*, 87.

interpreted as favouring the entry of one population group over the Chinese and Japanese whose immigration the new law sought to curb.

With its immigration responsibilities, the JRC grew from a small organisation. The Frieders held the executive positions and coordinated with American and Philippine Governments and Jewish agencies. They now hired Morton Netzorg as part-time secretary in 1938, tasked with administration and logistical support for refugee arrivals.²⁸³ The JRC set-up its office in a room at the Frieders' Helena Tobacco Factory in Manila.²⁸⁴ The JRC was at the heart of the local refugee regime. Its work officially began in February 1938, advertising jobs in the Philippines open to German Jews, and processing their applications. A year later, it expanded its work with the Intergovernmental Committee for Refugees (IGCR) and Roosevelt's Presidential Advisory Committee for Refugees for the 'Mindanao Plan'.

The organisation's main responsibility centred around what became a selective immigration scheme based on a list of 'desired' professionals 'that could be absorbed [...] within a relatively short time' in consideration of the 'no public charge' clause; when the 'Mindanao Plan' was publicised the JRC began requiring agricultural skills.²⁸⁵ An example of this list of professions was sent to the *Hilfsverein der Juden in Deutschland* who promoted Philippine migration to German Jews.²⁸⁶ This list asked for (verbatim):

- 20 Physicians, among whom should be one eye, ear, nose and throat specialist, one skin specialist, and one or two surgeons.
- 10 Chemical Engineers
- 25 Registered Nurses
- 5 Dentists, who should have their own equipment
- 2 Ortho-Dentists
- 4 Oculists
- 10 Auto Mechanics
- 5 Cigar and Tobacco Experts
- 5 Women Dressmakers, stylists

²⁸³ Netzorg, an American high school teacher, migrated to the Philippines with his wife in 1911.

²⁸⁴ Ephraim, *Escape to Manila*, 29.

²⁸⁵ Bruno Schachner (REC) to Hilfsverein der Juden in Deutschland, 1 June 1938. JDC Archives. Examples for the 'Mindanao Plan' can be found at the Archives of Far Eastern Jewish Central Information Bureau (DALJEWICIB) Harbin-Shanghai, 1938–1940, USHMM Archives.

²⁸⁶ Bruno Schachner (REC) to Hilfsverein der Juden in Deutschland, 1 June 1938. JDC Archives. Also quoted in: Bonnie Harris, "Jewish Refugee Rescue in the Philippines, 1937 - 1941," *The Journal of History (Philippine National Historical Society)* LXII (2016): 219.

- 5 Barbers - men and women
- 5 Accountants
- 5 Film and Photograph Experts
- 1 Rabbi, not over forty years of age, conservative, married and able to speak English
- 20 Farmers

It is not clear how this list was drafted, but it did not present an accurate picture of who was generally ‘needed’ in the Philippines. Rather, it appears the list comprised professions that members of the Jewish community and their networks within Philippine society could employ – one way of the JRC asserting its autonomy whilst still adhering to immigration laws. For example, the Frieders’ own company, Helena Tobacco Factory, needed a cigar making specialist; enter Siegfried Strausser, whose journey opened this chapter. Meanwhile, Herbert Zipper, a Viennese conductor, received an offer to become the conductor of the Manila Symphony Orchestra (after his wife’s intervention in Manila, who knew the President of the Manila Symphony Society); he arrived in June 1939.²⁸⁷ Despite the special immigration programme being a Jewish endeavour, Filipinos extended help by finding jobs for refugees.²⁸⁸

Meanwhile, one instance that further exemplifies how the JRC adhered to immigration laws was when the JRC asked the Philippine authorities to deport Herman Vogel, who claimed to be a Jewish refugee from Czechoslovakia.²⁸⁹ Vogel had physically attacked a JRC member and the organisation filed a suit against him, labelling him an “indigent temporary immigrant” rather than a refugee. This allowed Philippine authorities to deport him to China, from where he had arrived. The JRC, although independently controlling immigration, was still constrained by policies to make sure only ‘desirable’ persons were allowed – one way of sustaining its position in Jewish refugee ‘rescue’.

The JRC, like the government, needed to justify the immigration programme amidst local criticism and opposition. Following Quezon’s rhetoric, the organisation emphasised the limited aspect of and benefits from the immigration programme, that only ‘desirable’ refugees would be admitted. One JRC member told the *Manila Daily Bulletin* that “it would be a fortunate thing for the country to have these men stay here because they will employ a large number of Filipinos once they get

²⁸⁷ Ephraim, *Escape to Manila*, 56–57.

²⁸⁸ Ephraim narrates some of the different jobs that refugees were able to take thanks to various connections the Jewish community had across the Philippines. Ephraim, *Escape to Manila*.

²⁸⁹ Dr. Kurt Marx to M. Birman, 9 May 1941, Archives of Far Eastern Jewish Central Information Bureau (DALJWCIB) Harbin-Shanghai, 1938–1940, USHMM Archives.

their business started, adding that “the main thing is, they will not take work away from any Filipino”.²⁹⁰

There was, however, some resistance from the public. One of the main points of contention concerned Jewish doctors and their ability to practise in the Philippines.²⁹¹ The requirement of 20 physicians in the list above referred to Quezon’s statement that the country needed more physicians.²⁹² When Jewish doctors arrived in 1939 and sought employment, Filipino and American doctors questioned the legality of their practice in the country. The issue continued into 1940 and an agreement was made in which Jewish doctors were able to take on lower ranked positions; they could give a diagnosis, but a Filipino doctor signed patients’ records.²⁹³ These hurdles tell us that despite the attempts to justify refugee admission whether through humanitarian or development rhetoric, resistance to the programme existed at different levels. The JRC was powerless to change this policy. The Committee’s state-like functions were contained to deciding who among the refugees could come in and work, but once on Philippine soil, its hands were tied in the interests of Filipino and American citizens. The state chose not to intervene.

The JRC also provided much needed welfare for refugees when they arrived in Manila. Through Netzorg’s initiatives, it helped refugees with their housing, schooling and employment searches, subject to the conditions described above.²⁹⁴ Though hired as part-time staff, Netzorg’s work with refugees became a full-time career. He adapted the JRC’s welfare provisions by accommodating to the group’s changing and emerging needs. Many German Jews, for example, lacked English language skills to gain employment; Netzorg voluntarily set up English lessons for them thanks to a room donated by YMCA in Manila.²⁹⁵ His commitment to assisting the refugees translated into leadership during and after the war.

The special immigration programme shows us the extent to which the JRC was powerful, acting as an immigration department, but also that immigration policies constrained who could enter the

²⁹⁰ “Jewish Refugees Slowly Drift to Philippines; 100 Already Absorbed.”

²⁹¹ ‘Many more Jew doctors coming’, *The Philippines Herald*, 22 June 1939; ‘Gil protests’, *The Tribune*, 20 July 1939; ‘Case of Jew doctors suffers new delay’, *The Philippines Herald*, 29 January 1940. This hesitation to let refugee doctors is not unique to the Philippines. A similar resistance to letting non-citizens / refugees practice in a host-country can be seen in Australia with the experience of the Doig Family who attempted to secure employment for a German Jewish doctor. See: Joy Damousi, “Out of ‘Common Humanity’: Humanitarianism, Compassion and Efforts in Australia to Assist Jewish Refugees in the 1930s,” *Australian Historical Studies* 50, no. 1 (2019): 81–98.

²⁹² ‘Willing to aid refugees says Quezon’, *The Tribune*, 6 December 1938.

²⁹³ Tirol, “Of Forgetting and Remembering: Social Memory, Commemoration, and the Jewish Refugees in the Philippines During the Second World War,” 126.

²⁹⁴ Morton J. Netzorg and Michael Paul Onorato, *Jock Netzorg: Manila Memories* (Laguna Beach, Calif: Cellar Book Shop, 1988).

²⁹⁵ “German Jews Who Have Found Haven Here Establish Own School to Overcome Difficulty of Language,” *The Philippine Herald*, September 1938.

islands. In order to balance the Committee's goal to admit as many refugees whilst ensuring they would not become public charges, a selective immigration programme existed based on professions 'needed' in the Philippines. By 1941, over 1,300 refugees received visas to the Philippines rescuing them from Nazi persecution. With the war in Europe and the on-coming Japanese invasion of the country, the Committee could not admit more – the 'Mindanao Plan' failed. Among those refugees already in Manila, many acquired jobs through the JRC's network, their children attending schools with Filipinos; others found their way across the Philippines, with one family moving to Mindanao for work on a farm.²⁹⁶ These refugees impacted the Manila's Jewish community: the 1,300 were an addition to the small Jewish community of the 1930s, which was now more cohesive than before. This new community became closer as the Japanese occupied Manila bringing significant changes to the JRC and the role it was going to play under a new state. Having escaped from one war, these refugees moved to the Philippines to live through another one.

The end of the JRC? The Japanese occupation (1942-1945)

With the outbreak of war, changes to Manila's Jewish community required the JRC to adapt. The Frieders, who had spent the last three years negotiating with the Philippine and American governments, left for the United States. This meant that the JRC fell under new leadership, and the Helena Cigar Factory was no longer operational.²⁹⁷ Refugees such as Strausser, whose Philippine visa saved him from Dachau, were left unemployed. The Philippines was now governed by a new state: the Japanese military authority, whose control of Philippine society directly affected the JRC and refugees' lives. This section explains how the JRC adjusted to wartime conditions by taking on responsibility for the whole Jewish community.

Prior to the Japanese attack on the Philippines in December 1941, the JRC merged with the synagogue's congregation under the leadership of Samuel Schechter, an American Jewish businessman; Netzorg was responsible for all welfare services.²⁹⁸ Its pre-war form significantly changed to fit wartime and post-war conditions; its state-like functions were diminished. All activities and services for the Jewish community, including refugees, were now under a centralised management.

When the Japanese authorities took control of the state, they interned non-combatant foreign nationals from allied nations in various camps from January 1942 to February 1945. Many of them

²⁹⁶ Other than Ephraim and Harris, Juergen Goldhagen's published memoirs discuss how refugees lived in the Philippines, including during the Japanese occupation. Juergen Goldhagen, *Manila Memories* (Old Guard Press, 2008).

²⁹⁷ Ephraim, *Escape to Manila*, 106.

²⁹⁸ Ephraim, 82; Goldstein, "Shaping Zionist Identity," 300.

were members of the Jewish community, including Schechter, Netzorg and 200 Jewish refugees who were imprisoned in the Santo Tomas Internment Camp (which had previously been the University of Santo Tomas) until liberation in 1945.²⁹⁹ Those refugees with German and Austrian passports were left alone. Paul Esmerian, a French national commented that “German Jewish refugees, who have just been demonstrating to the American authorities that they were Jews rather than Germans, are preparing to prove that they are Germans rather than Jews”.³⁰⁰ The German citizenship from which the Nazis had stripped them in 1935 saved them from Japanese imprisonment in the Philippines.³⁰¹

Leadership of the community transferred to Rabbi Joseph Schwarz, who arrived in October 1938 under the special immigration programme. This new JRC was cut off from the JDC and REC who had been funding it since 1938 – there were no personnel working to send and receive telegrams. The committee learned to be self-sufficient and focused on helping those spared internment by providing medical services and housing for their members who were internally displaced from war. Schwarz represented the Jewish community to Japanese authorities, who were suspicious of their presence in the Philippines.

The new JRC’s relationship with the Japanese-run government was cautious. Although German Jews were largely left to their own survival, Ephraim mentioned how some Japanese authorities began to display anti-Semitic sentiments in 1943, publicly accusing Jewish refugees of falsifying their residence in the Philippines.³⁰² German Jews, they said, were admitted because they were supposed to be farmers in Mindanao but had gone into businesses in Manila instead. Schwarz intervened, but Ephraim did not specify how the issue simmered down with Japanese authorities. Nevertheless, this episode shows that Japanese state, to an extent, knew about the ‘Mindanao Plan’ and refugee ‘rescue’, but were unaware or chose to ignore its failure. Instead, they chose to reinforce the state’s power and threatened refugees with deportation and imprisonment.

When the US Army returned to liberate the Philippines from Japan, Jewish refugees and Filipinos were caught in the crossfire during the month-long Battle of Manila (February-March 1945). On 3 February, the American army liberated the Santo Tomas Internment Camp. Schechter transferred his leadership of the community to Netzorg who sought to reconnect with the Frieders

²⁹⁹ Ephraim, *Escape to Manila*, 91.

³⁰⁰ Robert Colquhoun, *A Free Frenchman Under the Japanese: The War Diary of Paul Esmerian, Manila, Philippines, 1941-1945* (Matador, 2015), 21.

³⁰¹ Ephraim remains the key source for refugees’ lives during the war. Some enlisted with the American army and were killed in action, while others were suspected by the Japanese for illegal activities and tortured. Ephraim, *Escape to Manila*, chaps. 10–13.

³⁰² Ephraim, 109.

and JDC for refugee aid. The Frieders, however, had become more concerned with their business than the refugee ‘problem’, while the JDC sent some funds. Netzorg led what was now called the ‘Jewish Welfare Board’, which was no longer concerned with refugee immigration to the Philippines, rather intent on getting the community back on its feet.³⁰³

An unauthored and undated report (likely by Netzorg) provides a glimpse into the situation of the Jewish community in Manila.³⁰⁴ It reveals that the community lost about ten percent of its population from the war, that its post-war upkeep was possible from the JDC’s post-war funding, but also that many members of the community, including refugees intended to leave the Philippines. After Manila’s destruction from the war, for example, American Jewish members repatriated to the US, including Morton Netzorg who left a year after the war.³⁰⁵

It appears none of the European refugees decided to stay, and those who did after the war moved on to Israel or the US after a few years – the JRC does not appear to have influenced their decisions. Ephraim and Harris note the mixture of reasons for leaving.³⁰⁶ Many refugees had lost their sources of income when American Jewish businessmen returned stateside; they decided to move and find new opportunities. Ephraim’s family appears to have moved to start new lives; they were able to migrate through affidavits from American-based contacts. Many refugee men found jobs with the American military that enabled them to migrate. For some families, the Philippines had always been a waystation to the US. Meanwhile, only a few members of Manila’s Jewish community moved to Israel much later. The importance of Israel can be seen among the community’s new leaders, including Rabbi Schwarz and Alex Frieder in the US, who exerted whatever influence they had on the new independent Philippine government to vote in favour of the partition of Palestine in 1947 – the Philippines ended up voting in favour of this.

We have seen the JRC’s transformation, which occurred in response to external factors such as the internment of the community’s leaders and refugees. Though no longer a refugee committee, the new Jewish Community continued to provide for refugees as they lived through the war and after. Its lifetime was contained within the need for refugee aid, whether through the immigration programme or the welfare while living in the Philippines, including the war. When refugee ‘rescue’ was no longer the priority of the state or Jewish community, the organisation changed until it ceased to exist shortly after the war.

³⁰³ Ephraim, 174.

³⁰⁴ ‘The Jewish Community of Manila’, n.d. Morton J. Netzorg Collection, Ortigas Foundation Library.

³⁰⁵ In October 1946, he followed his wife who move back to the US in June; he died of a heart attack less than three weeks later.

³⁰⁶ Ephraim, *Escape to Manila*, chap. 15; Harris, *Philippine Sanctuary A Holocaust Odyssey*, 216.

The JRC was a changing entity affected by internal and external factors. As this chapter has shown, the organisation played a central role in the ‘rescue’ of Jewish refugees through the special immigration programme. I traced its origins to 1937 when Manila’s Jewish community provided charitable relief for German Jews in the absence of the state. In 1938, the Committee transformed into a more formal organisation, tasked to process applications from refugees for migration to the Philippines. What emerged was a selective immigration programme based on certain professions the JRC deemed ‘needed’ in the Philippines. This selective programme, I have argued, was a means for the Committee to assert its authority and realise its goals to admit as many refugees as possible whilst adhering to immigration laws to make sure no refugee was a public charge. The JRC’s responsibility in acting like an immigration department made the organisation more of an exception than the rule, not only among NGOs in the Philippines but also among Jewish organisations in this period.³⁰⁷ The organisation also continued to care for refugees in different ways during their stay in the Philippines, whether through providing welfare or English language classes, for example.

The success of the JRC also depended on key individuals, such as the Frieders and Netzorg. The social status of its leaders – wealthy American businessmen with impressive political connections – as well as the alignment of their goals with Quezon’s and McNutt’s undoubtedly factored into the JRC’s state-like functions. The capacity of the Jewish diaspora to provide initial funds also contributed to the programme’s fruition; as a result, over 1,300 refugees were rescued from Nazism.

The final section showed that war forced the organisation to evolve as refugee admission no longer became its primary concern, and the JRC ceased to exist as it merged into a broader community-based organisation. This theme of impermanence transcends the Jewish refugee response in the Philippines. As the next case studies show, the organisations responsible for refugees were also fleeting – their impermanence echoing the state’s refugee policy, that asylum in the Philippines was a temporary matter.

³⁰⁷ See for example: Williams, “The Work of Succouring Refugees Is Going Forward”; Shatzkes, “Kobe.” Louise London shed light on how Anglo-Jewry played a role in facilitating pre-war Jewish admissions to Britain: Louise London, ‘Jewish refugees, Anglo-Jewry, and British government policy’, in D. Cesarini (ed.) *The Making of Modern Anglo-Jewry* (Oxford, 1998), 163-190.

Part Two

Russian Refugees in the

Philippines,

1949-1953

Chapter Four

From Shanghai to Samar: Russian refugees from China and the limits of Philippine refugee 'rescue' in the post-war period

This second part of the thesis focuses on the Philippines as a temporary refugee-hosting state for Russian refugees from China who arrived between 1949 and 1953.³⁰⁸ The Philippine government, now led by President Elpidio Quirino (1948-1953), reached a decision as an independent state when no other state took in these refugees *en masse*, albeit temporarily. In 1948, Quirino responded to the International Refugee Organisation's (IRO) call for temporary havens for European displaced persons in China, fleeing the Chinese civil war. Quirino extended temporary asylum to around 5,500 refugees, and accommodated them in a refugee camp on the island of Samar (see map 3).³⁰⁹ Refugees lived in the camp until resettlement to the US, Europe, South America and Australia.

This chapter shows a shift in Philippine refugee policy: the decision was no longer about temporary asylum and development, but about the emerging state gaining international recognition during the early years of the Cold War. The state's definition of a 'refugee' and what was entailed by 'rescue' took a different form from pre-war practices. While Quezon's admission of Jews intertwined with his long-term development goals in Mindanao, Quirino's decision to admit thousands of Russian refugees was more directly linked with his foreign policy interests and the Philippines' place within the international community. Refugee admission was one means for Quirino to present the country as an international humanitarian actor.

This chapter considers the circumstances surrounding the admission of these Russian refugees and problematises the terms agreed between the IRO and the Philippine government. What emerges is that Quirino's refugee policy amounted to a limited and selective response, despite earning some international credit: limited, because the government provided only a single site for a refugee camp, leaving the bulk of welfare to the IRO and later, the World Council of Churches (WCC).³¹⁰ It was selective since the state prioritised Russian refugees over Jews and Chinese (this chapter focuses more on the latter).

³⁰⁸ 'Russian' here is a loose term I use. Displaced Russians comprised of a pluri-ethnic group of nationals from the former Russian Empire, including Russian Jews, Poles, Latvians, Ukrainians, etc. Scholars have also referred to this group as 'White Russians' or Russian emigres.

³⁰⁹ The camp's address was known as the UN Evacuation Centre on Samar, but it was located on the island of Tubabao. Tubabao is part of the municipality of Guiuan, on the island of Samar. When referring to the refugee camp, I interchange the term among these three places.

³¹⁰ The next chapter addresses the institutional changes in the international refugee regime that resulted in WCC's replacement of the IRO in the Philippines.

The Philippines was not a ‘traditional’ site of asylum despite its pre-war admission of German Jews – the main states of refuge were the white settler societies including the US, Australia, and Canada, but also included Latin America. The emerging state’s entry into the post-war international refugee regime was more an afterthought because of the challenges of resettlement during the period. When the IRO assumed responsibility for Russian refugees in 1948, it did not immediately consider the Philippines as a site of asylum or resettlement for thousands of Russian refugees in China. Since many states rejected Russian refugee resettlement, the IRO needed to look elsewhere. The Philippine government was the only state to open its border, albeit limited to around 5,500 Russian refugees. I aim to show that since the IRO perceived the Russians’ asylum to be an ‘urgent’ matter, the Philippine government had the upper hand in laying out the terms of asylum, which the IRO quickly accepted and then praised the emerging state. The Philippine government gained an extent of international goodwill for relatively little investment, leaving the bulk of the responsibility (finances, logistics, resettlement, care and maintenance) for the ‘Samar Group’ to the IRO ³¹¹

On the domestic front, refugee admission was in part a national security concern, affecting how temporary asylum took place. As will become clear, Quirino’s decision to accommodate and isolate Russian refugees in a former US naval base in Guiuan, 500 miles outside of Manila was a conscious choice.³¹² This was because the state suspected that some refugees might have communist associations. As mentioned in chapter one, the state took different forms of action towards those it believed had communist associations. The state’s suspicions were manifested by its attempt to control refugees’ (im)mobility through containing refugees in a camp, a space separated from the local community by Philippine security forces, as well as by restricting their travel within the islands. By looking closer at the local level, however, I show how this separation between camp and town did not prevent refugees and locals from interacting.

The admission of Russian refugees to the Philippines has been recently explored by Filipino researcher Kinna Kwan and Australian historian Sheila Fitzpatrick; they both look at this episode

³¹¹ The IRO’s officials referred to the Russian refugees in the Philippines as the ‘Samar Group’. Marie Dresden Lane, “Who Share Our Concern for These People? The Resettlement of Unwanted Refugees by the International Refugee Organization,” *Social Service Review* 26, no. 3 (1952): 281. The terms of the IRO and Philippine Government Agreement were laid out in a document given to refugees travelling to Samar: Attachment to ‘IRO Camp at Samar’, Folder 7, Terentev Papers, University of Hawaii – Manoa.

³¹² Under the conditions of the Military Bases Agreement of 1947, the US transferred most of the American bases to the Philippine government. The Guiuan base, on the island of Tubabao, was then used to house surplus equipment from the American army after the Second World War. Its re-use demonstrates how the Philippine government, upon independence, did not erase vestiges of its colonial past but repurposed or maintained colonial structures for post-colonial use. I interchange Tubabao, Guiuan and Samar in reference to where the Russian refugees were accommodated. Samar is the province where Guiuan is located.

through the lens of temporality.³¹³ Kwan presented the Philippines as a ‘country of transit’ and discussed the everyday realities of life at the refugee camp. She also explored the impact of refugees’ presence on Guiuan’s local history. Fitzpatrick used the Tubabao episode to discuss Australia’s refugee policy, which resulted in 1,500 to resettle there from the Philippines. Her investigation consulted the IRO Archives, which are an underutilised resource for research on this episode of Philippine refugee history. I expand their work by drawing attention to the state and questioning how it asserted its sovereignty amidst regional displacement and succeeded in realising its own interests.

This chapter begins by looking at the situation of Russian refugees in China. I discuss how the refugees sought to find solutions to their displacement and how the IRO eventually intervened. The discussion moves on to Quirino’s response to the IRO’s request, focusing in particular on the terms of the agreement between the Philippine Government and the IRO. This chapter ends with a glimpse into what camp life was like for the Samar Group as they awaited resettlement. It is not my intention to encapsulate the entirety of the Russian refugees’ temporary asylum. As an institutional history, I aim to investigate what this episode tells us about the nature of the state and its relationship with refugees.

Russian refugees in China and the post-war international refugee regime

Russian displacement began during the Bolshevik Revolution and Russian civil war (1917-1922). These political changes generated large-scale displacement from what was once the Russian Empire. Around two million Russians fled to Europe and the East, mostly to China.³¹⁴ After 1921, these refugees were stateless: The Soviet government denationalised Russian emigrants. In 1922, Russians became one of the first groups to be recognised as ‘refugees’ under the protection of the High Commissioner for Refugees; they could apply for a ‘Nansen passport’ issued by the League of Nations.³¹⁵ This section centres on those Russian refugees in China and the circumstances that resulted in the IRO’s intervention.

³¹³ Fitzpatrick, “Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949”; Kwan, “Country of Transit.” See also: Ilieva, “The Refugee Camp in Tubabao.”

³¹⁴ Many found refuge in Harbin, a city in Manchuria. Prior to the Revolution, Russians had migrated here to work on the Chinese Eastern Railway. This became an important source of employment for many refugees. Olga Mikhailovna Bakich, “Emigre Identity: The Case of Harbin,” *The South Atlantic Quarterly* 99, no. 1 (November 2000): 52; Susan Wiley Hardwick, *Russian Refuge: Religion, Migration, and Settlement on the North American Pacific Rim* (Chicago: University of California Press, 1993); Viktor Petrov, “The Town on the Sungari,” in *The Other Russia*, by Norman Stone and Michael Glenny (London: Faber and Faber, 1990).

³¹⁵ Holborn, “The League of Nations and the Refugee Problem”; Marcia Reynders Ristaino, *Port of Last Resort: The Diaspora Communities of Shanghai* (Stanford University Press, 2003), 35.

As the Chinese civil war resulted in a Communist victory in the late 1940s, Russian refugees across China feared their forced repatriation to the Soviet Union.³¹⁶ This fear necessitated Russians' involuntary movement. One of these refugees was Gary Nash, born Igor Ivashkoff in Tientsin (Tianjin).³¹⁷ His family fled to Shanghai in 1948, which had not yet yielded to communist forces. Here, a large refugee colony already lived since the 1930s: along with the 8,000 Russians, there were also around 13,000 Jews who fled Nazism. 'What worried the refugees most was the future', Nash wrote. 'Everyone knew the stay in Shanghai would only be temporary. It was obvious that the Communists would soon occupy the whole country and we would all have to get out of China to go... where?'³¹⁸ Nash's family joined thousands of Russians who were forced to leave China in the end of the 1940s; for many of them, however, this was the second time they were displaced. He and his family moved to Samar in 1949 before eventually resettling in Australia.

From Shanghai, two different groups of Russian refugees arrived in the Philippines for asylum. Although this part of the thesis focuses on the Samar Group, these were not the first (nor the last) Russian refugees to which the Philippine state extended asylum. The first took place in 1923. This group comprised around 900 sailors and their families from the Siberian flotilla of the Russian Imperial Navy under the leadership of Commander Iurii Karlovich Stark. They sailed from Vladivostok to Manila (via Shanghai) at the end of the Civil War from October 1922 to January 1923.³¹⁹ The American colonial state, under Governor-General Leonard Wood, permitted the sailors to stay in the Philippines permanently or migrate to the US.³²⁰ Refugees like Eremes Kookooritchkin, stayed; some married local women.³²¹ Many, like Vladimir Trirogoff (who happens to be my father's uncle), initially stayed in the Philippines then migrated to the US later. Among those who stayed, Filipino citizenship became a possibility; Kookooritchkin is likely to be the first refugee to obtain Filipino citizenship in 1948.³²²

³¹⁶ Most Russian refugees lived in Harbin and Shanghai; about 250,000 refugees lived in Harbin, while about 8,000 lived in Shanghai. For a history of the Russian (and Jewish) diasporas in Shanghai, see Ristaino, *Port of Last Resort*, 2003. See also: Gatrell, *The Making of the Modern Refugee*, 56; Ilieva, "The Refugee Camp in Tubabao," 137.

³¹⁷ Gary B. Nash, *The Tarasov Saga: From Russia Through China to Australia*, Reprint edition (Kenthurst, NSW, Australia: Rosenberg Publishing, 2002).

³¹⁸ Nash, 208.

³¹⁹ Ristaino, *Port of Last Resort*, 2003, 39–41; Michael Shimkin and Mary Shimkin, "From Golden Horn to Golden Gate: The Flight of the Russian Siberian Flotilla," *California History* 64, no. 4 (1985): 290–294. See also: Andrei Ivanovich Kolosov diary, trans. Marina Kast (1997), Andrei Ivanovich Kolosov papers, Hoover Institution Archives; Alexander Yvanoff, 'From Russian Kazan to Zamboanga', *Sunburst*, 10 October 1976. Alexander Yvanoff (Aleksandr Efimovich Ivanov) papers, Hoover Institution Archives.

³²⁰ "Haven Here for Russians: President to Let 500 Refugees Be Brought From Philippines.," *New York Times*, April 1923. See also: '6 May 1923', Andrei Ivanovich Kolosov diary.

³²¹ Other than the memoirs above, this is also based on an interview conducted with Alex Kibanoff on 12 August 2017, son of Alexander Kibanoff who arrived with the flotilla. Trirogoff eventually migrated to the US.

³²² G.R. No. L-1812, The Lawphil Project, https://www.lawphil.net/judjuris/juri1948/aug1948/gr_l-1812_1948.html (accessed 22 July 2020); he also joined the guerrillas against the Japanese.

Refugee policy became more restrictive in the post-war period. Quirino extended temporary asylum without an offer for the possibility of permanent residence for the Samar Group. Meanwhile, Kookooritchkin's naturalisation appears more the exception than the rule. Based on the limited material available, it is worth adding that there appears to have been little or no interaction between refugees who stayed in 1923 and the Samar Group.

In the post-war period, Shanghai became a last chance for many Russians to flee the Chinese civil war. The local community established the Russian Emigrants Association (REA) in 1946, which provided relief, welfare programmes and medical service, as well as seeking protection from the international refugee regime.³²³ Mainly former White Army officers led the REA. The community was diverse, with many working as musicians, teachers, engineers and prostitutes.

The REA can be seen as 'Russia Abroad', a term coined by inter-war emigres to describe their extra-territorial nation.³²⁴ 'Russia Abroad' needed significant numbers to maintain the attention of institutions that could offer recognition and protection. The REA was an important organisation. As a legal entity in China, the organisation had the capacity to make representations to the Chinese government on behalf of the refugees. Its members could avail themselves of the 'protection' of their legal interests by the Chinese Authorities.³²⁵ This meant that the association had a form of diplomatic representation.

As the threat of the communist takeover increased in early 1948, the REA's chairman, Grigori Bologoff, appealed to the US Army in the Pacific, the IRO offices in China and Geneva, and various consulates and embassies in Shanghai, asking for temporary or permanent refuge.³²⁶ One of the REA's officers, Valentin Fedoulenko, recalled in 1966 that "we began to ask all the consulates to send us someplace, to Latin America, to Australia, to Canada, to the United States. We wrote letters, reports with requests. We asked Russians who were already living there to help us".³²⁷ Although interviewed almost 20 years later, Fedoulenko's recalled the strenuous efforts of the REA.

Meanwhile, China became the epicentre of forced migration in Asia for the post-war international refugee regime. The IRO, under the auspices of the UN, was now responsible for the protection

³²³ To maintain funds, refugees were charged membership fees based on their earnings. Valentin Vassilievich Fedoulenko and Boris Raymond, "Russian Emigre Life in Shanghai" (1967), 126.

³²⁴ Laurie Manchester, "How Statelessness Can Force Refugees to Redefine Their Ethnicity: What Can Be Learned from Russian Émigrés Dispersed to Six Continents in the Inter-War Period?" *Immigrants & Minorities* 34, no. 1 (2016): 35.

³²⁵ "Russian Emigrants Association," n.d., Vera Cattell Collection, Box 1, Hoover Institution Archives.

³²⁶ Bologoff was a retired colonel from the 'White' Russian Army. Vera Cattell Collection, Box 2, Hoover Institution Archives.

³²⁷ Fedoulenko and Raymond, "Russian Emigre Life in Shanghai," 131.

and assistance for all refugees. It was a temporary agency that succeeded the UN Relief and Rehabilitation Administration (UNRRA, 1943-1947), and was followed by UNHCR (1950 - present).³²⁸ The emergence of different institutions reflects how states perceived displacement as a temporary phenomenon.

One of the first hurdles that the Russians in China encountered was the IRO's own hesitation to include the displaced group under its mandate, likely concerned more with its work in Europe, despite the apparent fact of the Russians fitting the 'refugee' definition per its mandate.³²⁹ In February 1948, Thomas Pym Cope of the Preparatory Commission of IRO (PCIRO) wrote to Bologoff, saying that organisation was still deliberating if Russian refugees in China were under its responsibility.³³⁰ A month later, the organisation replied again to Bologoff's appeals clarifying that if the IRO took responsibility for the group, 'there will be many limitations over which the [PCIRO] will have no control' and that the organisation 'will be severely limited by budget considerations, and by its and your ability to find sponsors in resettlement countries who will obtain the necessary immigration permissions.'³³¹ This response acknowledges the other main obstacle to addressing displacement: the lack of states willing to resettle refugees in their countries.

Resettlement was the primary 'durable solution' sought for Russian refugees, but it was no easy matter. Repatriation was not an option: Russian refugees did not recognise the legitimacy of the Soviet state. Meanwhile, political changes in China made integration no longer feasible. As in the interwar years, governments were reluctant to entertain permanent resettlement and many states increased immigration restrictions and required affidavits of support or sponsors in third countries.

The only optimistic response came from the US, which prompted the IRO to take action – ten months after Bologoff's first appeals to the refugee agency.³³² In November 1948, Bologoff wrote to Douglas MacArthur, now Supreme Commander of the Allied Powers in Japan, asking if the

³²⁸ Some sources for these institutions include: Salvatici, "“Help the People to Help Themselves”"; Laure Humbert, "Not by Bread Alone? UNRRA and the Displaced Persons in Gutach," in *France in an Era of Global War, 1914–1945: Occupation, Politics, Empire and Entanglements*, ed. Ludivine Broch and Alison Carrol (London: Palgrave Macmillan UK, 2014), 210–230; Holborn, *The International Refugee Organization*; Loescher, *UNHCR and World Politics A Perilous Path*.

³²⁹ Fitzpatrick, "Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949," 697. Based on international law, 'refugees' during the early post-war years were Europeans. A 'refugee' included: victims of Nazi or fascist regimes (or similar regimes), Spanish Republicans and other victims of the Falangist regime, and persons 'considered refugees before World War Two, for reasons of race, religion, nationality or political opinion'; a 'displaced person' was someone whose involuntary movement was an effect of the war. Constitution of the International Refugee Organisation, Annex 1, Part 1, Section A and B.

³³⁰ Jennings Wong to Grigorii Bologoff, February 1948, Vera Cattell Collection, Box 1, Hoover Institution Archives.

³³¹ Thomas Pym Cope to Grigorii Bologoff, March 1948, Vera Cattell Collection, Box 1, Hoover Institution Archives.

³³² Fitzpatrick mentions that the IRO took action when Bologoff – legendarily – threatened to 'kill himself' should the agency exclude Russians from its remit. Fitzpatrick, "Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949," 697.

group could resettle in Japan.³³³ MacArthur immediately declined the request, but forwarded the appeal to the State Department, who investigated the matter.

American diplomatic missions across China expressed their concern for the fate of 8,000 Russians and 5,000 German Jews.³³⁴ A communist victory, they believed, would put these refugees 'at risk'. The State Department voiced its apprehension that neglecting these refugees would lead to a 'loss [of] prestige' for the US and 'other countries of the free world, particularly among people behind [the] iron curtain'.³³⁵ Political ideologies of the Cold War were an impetus for American assistance. The State Department requested the IRO's assistance on behalf of Jewish, Russian and Polish refugees in China.³³⁶ A week later, the IRO agreed to provide transportation to permanent or temporary places of asylum, as well as maintenance there. It also coordinated any evacuation plans with the REA, which was responsible for the registration of who was going to be evacuated. The REA membership was equated with statelessness, guaranteeing one with the IRO's protection and assistance. Those who had taken Soviet or Chinese citizenship needed to renounce any citizenship to be eligible for international protection.³³⁷

The refugee agency's quick response to American requests demonstrates the power Washington had over it as its primary funder.³³⁸ Although the IRO prioritised European refugees, the refugee agency also intervened on behalf of displaced 'Overseas Chinese' who were previously assisted by the UNRRA and a separate group from 'Chinese refugees' or 'returnees'.³³⁹ The refugee regime was changing, slowly incorporating non-Europeans to international protection.

International protection and resettlement in the 1940s differed from practice in the early 1920s. The IRO was responsible for all refugee matters but did not immediately respond to the needs of the Russians in China, leaving the REA to find solutions to their second displacement from the political changes in the country. Resettlement was not easy to obtain, and by the end of 1948, Shanghai was on the verge of communist control. It is at this point when the Philippines, an

³³³ Robert Lovett to Nanking, 17 Nov 1948, Box 5, DP China Resettlement, RG 59, National Archives and Records Administration, College Park (NARA II)

³³⁴ Many of these telegrams are from the Records of the Department of State (RG 59) and the Records of the Displaced Persons Commission, 1948 - 1952 (RG278), NARA II.

³³⁵ State to Wellington, 10 Dec 1948, IRO General October to December 1948, Box 8, IRO Subject File, RG 50, NARA II.

³³⁶ Charles Saltzman to William Draper, 20 November 1948, IRO General (Oct – Dec 1948), Box 8, IRO Subject File, RG 59, NARA II.

³³⁷ Ristaino, *Port of Last Resort*, 2003, 254.

³³⁸ Cohen, *In War's Wake*, 9; Loescher and Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945-Present*, 16–18. The Eastern Bloc did not join the IRO, but the organisation coordinated refugee assistance with the Communist government in China on behalf of European DPs.

³³⁹ Oyen, "The Right of Return." For 'Chinese refugees', see: Elaine Lynn-Ee Ho, "Transnational Identities, Multiculturalism or Assimilation? China's 'Refugee-Returnees' and Generational Transitions," *Modern Asian Studies* 49, no. 2 (March 2015): 525–545.

emerging state in Asia, becomes part of the international efforts to protect refugees. As the next section shows, it had its own conditions and interests to uphold.

The Philippine response to displacement from China

This section discusses the circumstances around how and with what consequences the Philippines became entangled in the ‘rescue’ of Russian refugees from China. The IRO’s request to the Philippines was prompted by Washington’s intervention. This raises questions about the extent to which Quirino needed to follow the US’ lead and left the emerging state with little choice. The section mainly focuses on the terms of Quirino’s refugee policy to which the IRO agreed. These terms, I argue, provided an opportunity for the state to gain international recognition with relatively little investment, thanks to the IRO’s desperate need to find a solution for Russian refugees in China.

Russian refugee admission also demonstrates the selective nature of Philippine refugee policy in the post-war period. Russians were not the only displaced group from China encountered by the Philippine state; Quirino’s rejected the (re)-entry of about 8,000 ‘overseas Chinese’. This selectivity and the terms of the Russian’s temporary asylum relate to domestic and international issues that dominated Quirino’s presidency, showing how not all refugees were a priority for the emerging state.

The Philippines was not one of the IRO’s immediate choices for Russian refugees. While ‘traditional’ countries of resettlement rejected Russian refugees from China, the refugee agency appealed to different countries for temporary asylum until resettlement could be found. The IRO sought areas in the Pacific, which shortened transport costs and time; it approached leaders from Australia, Japan, Guam, and Sarawak.³⁴⁰ It was through American intervention that the international refugee regime considered the Philippines. The US rejected any appeals for use of its territories, neither did the government permit the entry of any refugees from China.³⁴¹ Against this background, MacArthur suggested to the IRO that it should approach the Philippine government.³⁴²

Prior to MacArthur’s suggestion, immigration inquiries from China already reached the Philippine government in November 1948. Quirino announced that other than Filipinos, only ‘friendly nationals fleeing from the Chinese civil war and whose governments have concluded amity treaties

³⁴⁰ Fitzpatrick, “Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949,” 697.

³⁴¹ The American Displaced Persons Act of 1948 excluded refugees from China until 1950, when it was amended.

³⁴² “The Under Secretary of the Army (Draper) to the Assistant Secretary of State for Occupied Areas (Saltzman).”

with the Philippines' were admitted; Chinese and stateless persons were prohibited.³⁴³ This was an explicit rejection of Russian refugees, but also another form of anti-Sinicism that characterised immigration issues of the Quirino administration (see chapter eight). However, Quirino's stance changed when Washington approached Philippine officials in the US.

An undated radiogram from Secretary of Foreign Affairs and former Ambassador to the US, Joaquin Elizalde mentioned how Maj. General Walter Wood, head of the IRO's Washington Office, broached the need to evacuate 8,000 Russian refugees from China to him.³⁴⁴ Wood outlined possible terms of asylum, proposing that 6,000 could be transferred to the Philippines for 'approximately four months', and that '[a]ll transportation, subsistence and other incidental expenses will be borne by [the IRO]'. According to Elizalde, Wood also suggested that Guian would be an ideal location 'considering the availability of housing in the form of warehouses and other fixed installations yet in the said area, leaving, however, entirely to Philippine Government choice of this or any other area for the purpose if the program is accepted by the Government'.

Ending his message, Elizalde hinted at how foreign policy interests could be met through Russian refugee 'rescue':

In view of this emergency nature of request and humanitarian considerations involved and because our reception of these displaced persons under circumstances would generate no small amount of international goodwill in favour of the Philippines, and while aware of difficulties and inconvenience to our Government and the necessity of our taking extreme precautions, I recommend sympathetic and favourable consideration to request.

Elizalde justified refugee 'rescue' as a means of establishing some level of status for the emerging state in the international community as a humanitarian actor. As one of the few newly independent nations, there was something to be said about an Asian state extending aid to Europeans—similar to Quezon's extension of asylum to Jewish refugees in the previous chapters.

On 31 December 1948, the Philippine government announced that after a cabinet meeting, they favourably considered the IRO proposal, based on 'on specific conditions that the IRO itself proposed', per the terms mentioned in the radiogram such as accommodating refugees in

³⁴³ "Immigration to P.I.," *South China Morning Post*, November 1948. "The Official Month in Review," in *Official Gazette of the Republic of the Philippines*, vol. 44, 11, 1948, 4157-4161., <http://www.gov.ph/1948/11/01/official-month-in-review-november-1948/>.

³⁴⁴ Joaquin Elizalde to President Elpidio Quirino, n.d., Papers of President Elpidio Quirino, Filipinas Heritage Library. Elizalde was familiar with Philippine diplomacy and humanitarian assistance; he was responsible for early UNRRA aid coming to the Philippines. See also: Meyer, *A Diplomatic History of the Philippine Republic*, 81.

Guiuan.³⁴⁵ On 4 January 1949, the Philippine Ambassador wired a telegram to the IRO to confirm the government's decision.³⁴⁶ The Philippines became the only country to approve the IRO's request on behalf of the Russian refugees from China.

There are certain aspects that remain unclear about the Philippine government's decision to admit Russian refugees. The sources are not explicit about what discussions took place among government officials during the cabinet meeting. The agreement appears to be more an immediate solution to the IRO's evacuation needs. Furthermore, there was also no mention of what refugees could and could not do within the space and time allotted to them, nor of what would happen should the four-month period need an extension.

It is also unclear who drafted the conditions of temporary asylum in the first place, but it was likely to have come from the IRO's Washington Office. The IRO Geneva office considered this four-month period as 'insufficient' to resettle over 5,000 refugees, and wanted to request for a 'substantial extension' considering no cost was borne by the Philippine Government.³⁴⁷ It seems no request was made, and the IRO Geneva office wrote to Quirino that they 'have the honour to accept [the] offer of your government to provide temporary haven for refugees from Shanghai. [I] feel there must have been discussions between State Department and Philippine Ambassador of which we [were] ignorant'. The refugee agency committed to maximise their efforts for permanent resettlement places, but reiterated to Quirino that such places were dependent on other governments' willingness to offer these. The lack of communication between the IRO offices implies the decentralisation of the efforts in China; Washington appears to have had more of a stake in Russian refugee 'rescue'. The organisation also publicly thanked the Philippine government for its offer, claiming that Russian refugees were 'threatened by unstable conditions in China' and were under the IRO protection.³⁴⁸ The IRO applied for Philippine visas and supplied refugees with identity certificates. Refugees began to leave Shanghai for Samar in mid-January 1949.

Through an official statement, Quirino publicly announced his decision to admit over 5,000 Russian refugees from China. He claimed that through this decision, 'the Philippine Republic is setting the pace for the entire world in responding to a great humanitarian need thus deserving

³⁴⁵ "Official Month in Review," Official Gazette of the Republic of the Philippines, December 1948, <http://www.officialgazette.gov.ph/1948/12/01/official-month-in-review-december-1948/>.

³⁴⁶ Secretary of Foreign Affairs to Washington, 4 January 1948, IRO Cables of General Wood, RG 59, NARA II.

³⁴⁷ Geneva to Washington, 7 January 1949, IRO Cables of General Wood, RG 59, NARA II.

³⁴⁸ International Refugee Organisation, "IRO Thanks Philippine for Offer of Haven for European Refugees Now in China," January 1949, 1945-1954 Geneva Collection, American Jewish Joint Distribution Committee Archives.

universal acclaim'.³⁴⁹ The president's attempts to gain international recognition were made on the cheap, leaving the IRO to take full responsibility for the Russian refugees during their temporary asylum in the Philippines.

Despite the foreign policy interests Russian refugee admission served, local Guiuan residents initially resisted the news; they claimed the government did not consult them on the refugee issue.³⁵⁰ The Philippines was in an economic slump, and locals feared that presence of refugees might further aggravate the already 'high cost' of living in Guiuan.³⁵¹ Local resistance diminished as refugees slowly arrived in Guiuan, and town and camp became intertwined in their everyday lives. I discuss more on this below.

The IRO addressed these locals' concerns. Gerard Price, the agency's main representative to the Philippines, stressed that "refugees will not be a burden on the Filipino people".³⁵² The IRO's justification of Russian refugee admission stresses that the organisation had a large stake in the matter – per the terms of the agreement with Quirino, all finances and logistics fell to the refugee agency. Meanwhile, the extent of the Philippine government's contribution to the international refugee regime was the provision of a temporary shelter, which took the form of a refugee camp.

According to Kwan, Quirino's limited response reflected a lack of resources.³⁵³ Although this is likely since the Philippine government was still prioritising post-war reconstruction through nationalisation policies, it is also worth considering that refugees were not Quirino's priority at all. In 1949, the president established the 'Action Committee on Social Amelioration' to provide welfare to for the 'needy'; he allocated Php4 million (\$2 million in 1949) to the committee.³⁵⁴ None of these was meant for refugees. What this suggests is the short-sighted commitment of the government to refugees, offering the bare minimum but receiving praise for its sole contribution to 'rescuing' stateless Russians.

Whatever goodwill Quirino earned for 'rescuing' Russian refugees disguised other aspects of his government's response to displacement. Russian refugees were only one group among others displaced by the Chinese civil war. The IRO's mandate also included Jewish refugees and

³⁴⁹ 'Official Month in Review', Official Gazette of the Republic of the Philippines, January 1949.

³⁵⁰ "Guiuan Folk Fear Refugee Influx," *The Manila Times*, January 1949.

³⁵¹ There was 15% unemployment for a workforce of 7.4 million Filipinos in 1948. Holborn, *The International Refugee Organization*, 424.

³⁵² "Refugees' Arrival Justified by Clark," *The Manila Times*, January 1949.; "White Russian Refugees Are Grateful For Temporary Haven; Will Not Be Burden, Says IRO Man," *The Manila Times*, January 1949.

³⁵³ Kwan, "Country of Transit," 273.

³⁵⁴ 'State of the Nation Address 1949: Elpidio Quirino', *Inquirer.net*, 8 July 2015, <https://sona.inquirer.net/237/state-of-the-nation-address-1949-elpidio-quirino/>, accessed 23 July 2020.

thousands of ‘overseas Chinese’. In January 1948, the Philippine government refused the entry of over 8,000 ‘overseas Chinese’ who wanted to return to their pre-war homes.³⁵⁵ Both the Ministry of Foreign Affairs in Nanjing and the IRO approached Quirino (who was still vice-president until March 1948). He remained reluctant, citing economic concerns and that immigration law restricted entry to 500 Chinese migrants per year.³⁵⁶

Quirino’s decision to admit Russian refugees, thus unveils a little bit more about the state’s relationship with refugees: first, refugees were not a priority; second, the state chose ‘refugees’ according to its own definition, and lastly, geopolitical concerns shaped the terms of asylum within the Philippines’ borders. I explore this last point in the next section. In spite of the criticisms that can be levelled at Quirino’s policy, his extension of temporary asylum was a significant act for the refugees who lived in the Philippines from 1949 to 1953.

Though the origins of the agreement between the IRO and the Philippines remain obscure, but the conditions imposed by the Philippines imply its leverage. The offer of temporary asylum answered foreign policy needs; unlike the previous case study, Russian refugees were not considered for meeting domestic goals. Meanwhile, the IRO’s sense of urgency for evacuation and the Philippines sole offer for asylum, in a sense, twisted the organisation’s arm to readily accept the conditions despite the challenges of resettlement. In the next section, I explore the local level of the refugee regime some more to show what the Russian refugees’ asylum in the Philippines entailed.

Sovereignty and the realities of asylum

In this section, I explore the extent to which the state imposed its sovereignty over the refugees during their asylum between 1949-1953. In the name of security, the state controlled refugees’ mobility, certain freedoms, and quality of life from pre-arrival to their departure— conditions of asylum not explicitly outlined in the agreement. I also show how locals responded to the government’s decision and what this meant for the refugees in Guiuan in terms of belonging. This section also contextualises what the next chapter discusses: the WCC and how the organisation negotiated its interests vis-à-vis the state and challenges of resettlement.

Since Quirino’s contribution to the ‘rescue’ of Russian refugees was the offer of a site of asylum, I want to draw attention to the choice of Guiuan as the camp’s site – 500 miles away from Manila – and explore what this tells us about national interests and domestic sovereignty. This section

³⁵⁵ Holborn, *The International Refugee Organization*, 360.

³⁵⁶ Oyen, “The Right of Return,” 560–562.

suggests that this decision was related to issues around national security and the geopolitics of the Cold War.

Although the archival sources remain unclear on whom to credit the decision to use Guiuan as a refugee camp, it appears that national security concerns dictated the camp's location.³⁵⁷ The interests of Manila and Washington intersected over the surveillance of refugees, fearing communist associations among refugees. A US State Department report disclosed Washington's concern on 'communist infiltration' in both the Philippines and the US through the IRO evacuation.³⁵⁸ It claimed that 'refugees leaving Shanghai are not screened prior to their departure'. A 'theoretical' plan to control the refugees, the report added, was to be enforced by local intelligence officials to process and interview refugees. This report indicates that Washington intervened in Philippine security matters. The Philippine government compromised part of its sovereignty against domestic and foreign threats.³⁵⁹ These fears meant that it benefited Quirino to put a great distance between the capital and camp.

This suspicion of communist associations among refugees meant that strict security protocols were enforced. On 15 January 1949, the IRO transported the first 500 refugees by ship to the Philippines; 47 boarded a Trans-Ocean plane to Guiuan.³⁶⁰ For those who arrived by boat, state officials quarantined, interviewed, photographed and fingerprinted all refugees.³⁶¹ Although these 'protocols' were in place for *all* migrants, they suggest that refugees were only distinct from 'migrants' through immigration quotas not administrative procedures.

Meanwhile, one of the reasons that suggest that refugees were not a priority for Quirino was because of the camp's condition when the first refugees arrived. There were no preparations for the refugees' arrival: there was no electricity, running water, nor any accommodation other than an old army hut.³⁶² Refugees needed to clear the jungle, while the IRO sourced tents, rations and other essentials from the US army or local shops. Whatever was sourced from the US army was 'in somewhat deteriorated condition'.³⁶³ The camp resembled a tent city (see figure 3) —unfit for

³⁵⁷ As mentioned earlier, MacArthur suggested it, but Fitzpatrick mentioned that rumours among refugees claimed that the president wanted to do a favour for his friend who owned the land on Tubabao. Fitzpatrick, "Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949," 698.

³⁵⁸ "Philippines: Military, Political, Economic, Social Situation" (U.S. Department of State, February 1949), Box 13, Folder (IRO Samar), Records Relating to IRO and DPC, 1946-1952. RG 59, NACP. See also: Ilieva, "The Refugee Camp in Tubabao," 140.

³⁵⁹ The CIA and US army intervened in order for Quirino to suppress the so-called 'Huk rebellion, which both states saw as a communist uprising.

³⁶⁰ The last ship arrived in May 1949 as the Communist forces took Shanghai. Ristaino, *Port of Last Resort*, 2003, 265.

³⁶¹ 'NBI Men To Screen Refugees in Guiuan', 21 Jan 1949, *The Manila Times*. I could not find any references to what the interviews entailed.

³⁶² Nash, *The Tarasov Saga*, 211.

³⁶³ Price to Andrew, 14 April 1949, RG 43, IRO, USHMM Archives

a place subjected to typhoons, as refugees would later experience.³⁶⁴ The physical appearance of the camp stressed how the site was a temporary accommodation. The camp's condition further suggests that the IRO was not involved in choosing the camp's location; the refugee agency had no time to see the site or search for one due to the urgency of the evacuation.

The refugee camp, formally called the UN Evacuation Centre, was a space in which both the government and the IRO exercised authority.³⁶⁵ While the IRO administered the refugee camp, the government provided security. This security however can be interpreted more as a means to contain refugees within the camp and control their movements. Although there was no physical border between the camp and the town of Guiuan, refugees needed a pass to move between both spaces; no one was allowed to go to Manila.³⁶⁶ Otherwise, refugees moved freely within the camp and were not restricted from interacting with the local community. Some refugees shared aspects of Russian culture with Guiuan's residents.³⁶⁷ Locals learned Russian cuisine, for example, and established two restaurants that served Russian food right outside the camp.

The camp was also a place where refugees attempted to instil a sense of normalcy while waiting for resettlement opportunities. Photos taken by refugees show that various social activities such as performances, religious ceremonies and the scouts' programme took place in the camp. Figures 4 and 5 are some examples.³⁶⁸ Local residents sometimes attended these events. Despite the government's choice for Guiuan as a site to contain and isolate refugees, the realities on the ground showed differently. While the local level of the regime is an important site of investigation, there is an even more localised layer between refugees and locals that adds more nuance to how actors in the regime interacted with each other.

³⁶⁴ In 1951, Typhoon Amy struck Samar destroying the camp. Two refugees were killed.

³⁶⁵ The IRO opened its Philippine office in April 1949. Holborn, *The International Refugee Organization*, 423.

³⁶⁶ Holborn, 425.

³⁶⁷ Kwan, "Country of Transit," 287; Ilieva, "The Refugee Camp in Tubabao," 148–149.

³⁶⁸ These photos are from the Museum of Russian Culture in San Francisco. They were given to me on a flash drive with no information on who to credit.



Figure 3 Accommodation at the UN Evacuation Centre (Source: Museum of Russian Culture)



Figure 4 Scouts programme (Source: Museum of Russian Culture)



Figure 5 A Russian Orthodox Church in the UN Evacuation Centre (Source: Museum of Russian Culture)

While refugees were not a priority of the state, there was one instance wherein Quirino said otherwise. On 28 October 1949, the president visited the camp as part of his presidential campaign for the November elections that year. On this occasion, the IRO requested for an extension for the Samar Group since resettlement places were difficult to obtain. The president reassured the group that he was “not in a hurry” for them to leave, claiming that he was “glad of the opportunity to have been able to offer haven to oppressed peoples everywhere.”³⁶⁹ As a gesture of thanks, the Samar Group presented him with a scroll of gratitude signed by all refugees in the camp, as well as a loaf of bread and salt, ‘symbolic of the goodwill and friendship the refugees felt for the Filipino people’.³⁷⁰ Quirino’s speech can be seen as a rhetorical tool to boost his campaign – he won the election, but he never returned to the camp. As four months extended to years, Quirino became impatient and wanted the IRO to resettle the remaining refugees.

In 1951, however, the IRO’s existence was coming to an end without completing its Philippine operation. The refugee agency played an important role for the Samar Group. The evacuation and temporary asylum of the Russian refugees from China was no small matter. In May 1949, W. Hallam Tuck, the IRO’s director, reported that 5,472 refugees were evacuated from Shanghai to Samar, adding that the organisation spent \$2,116,000.00, which did not include expenses such as quarantine charges, and those ‘incurred in connection with the medical examination of refugees prior to evacuation, etc.’.³⁷¹ The Philippine operation involved a mass evacuation, careful logistical planning and considerable expenses. Any organisation that would take over needed to consider the large expenses involved in the Samar Group’s rescue. Over 200 refugees remained to be resettled, at which point the WCC stepped in.³⁷²

This chapter has shown how national interests and geopolitics shaped Philippine refugee policy, resulting in a calculated and selective grant of asylum to displaced persons in China. Although I focused on the events of 1949, I began this chapter by introducing the Russians who found a refuge in China after the political upheaval in Russia between 1917 and 1922 and examining the episode of the Siberian flotilla that sailed to the Philippines in 1923. Pre-war asylum was different from the post-war admissions because of the emerging state’s national interests and the geopolitics of the Cold War. Under American rule, the Russian refugees who arrived in 1923 lived in the

³⁶⁹ “The Official Month in Review,” in *Official Gazette of the Republic of the Philippines*, vol. 45, 10, 1949, 4221–4225, <http://www.officialgazette.gov.ph/1949/10/01/official-month-in-review-october-1949/>.

³⁷⁰ Ilieva, “The Refugee Camp in Tubabao,” 146.

³⁷¹ W. Hallam Tuck to President Elpidio Quirino, May 1949, Papers of President Elpidio Quirino, Filipinas Heritage Library.

³⁷² In 1950, the US Displaced Persons Act was amended to include refugees from Asia, enabling those in Tubabao to migrate to the US. Around 2,000 resettled in the US (including Bologoff), while 1,500 went to Australia (such as Nash’s family), others to Europe and South America.

islands permanently and eventually obtained Filipino citizenship in the late 1940s, as they qualified under the naturalisation laws. By contrast, those admitted in 1949 were explicitly given temporary asylum and had to resettle in third countries.

The extent to which Quirino responded to the displacement of the Russian refugees from China shows the importance he attached to international recognition and national security over protection and assistance. This was evinced by Elizalde's radiogram, the IRO-Philippine government agreement, and national security concerns. While the Philippines was recognized for its favourable response to the IRO's request for temporary asylum, security issues meant refugees' restricted movement and isolation in Guiuan. Given the low priority given to refugees, it was left to the IRO to provide the necessary support and to explore 'durable solutions'.

This chapter discussed the selective character of Philippine refugee policy, which rested upon its own definition of 'refugees'. Despite the IRO's inclusion of 'overseas Chinese' under the agency's protection, Quirino did not extend asylum to them, nor did he offer asylum to other displaced groups from China, with the exception of the Russians. In this way, the politicisation of immigration in the post-war Philippines supported a restrictive environment.

This episode has also shown the limits of the international refugee regime. On the one hand, the IRO did not immediately prioritise the protection of Russian refugees in China. It hesitated to consider this group as part of its mandate despite them fitting their definition of a 'refugee'. On the other hand, the organisation could not immediately find resettlement places, which created a space for 'non-traditional sites' to be considered. Despite these limits, the IRO played a significant role in the 'rescue' of about 5,500 Russian refugees by securing a temporary haven and providing basic support in the Philippines.

This episode in the Philippines' refugee history does not end here. When the IRO was scheduled to cease its operations in 1952, its work in the Philippines was far from over as the challenges of finding resettlement places left over 100 refugees as un-resettled in Samar.³⁷³ When UNHCR replaced the IRO, those refugees left in the Philippines became one of the new agency's priorities. Its limited mandate, however, necessitated the intervention of an NGO. This is when the WCC became entwined in Philippine refugee history.

³⁷³ Despite ceasing global operations in 1952, the IRO continued to work in mainland China until 1956. See: Oyen, "The Right of Return," 563-569.

Chapter Five

The World Council of Churches and the ‘Samar Group’ at the crossroads of change in the international refugee regime, 1951-1953

In 1951, the IRO began ceasing its international operations and handed over the Samar Group to the WCC, a Geneva-based fellowship of Protestant churches. The Philippines served as the WCC’s first operation outside Europe, and undertook what both the IRO and its successor, UNHCR, claimed were urgent and difficult cases at that time.³⁷⁴ The circumstances around the WCC’s emergence in the Philippines differed from the other two NGOs discussed in this thesis. While the JRC and CADP emerged as local-based responses due to the arrival of refugees in the Philippines, the WCC was a response to the institutional changes within the international refugee regime. Since the IRO ceased operations and the new UNHCR was non-operational, a space opened up for NGOs to intervene on behalf of the 1.5 million refugees worldwide, including about 200 Russian refugees who remained in Samar.³⁷⁵ The WCC seized the opportunity – as did the Philippines government itself – to be a big player on the international stage.

The WCC built upon pre-existing structures, including inheriting the 1949 agreement between the Philippine government and the IRO. This agreement stipulated that the Philippine government would provide a site to accommodate the Russian refugees, while the IRO was to bear all expenses for transportation to and from the archipelago, as well as providing relief to refugees in the camp. This chapter completes the episode of Russian refugee admission, which resulted in the resettlement of all remaining refugees by 1953, four years after the initial agreement.

This chapter presents another example of the emerging state’s assignment of responsibilities for supporting refugees on to humanitarian organisations and explores the power dynamics at play in the refugee regime. Quirino’s government asserted its authority by keeping to the terms of its 1949 agreement with the IRO. The situation remained fundamentally the same: the levers of state power were located far away in Manila and the government needed an NGO to assume the IRO’s responsibilities and to an extent, serve its interests. As will be seen, the WCC’s assumption of the

³⁷⁴ Lane, “‘Who Share Our Concern for These People’ The Resettlement of Unwanted Refugees by the International Refugee Organization”; United Nations High Commissioner for Refugees, “Speech by Dr. Gerrit Jan van Heuven Goedhart, United Nations High Commissioner for Refugees, before the Third Committee of the United Nations General Assembly, 2 January 1952,” UNHCR, <https://www.unhcr.org/admin/hcspeeches/3ae68fbb14/speech-dr-gerrit-jan-van-heuven-goedhart-united-nations-high-commissioner.html> (accessed December 7, 2020); Michael Hoffman, “Crisis on Refugees Is Reported to UN,” *New York Times*, 1951. See also: James Read to Edgar Chandler, 20 December 1951, 11/1-15/27, UNHCR Archives and Records.

³⁷⁵ “Speech by Dr. Gerrit Jan van Heuven Goedhart, United Nations High Commissioner for Refugees, before the Third Committee of the United Nations General Assembly, 2 January 1952.”

IRO's operation helped keep the refugees on Samar, far from the centre of socio-political life in the country, but this in turn created obstacles for the WCC to deliver refugee aid.

Given the power vested in the state, both the WCC and UNHCR approached the state with caution. The use of personal interactions in these approaches is a reminder of how the 'refugee regime' was not an abstraction but built on interpersonal networks. In keeping with this insight, this chapter also highlights certain key WCC personnel in order to show the important roles that individuals and not just institutions play in the refugee regime. Figures like the IRO/WCC's resettlement officer, Mollie Rule, were instrumental in the organisation's completion of the Philippine operation and resettling the 'hard-core' refugees.³⁷⁶ Rule's work demonstrates that individuals could themselves potentially shape refugees into 'useful citizens'. In doing so, they served not only the WCC's agenda, but also that of the state of temporary asylum and the state in which refugees were to be resettled.

The WCC had its own agenda in refugee 'rescue' and negotiated its objectives vis-à-vis the state's. The 'rescue' of the Samar Group enabled the organisation to carve out its relevance in the refugee regime by taking on what intergovernmental agencies considered a difficult task. Constituted in 1948, the Council was an emerging voluntary organisation, and the Samar Group "presented a spectacular and seemingly intractable problem."³⁷⁷ Yet, the organisation saw its work as a form of 'rescue', which implied a virtuous and top-down approach that legitimised the Council's work in the Philippines, as explained in the WCC's final report to the UNHCR about the Philippine operation which was entitled *'Rescue of a Remnant'*.³⁷⁸

While this chapter focuses on the WCC's work on refugee protection and assistance in the Philippines, I want to emphasise that refugee 'rescue' was only one part of the organisation's agenda in the early years of the Cold War. The WCC was not simply a 'humanitarian organisation'; its leaders had wider ambitions for the organisation's role in the post-war order. Part of the Council's broader agenda involved its leaders engaging in political issues and international human rights discourse from the 1940s to the 1960s, specifically about the right to religious freedom. This advocacy for religious freedom stemmed from the organisation's concern for Protestants living in

³⁷⁶ Mollie Rule had worked with refugees since 1937 in Rhodesia, Uganda, Tanganyika, bringing with her over a decade's experience when IRO assigned her to the Philippines.

³⁷⁷ This quote is from a report called 'The First Six Years' which is mentioned in Gaines' history of WCC. The report only mentions that despite difficulties of finding refugees new homes, all were resettled by mid-1953; there were no other details given. See also: "Recent Developments in Inter-Church Aid and Service to Refugees," *The Ecumenical Review* 5, no. 2 (1953): 171. David Gaines, *The World Council of Churches. A Study of Its Background and History* (Richard R. Smith Co. Inc., 1966), 529.

³⁷⁸ "Rescue of a Remnant: The Story of Pacific Beach Camp."

emerging states where the majority of society were Muslims.³⁷⁹ Later in the 1960s-1970s, the WCC would entangle itself in development and anti-colonial discourse, as well as in the East-West dichotomy. The fellowship of churches believed that the ‘Christian church would be a third pillar between the bipolar forces of capitalism and Communism’.³⁸⁰ Refugee ‘rescue’ was one means of establishing the WCC as an important actor in the post-war international community.

Meanwhile, this chapter also emphasises the important role that NGOs played in the international refugee regime. Developments in the refugee regime afforded an opportunity for the WCC to operate in the Philippines and assume not only relief duties (immediate relief, medical and dental facilities, education for children, and transportation), but also provide refugee protection and search for ‘durable solutions’.

The IRO’s decision to choose the WCC as its replacement in the Philippines raises questions as to why an external NGO rather than a local one was needed to intervene on behalf of the remaining Russian refugees. Here it is suggested that the WCC’s entry to the Philippines can be explained by the regime’s institutional changes and the challenges of resettlement. Specifically, the WCC’s previous work in Europe, which involved caring for Orthodox refugees, made it an ideal replacement for the IRO.³⁸¹ This decision was reached with little input from the Philippine government, thus disclosing another dimension of the power dynamics in the refugee regime: there was a difference in the Philippine state’s power on the national and international levels of the refugee regime.

I also intend to show that where the IRO failed, the WCC succeeded by manoeuvring around the challenges, constraints, and opportunities in ‘refugeedom’. Like the refugee agency, one of the WCC’s main challenges was the resettlement of the remaining 130 Russian refugees – so-called ‘hard-core refugees’. This label was used by the IRO and referred to two main challenges in these refugees’ resettlement: first, based on individual and family situations (aged or sick, for example) and second, from international obstacles in place for immigration to resettlement countries.³⁸² Many of these remaining refugees fell into this category; and many of them required institutional care.³⁸³ The WCC’s successful completion of what was previously the IRO’s Philippine operation

³⁷⁹ Bastiaan Bouwman, “From Religious Freedom to Social Justice: the Human Rights Engagement of the Ecumenical Movement from the 1940s to the 1970s,” *Journal of Global History* 13, no 2 (2018), 252–73.

³⁸⁰ Kate Burlingham, ‘Praying for Justice: The World Council of Churches and the Program to Combat Racism’, *Journal of Cold War Studies* 2019; 21 (1): 66–96.

³⁸¹ David Gaines wrote a comprehensive history of WCC. Gaines, *The World Council of Churches. A Study of Its Background and History*.

³⁸² Lane, “‘Who Share Our Concern for ‘These People’ The Resettlement of Unwanted Refugees by the International Refugee Organization.”

³⁸³ Lane, 281.

testifies to its ability to assist refugees, resettle them, and operate outside Europe. Despite the challenges it faced, the organisation completed the Philippine operation in a little over a year.

The WCC's work in the Philippines is largely absent in the sources surrounding the Russians' temporary asylum in the Philippines. Both Kinna Kwan and Polina Ilieva, who published their research about the refugees' asylum in Tubabao (using archival material and oral histories), omit any mention of the WCC and attribute much of the work to the IRO's efforts.³⁸⁴ This holds true of other literature.³⁸⁵ Additionally, the absence of the Philippine operation in the organisation's own history is also puzzling. Despite the Philippines being one of the first operations of the WCC outside Europe, David Gaines' history of the World Council of Churches, only discusses the Philippine aspect in passing.³⁸⁶ This chapter remedies these striking omissions and points to the importance of NGOs in refugee history.

To understand the role of the WCC in the Philippines, I draw upon two main sources which offer details on its work in the Philippines. The first was the unauthored 1953 report mentioned above, 'Rescue of a Remnant'.³⁸⁷ The report is likely the work of Edgar Chandler who quoted parts of it in his book *High Tower of Refuge*.³⁸⁸ This second source is Chandler's personal account of his work with refugees, including his experience in the Philippines as the WCC's main representative. This book, in Chandler's words, was written to 'tell the story of refugees and the churches' attempt to help them'.³⁸⁹ Chandler was a significant figure in the WCC's Philippine operation and his perspective provides a glimpse into the organisation's attitudes towards the rescue of these refugees.³⁹⁰ These sources are supplemented by archival documents from the WCC Archives, UNHCR Records and Archives, and Hoover Institution.

This chapter begins at the international level. The first section introduces the WCC and its endeavours in the international efforts to protect and assist refugees in the post-war period. The following sections focus on the WCC's work in the Philippines and how different challenges necessitated the organisation to adapt and react in order to realise not only its goals, but also those of the UN refugee agencies and the Philippine government.

³⁸⁴ Kwan, "Country of Transit"; Ilieva, "The Refugee Camp in Tubabao."

³⁸⁵ Ristaino, *Port of Last Resort*, 2003, 265–269; Holborn, *The International Refugee Organization*, 424–426; Proudfoot, *European Refugees*, 428.

³⁸⁶ Gaines, *The World Council of Churches. A Study of Its Background and History*.

³⁸⁷ "Rescue of a Remnant: The Story of Pacific Beach Camp."

³⁸⁸ Chandler, *The High Tower of Refuge*.

³⁸⁹ Chandler, 11.

³⁹⁰ Chandler was an American pastor when he first began his work with refugees in the 1930s in the United States, providing a home for two Jewish refugees. As a refugee-host, he learned about 'the psychological and spiritual problems' which refugees faced in a new country. In 1946, he moved to the Middle East to direct voluntary aid to Palestinian refugees, and eventually came to direct the Council's Service to Refugees in Europe during the 1950s.

The WCC and the changing post-war international refugee regime

This section provides a backdrop to why the IRO handed over its responsibilities for the Samar Group to the WCC. The IRO was established as a temporary organisation in 1948, and when it ceased its operations in the early 1950s, it was succeeded by the UNHCR. When states created this new refugee agency, they limited its mandate by making it non-operational and whose primary focus was on refugee protection.³⁹¹ It is in the interstices of these changes that the WCC's work in the Philippines exemplifies the significant responsibilities NGOs had in the 1950s. NGOs provided material assistance and ancillary support in protecting and providing 'durable solutions' for displaced persons.

Prior to its work in the Philippines, the WCC carved out a niche in European refugee assistance since 1946 before being formally constituted in 1948. The WCC's refugee activities coincided with the debates around the definition of who a 'refugee' was, as enshrined in the 1951 Refugee Convention.³⁹² The organisation differed from the UN refugee agencies in its approach to displacement, believing that the IRO's refugee definition was limited.³⁹³ Instead, the organisation provided relief and rehabilitation 'to all who suffer', including those outside the IRO's mandate: German expellees, and those displaced in Africa and Asia.³⁹⁴ The WCC's work in Europe, which involved the assistance of Russian orthodox refugees, provided the organisation with the knowledge, resources and network to protect refugees and find 'durable solutions'. These aspects of refugee 'rescue' made the WCC an ideal substitute for the IRO in the Philippines. The refugee agency gave \$350,000 for the WCC's care, maintenance, and resettlement for the Samar Group.³⁹⁵

The IRO's decision to transfer its Philippine operation to the WCC suggests two reasons. First, no local NGO concerned itself with refugees. Officials from the IRO told their WCC counterparts that they had deliberated transferring the remaining refugees to a local organisation but there was 'a lack of non-Catholic institutions or welfare services in the Philippines'; the IRO considered funding a Catholic charity instead.³⁹⁶ No other details were mentioned in the letter and it appears that the matter was not pursued further. Meanwhile, the dominant discourse of NGO activities

³⁹¹ Loescher, "UNHCR's Origins and Early History"; Loescher, *UNHCR and World Politics A Perilous Path*.

³⁹² For debates on the 1951 Refugee Convention, see Madokoro, *Elusive Refuge*, chap. 1.

³⁹³ Gaines, *The World Council of Churches. A Study of Its Background and History*, 185, 206. For those displaced groups under the IRO's mandate, see: International Refugee Organization, *Constitution of the International Refugee Organization*, Annex I.

³⁹⁴ Robert Mackie, "The Responsibility of the Churches in the World Council Towards the Needs of the Churches and of the Peoples of Asia and Africa," *The Ecumenical Review* 8, no. 1 (1955): 14–15; Alan Brash, *The World Council of Churches* (Geneva: World Council of Churches, 1979), 25.

³⁹⁵ Chandler, *The High Tower of Refuge*, 65; Lane, "Who Share Our Concern for These People? The Resettlement of Unwanted Refugees by the International Refugee Organization."

³⁹⁶ Marjorie Bradford to Robert Mackie, Wynne Fairfield, and Edgar Chandler, November 1951, Box 425.5.164, WCC Archives.

during Quirino's presidency was concerned with supporting the state's suppression of communism and rural unrest through civic programmes.³⁹⁷ Moreover, archival sources do not relate any actions taken by the Catholic church in the Philippines nor of catholic organisations.

Second, deliberations around the IRO's replacement in the Philippines appear to have side-lined the Philippine government.³⁹⁸ This suggests that the state's power in the refugee regime had different profiles on the national and international levels. While it held all the cards nationally, it was marginalised in the international stage, leaving the IRO to make the final decisions. Moreover, the Philippine government lacked the resources, personnel, and capacity to protect and assist the refugees, as well as search for 'durable solutions'.

The WCC's entry into the Philippines can thus be linked to both international and local considerations. On the one hand, institutional changes in the UN required the ancillary support of NGOs in assistance and protection. On the other, the local NGO landscape – just like for the Jewish refugees – had no organisations actively engaged in refugee assistance, nor did the state have the capacity to provide any welfare. The next sections explore how the WCC negotiated its agenda in the Philippines despite challenges to providing refugee relief and securing resettlement places, including those challenges from the state's refugee policy.

The WCC and the Philippine state

The WCC officially took over the IRO's Philippine operations in December 1951. The organisation drafted a proposal for the Philippine government along the lines of the IRO agreement of 1949 – that the organisation was responsible for the care, maintenance and resettlement of all refugees, and none would be a public charge.³⁹⁹ Edgar Chandler travelled to the Philippines to represent the WCC. His arrival was not met with much enthusiasm from the refugees. “*Churches*, [...] what can *churches* do – except pray for us!” one refugee retorted.⁴⁰⁰ As this chapter demonstrates, the churches did not only pray for them, but ‘rescued’ them from their displacement and temporary asylum in the Philippines. However, the WCC's work was far from straightforward. This section suggests that state sovereignty and asymmetrical power dynamics constrained and challenged the WCC's agenda in the Philippines.

³⁹⁷ Clarke, *The Politics of NGOs in Southeast Asia*, 57; Karina Constantino-David, “From the Present Looking Back: A History of Philippine NGOs,” in *Organizing for Democracy: Ngos, Civil Society, and the Philippine State* (University of Hawaii Press, 1998), 31.

³⁹⁸ Ernest Grigg to Robert Mackie, December 1951, Box 425.5.164, WCC Archives.

³⁹⁹ A.A. Hoyveyda to John Alexander, 8 February 1952, 11/1-15/27, UNHCR Records and Archives.

⁴⁰⁰ Chandler, *The High Tower of Refuge*, 63.

One of the more pressing issues that plagued both the IRO and the WCC was the camp's location in Guiuan, 500 miles away from Manila – an issue that both organisations tried to negotiate with the state. The camp's site was problematic for two reasons: first, it placed a financial and logistical burden for moving refugees between Tubabao and Manila for resettlement applications; second, the camp's site was in the path of destructive typhoons. Refugees needed to go to Manila for visa appointments, interviews, and medical services. The distance between Manila and the camp meant that travel took one day by air or two days by boat. Movement required careful logistical planning to enable refugees to meet appointments, and should resettlement become a reality, also involved meticulous plans in connecting boat rides and flights to third countries.

Despite this government “oppression”, as Chandler called this inconvenience, the most pressing factor for the refugees was the threat of typhoons.⁴⁰¹ The WCC's assumption of responsibilities for the Samar Group coincided with the aftermath of Typhoon Amy in December 1951, which affected the physical and mental state of the refugees. These natural disasters proved to be a very real and immediate danger to the refugees and staff; the typhoon destroyed their camp and killed two refugees. Since the refugees' arrival in 1949, the camp had experienced typhoons, which continuously damaged the camp's meagre infrastructure, a majority of which were tents. The government's primary contribution to Russian refugee ‘rescue’ did not consider the immediate dangers from natural disasters and their impacts on the refugees' health, something the IRO previously conveyed to the Philippine Government.

Government officials denied the IRO's request to move the refugees to Manila, citing that their main concern was that the agency needed to resettle all refugees as soon possible, knowing that the IRO was ceasing its operations.⁴⁰² Instead of moving refugees, the government instructed the Director of Hospitals to attend to the refugees' medical needs. This response frustrated Frederick Thompson (IRO's main representative in the Philippines), who commented that the Philippine Government was ‘definitely unsympathetic’ to the refugees. He wrote:

From the beginning of this Operation, whilst relations have been on a cordial basis, they have not been sympathetic towards refugees in general, in spite of the fact that the sum of four million dollars had been spent in the Philippines in the past [two and a half] years, with no cost whatsoever to the Philippine Government.⁴⁰³

⁴⁰¹ Chandler, 60.

⁴⁰² Carlos Romulo to Y.S.Ma, Esq., 14 December 1951, Box 425.5.164, WCC Archives.

⁴⁰³ Thompson to Metcalfe, 27 December 1951.

In Thompson's view, Quirino was 'adamant' that the refugees not be brought to Manila, but the president did permit the IRO to find suitable accommodation elsewhere in the island of Samar in the meantime. Ultimately, the group needed to return to their camp site when things subsided.

Amidst the aftermath of Typhoon Amy and Thompson's report to Geneva, the WCC took over the Philippine operation. Based on what its officials witnessed in the wake of the disaster, the organisation suggested to the government that the refugees move to another area: Dumaguete, a city on the Western side of the Philippines, where both the WCC and its local partners from Siliman University could provide the necessary relief.⁴⁰⁴ Quirino rejected the move again.

What happened next shows the collaboration between the WCC and UNHCR to try and convince Quirino to change his mind: both institutions attempted to reach out to personal contacts who could influence the president. This action is one example of how the international refugee regime operated through personal networks; the regime was not just an abstract concept. These contacts included Carlos Romulo, who was the Philippine foreign secretary and former president of the UN General Assembly, and Douglas MacArthur who suggested the Philippines as a temporary site of asylum in the first place.⁴⁰⁵ UNHCR's first High Commissioner, Gerrit van Heuven Goedhart, and IRO's Director Donald Kingsley sent a joint telegram asking Quirino to consider the proposal.⁴⁰⁶ Goedhart also sent a personal letter to Romulo in support of the Council's plan; Romulo sympathised with the refugees and wrote Quirino 'recommending approval' of the plan.⁴⁰⁷ Romulo and the president, however, disagreed on the matter. Quirino ordered the refugees to return to the beach and re-establish their camp.

Asymmetrical power dynamics endured in the international refugee regime. Chandler acknowledged the political implications involved in the government's refugee 'rescue' but felt that he could not press them. That feeling was shared by UNHCR officials who suggested that Chandler proceed with caution on the issue of moving the refugees back to Guiuan 'rather than pressing the government'.⁴⁰⁸ Chandler agreed; he considered that grant of asylum as a 'God-sent act' amidst Quirino's own domestic issues and felt that the WCC was 'in no position to argue'.⁴⁰⁹ The host-state, after all, was 'gatekeeper' and could stop the tap, so to speak. National interests

⁴⁰⁴ A.A. Hoyveyda to John Alexander, 8 February 1952. Siliman University was a Presbyterian university established in 1901 by American missionaries.

⁴⁰⁵ Aline Cohn to The High Commissioner, 25 January 1952, 11/1-15/27, UNHCR Records and Archives.

⁴⁰⁶ Van Heuven Goedhart and Donald Kingsley to His Excellency President [E]lpidio Quirino, 31 January 1952, 11/1-15/27, UNHCR Records and Archives.

⁴⁰⁷ Carlos P. Romulo to H.E. G.J. van Heuven Goedhart, 27 February 1952, 11/1-15/27, UNHCR Records and Archives.

⁴⁰⁸ Read to Alexander, 20 June 1952, 11/1-15/27, UNHCR Records and Archives.

⁴⁰⁹ Chandler, *The High Tower of Refuge*, 59.

constricted both UN refugee agencies and the WCC in their capacity to provide the aid as they deemed necessary for the 'hard-core' cases. Nonetheless, expelling refugees does not appear to have been suggested by the Philippine government.

The WCC's work in the Philippines had its challenges. Since the organisation entered the Philippines almost three years into what had been a four-month agreement, the government's attitude had changed, placing more restrictions on the remaining refugees from the Samar Group despite the effects of living in a typhoon-prone zone. The subtleties among the WCC, the UN refugee agencies and the Philippine government also demonstrate the asymmetrical relationships in the international refugee regime. The challenge of finding resettlement places necessitated cautious approaches to the Philippine government in order to maintain cordial relations and prevent any possibilities of expelling refugees. The WCC needed to adapt to these constraints.

The WCC and the challenges of resettlement

This section takes a closer look at the organisations' work on the ground, and uses the example of Mollie Rule, who was IRO and WCC's resettlement officer, to show how non-state actors were instrumental in shaping refugees into 'useful citizens', which furthered the interests of the WCC, the Philippine government and the country of resettlement. While temporary asylum was extended *en masse*, Rule's actions also highlight how resettlement was very much a case-by-case process.

Rule was the resettlement officer for both the IRO and the WCC. Her efforts in resettling most of the original 5,500 refugees did not go amiss during her time with the IRO, whose officials noted to the WCC that it was 'due very largely to her efforts that the problem has been reduced to some 150 persons'.⁴¹⁰ Chandler convinced Rule to continue her work.⁴¹¹

Rule found solutions to some of the challenges faced by the WCC in the Philippines. One example of her ingenuity was when she decided to address the problem of tuberculosis (TB), which some of the refugees were diagnosed with, making resettlement difficult to pursue.⁴¹² Since local hospital's rates were expensive, Rule set up her own TB ward in the camp, while the more serious cases were brought to Manila or to the Bethany Hospital in Leyte (a larger nearby island), run by Methodists.⁴¹³ Meanwhile, as a means of providing safety during typhoons, Rule created her own

⁴¹⁰ Bradford to Mackie, Fairfield, and Chandler, November 1951.

⁴¹¹ Chandler, *The High Tower of Refuge*, 63.

⁴¹² An incident in December 1949 led refugees to resent the doctor Manila appointed to the camp, Dr. Han, who 'pronounced [refugees] sick with [tuberculosis]', which lessened their chances for resettlement. "Refugees Resent Prolonged Stay," *The Manila Times*. See also: Fitzpatrick, "Russians in the Jungle: Tubabao as a Way Station for Refugees from China to Australia, 1949."

⁴¹³ Chandler mentioned that Rule knew about caring for TB patients from her previous work with refugees. Chandler, *The High Tower of Refuge*, 64.

local network that could provide the necessary assistance. She built relationships with the local community of Guiuan in order to use the church for emergencies or secure boats to sail to other cities for medical services.⁴¹⁴ By incorporating local actors, Rule transformed some of the ways the WCC could provide aid in the event of natural disasters. As Dorothea Hilhorst and Bram Jansen noted, ‘aid gets shaped through the interactions between these multiple actors’.⁴¹⁵

The most significant outcome of Rule’s work for the WCC was the resettlement of all the ‘hard-core’ refugees by mid-1953. Rule made representations on behalf of these refugees to consulates and negotiated for resettlement places. Chandler narrated some these instances that resulted in resettlement. Despite Chandler’s account written years after, these episodes demonstrate the impact Rule’s work had on the WCC, but also remind us of the kind of power that the humanitarian worker had in transforming refugees in the interest of the NGO and the state (both the Philippines and country of resettlement).⁴¹⁶

One of these cases was that of Ivan Lutsenko.⁴¹⁷ His ‘undesirability’ for resettlement required, in Rule’s view, the kind of personal transformation that she could provide. Lutsenko, a former corporal in the Russian Army, was an alcoholic. His resettlement application for the US had been declined because of his chronic alcoholism. The American Consul in Manila told Rule that Lutsenko’s case could be reconsidered if he sobered up for nine months. In the interest of moving his application forward, Rule took it upon herself to be his carer. She kept a continual watch on him in the camp, offering half of her tent to him for the next nine months. She separated her part of the tent with a long row of steel cabinets – an “Iron Curtain”, in her words – so she could monitor him day and night. He sobered up. After nine months, she accompanied him to the Consulate for his interview– still keeping an eye on him. He was granted a visa and made his way to San Francisco. That Easter, Lutsenko sent Rule a letter saying: ‘You are my treasured rosary...’ and signed it with ‘Ivan the Cossack – still sober’.⁴¹⁸ Rule’s authority thus manifested itself in moulding the refugee in an acceptable image.

Rule also addressed the resettlement of those diagnosed with TB and other illnesses. Based on the WCC’s 1953 report, she tapped the organisation’s network for help. She offered to use the WCC’s

⁴¹⁴ Rule to Read, 28 October 1952, 11/1-15/27, UNHCR Records and Archives.

⁴¹⁵ Dorothea Hilhorst and Bram J. Jansen, “Humanitarian Space as Arena: A Perspective on the Everyday Politics of Aid,” *Development and Change* 41, no. 6 (2010): 1121.

⁴¹⁶ For a discussion on the relationship between humanitarian worker and ‘beneficiaries’, see: Barbara Harrell-Bond, “Can Humanitarian Work with Refugees Be Humane?,” *Human Rights Quarterly* 24, no. 1 (2002): 51–85; Barbara Harrell-Bond, Eftihia Voutira, and Mark Leopold, “Counting the Refugees: Gifts, Givers, Patrons and Clients,” *Journal of Refugee Studies* 5, no. 3–4 (January 1992): 205–225.

⁴¹⁷ Chandler, *The High Tower of Refuge*, 71–74.

⁴¹⁸ Chandler, 73.

allocated funds in the Philippines to pay grants to European institutions to provide for their care in Western Europe. As a result, about 30 refugees were accepted into Belgium where the organisation 'Entr'aide Protestant' opened a home for aged persons; from the entire 5,500 Samar Group, 70 TB patients went to France; and 17 'of the most difficult cases' were admitted to Germany.⁴¹⁹ The WCC claimed that Germany took in these refugees despite the large number of others in Europe, as a gesture made 'in return for ecumenical aid given to Germany since the war'.⁴²⁰ Once resettlement places were secured, the WCC obtained visas from the various consulates in Manila and carefully scheduled all the transport needed to move from the remote island of Tubabao to the airport in Manila and on to any other connecting flights until the country of destination. At the end of June 1953, no Russian refugees were left in the Philippines. The WCC had spent \$370,000, more than what IRO granted in 1951 (\$350,000); these funds were from church donations within the WCC's fellowship.⁴²¹

Mollie Rule's negotiation of the constraints on both the international and local levels of the 'refugee regime' contributed to the WCC's completion of its task, achieving the desired outcome (resettlement) for all actors involved (the IRO/ UNHCR, the WCC, the Philippine Government, and refugees).

The WCC's entry into the Philippines was a result of the institutional changes in the post-war international refugee regime. The limits that states imposed on UNHCR created a space for the organisation to seize the opportunity to become a key actor. Though a small operation involving 130 European refugees from China (from the original 5,500), the Philippine project was important and served as one of the WCC's first sites in Asia. The WCC succeeded in what the IRO failed to do from 1949 to 1951, resettling all remaining 'hard-core' refugees in a little over a year.

The task of caring for and resettling the remaining refugees in the Samar Group, however, was not a straightforward matter. The Philippine state chose to delegate responsibility to the NGO, but also asserted its authority and constrained what the WCC could and could not do in its delivery of aid. Thanks to key figures like Rule, some of these challenges were overcome. Rule addressed the barriers to resettlement by transforming refugees in a way that she thought she could provide. Her work as she put it, demonstrated that the fellowship of churches did more than pray for these refugees; it rescued them from displacement and from an uncertain fate on a beach camp.

⁴¹⁹ "Rescue of a Remnant: The Story of Pacific Beach Camp," 6.

⁴²⁰ "High Lights of Interchurch Aid and Refugee News," *The Ecumenical Review* 5, no. 4 (1953): 403.

⁴²¹ Chandler, *The High Tower of Refuge*, 65.

As this second case study has shown, refugee policy in the Philippines was more a matter of international recognition than of development. Russian refugees from China did not garner the same amount of attention or priority from the state, unlike the Jewish refugees in the 1930s who were included in the state's development goals. Instead, Russian refugee admission was used to gain humanitarian credentials for the emerging state. Quirino's refugee policy was informed by national interests, particularly concerned with security issues. These interests shaped the terms of asylum, which placed refugees in a camp far from the centre of social and political life. Meanwhile, the state's lack of capacity to protect and assist refugees meant that Quirino devolved all responsibilities to the IRO and the WCC. The next case study shows us some differences from what has already been established about refugees and Philippine state-formation.

Part Three

Indochinese Refugees in the

Philippines,

1975-1996

Chapter Six

Displacement and the dictator: Problematising Marcos' Indochinese refugee policy

In 1975, Amnesty International (Amnesty) released a report from its Mission to the Philippines.⁴²² It accused the government of Philippine President Ferdinand Marcos (1965-1986) of the ill treatment of political detainees under his martial law regime (1972-1986). Amnesty recommended that the Government address these conditions and 'seek the cooperation of [UNHCR] in finding ways to protect these people from further extended periods of detention'.⁴²³ The report referred to the detention in particular of 'immigration and deportation cases'.

In the same year thousands of Vietnamese refugees, most fleeing on barely sea-worthy boats arrived on Philippine shores; these refugees became known as 'boat people'.⁴²⁴ Marcos had already extended temporary asylum to refugees, coordinating with UNHCR. The Philippine government, represented by the Department of Foreign Affairs (DFA), presented the Amnesty report to Werner Blatter, UNHCR's Representative in the Philippines. Aware of the potential implications for UNHCR's presence in the country, Otto Gobius, Chief of the Asia Regional Section responded that:

We recognise the usefulness of information relating to conditions of human rights in various countries as reported by [Amnesty]. It serves, in particular, as one of the sources in assessing the objective elements when we have to examine a request for refugee status. However, the activities of [Amnesty] are considered by some, if not most of the Governments in Asia as an interference in the domestic affairs of their country. What we should avoid is to give the Philippines Government the wrong impression that we are co-operating with [Amnesty]. UNHCR, as a subsidiary of the UN General Assembly, conducts its activities in accordance with its Statute...⁴²⁵

This episode suggests two matters. On the one hand, it implies that Marcos was playing the UNHCR and Amnesty against each other. On the other hand, it indicates that UNHCR needed Marcos to provide protection to those fleeing Indochina. As we shall see, the agency was not only aware of these detentions and human rights issues under the Marcos dictatorship, but also aware

⁴²² Amnesty International, "Report of an Amnesty International Mission to The Republic of the Philippines, 22 November-5 December 1975" (London, 1975). For scholarship on the Marcos regime, see Abinales and Amoroso, *State and Society in the Philippines*; Raymond Bonner, *Waltzing with a Dictator* (New York: Vintage, 1988).

⁴²³ Many critics of the government including journalists, students, priests and nuns, were detained in prison.

⁴²⁴ UNHCR estimated that over 3 million left Indochina from 1975 to 1996 (about 500,000 repatriated).

⁴²⁵ Otto Gobius to The Representative, UNHCR Branch Office for the Philippines, 27 April 1977, '1951 Convention Relating to Philippines, 1970 – 1984, 11/2/67-671.1.PHI, UNHCR Records and Archives. Gobius had been working with UNCHR in Southeast Asia since 1972, based in Thailand; his work with UNHCR began in the 1960s.

of the state's generation of 'Filipino refugees'. However, UNHCR remained silent or hesitated to intervene in the 'Filipino refugees' matter, which suggests that in order to meet its own agenda, UNHCR had to play along with Marcos. This illustrates the degree to which the host-state held the best cards in operating at the national level of the refugee regime.

This chapter addresses the behaviour of the Philippine state as both refugee-host and refugee producer. It shows the extent to which Indochinese refugees were used by Marcos to pursue his own national, regional, and diplomatic interests. I argue that Philippine refugee policy was based on political calculations rather than humanitarian principles, consistent with the main argument throughout this thesis. Most of the discussion centres on refugee policy that emerged from the Indochinese refugee 'crisis' (1975-mid 1990s), but it also touches on the generation of 'Filipino refugees' who fled to Sabah in 1973 and briefly on the extension of asylum to 'non-Indochinese refugees', mainly displaced Iranians from the 1979 Iranian Revolution.⁴²⁶ Although the 'crisis' lasted into the mid-1990s, I limit my discussion to the 1970s-1980s in order to go deeper into Marcos' policies which laid the foundations for later presidents.⁴²⁷

The admission of refugees from Indochina was a means to boost the country's image abroad, which had been badly affected by martial law and reports such as that from Amnesty. Marcos' contributions to international efforts made the Philippines an important humanitarian actor in the international refugee regime – to that extent the dictator did not differ from his predecessors. The outcomes included the establishment of two refugee camps: the Philippine First Asylum Camp (PFAC, in 1979) and the Philippine Refugee Processing Centre (PRPC, in 1980), as well as Marcos' ratification of the Refugee Convention and Protocol in 1981, which made the Philippines the first Asian country to do so.⁴²⁸

Humanitarian credentials, however, masked negative aspects of statecraft linked to Marcos' martial law regime (1972-1986). The admission of refugees did not only deflect human rights abuses from his dictatorship, but also the impact of domestic conflict in generating 'Filipino refugees', and how internally displaced indigenous populations had to make way for accommodating refugees in camps.⁴²⁹

⁴²⁶ The term 'non-Indochinese refugees' was used by the government and the UNHCR officials to broadly address other refugees of the period.

⁴²⁷ The Indochinese refugee 'crisis' occurred under three Philippine presidents. After Marcos were Corazon Aquino (1986-1992) and Fidel Ramos (1992-1998).

⁴²⁸ Lipman, *In Camps*.

⁴²⁹ For a different look at the PRPC as a medium for 'settler colonialism', see: Y'ĕn Lê Espiritu and J. A. Ruanto-Ramirez, "The Philippine Refugee Processing Center: The Relational Displacements of Vietnamese Refugees and the Indigenous Actas," *Verge: Studies in Global Asias* 6, no. 1 (2020): 118–141.

Meanwhile, Vietnamese refugees also served as a means to assert Philippine sovereignty vis-à-vis the United States. As we shall see, during the early months of the refugee ‘crisis’, Marcos used displaced Vietnamese to affirm sovereignty by entangling them into his negotiations with Washington over the US bases in the country (Clark Air Force Base (CAFB) and Subic Naval Base (SNB)). These bases had been central to Philippine-American relations since the US guaranteed the Philippines independence and were formalised under the Military Bases Agreement of 1947.⁴³⁰ In 1975, re-negotiating that agreement was high on Marcos’ foreign policy agenda. He was reconsidering the bases’ lease and administration when the first refugees arrived. Since the US temporarily accommodated them in their bases until resettlement in the US, Marcos saw these American extraterritorial sites as an opportunity to claim that Vietnamese refugees were America’s responsibility while at the same time insisting that the US should not use the bases to host refugees. This formed a key element in his strategy to establish diplomatic relations with Vietnam.

Another example of strategic reorientation was the accession of the Philippines to the Association of Southeast Asian Nations (ASEAN). This made regional politics an important part of Marcos’ foreign policy agenda. Co-founding ASEAN in 1967 was one manifestation of the dictator’s intention to expand what had mostly been a US-centred Philippine foreign policy in the early Cold War. Marcos brought the archipelago closer to the region and eventually established diplomatic relations with socialist states, including the PRC in 1975 and the Socialist Republic of Vietnam in 1976.⁴³¹ Regional refugee policy influenced and informed how Marcos shaped the country’s own policies towards those fleeing Indochina.

This chapter thus exposes a variety of actors in the refugee regime. In addition to the state, intergovernmental and non-governmental organisations, the regional organisation, ASEAN played a crucial role in shaping the regime and the solutions sought for Indochinese refugees. The regional organisation was a platform for member-states to challenge UNHCR’s authority and agenda during the refugee ‘crisis’. On the one hand, member-states restricted their extension of temporary asylum if Western states did not guarantee resettlement places. On the other hand, these states (with the exception of the Philippines) rejected the ratification of the UN Refugee Convention and Protocol.⁴³² ASEAN took a hard-nosed approach to its refugee policy, which pressured UNHCR to increase resettlement places in the West through the Geneva Conference of 1979. At

⁴³⁰ Cullather, *Illusions of Influence*.

⁴³¹ Estrella D. Solidum, “Philippine Perceptions of Crucial Issues Affecting Southeast Asia,” *Asian Survey* 22, no. 6 (1982): 536–547.

⁴³² Davies, *Legitimising Rejection*.

this conference, Marcos proposed to establish the PRPC and boost the Philippines' humanitarian credentials.

The different actors did not always see eye-to-eye. At times the Philippines departed from the ways that Southeast Asian states responded to the refugee 'crisis'. For example, while ASEAN collectively restricted refugee admissions, the Philippine government appears to have upheld the principle of *non-refoulement*, which stipulated that refugees should not be forcibly returned to where they came from. Another example was Marcos' ratification of the Refugee Convention and Protocol. This was in part due to UNHCR's own attempt to circumvent ASEAN's collective response, which required the refugee agency to approach member-states hosting refugees on an individual basis and with caution, as Gobius' implied in the message quoted above.

The proliferation of actors also meant that labels like 'refugee' 'displaced person' and 'asylum-seeker' took on different meanings, with important consequences for refugees. The forms of protection and delivery of aid differed according to each label. When the Indochinese refugee 'crisis' first emerged, one of the main questions concerned ultimate responsibility for Indochinese refugees. The Philippine government and UNHCR initially believed them to be an American concern, and this shaped their policy towards the presence of refugees in the country. UNHCR initially refused to label those fleeing Indochina as 'refugees', leaving them without international protection or entitlement to 'durable solutions'. Only in 1978 did the agency accept them as *prima facie* refugees.⁴³³

This chapter also highlights the ad hoc nature of Marcos' refugee policy and inequalities in supporting refugees. It does so by paying attention to the displacement of so-called 'non-Indochinese' refugees, among whom were several hundred Iranians in the Philippines who sought asylum in the wake of the Iranian Revolution in 1979.⁴³⁴

The Indochinese refugee 'crisis' has been the subject of academic research since the 1980s. Jana Lipman recently published a monograph on Vietnamese refugee camps including two camps in the Philippines.⁴³⁵ Sara Davies earlier presented evidence as to why Southeast Asian states rejected international refugee law, and included a short discussion about the Philippines and its accession

⁴³³ UNHCR, "Flight from Indochina," in *The State of The World's Refugees 2000: Fifty Years of Humanitarian Action* (UNHCR, 2000), <http://www.unhcr.org/publications/sowr/3ebf9bad0/state-worlds-refugees-2000-fifty-years-humanitarian-action-chapter-4-flight.html>. (accessed 30 January 2017)

⁴³⁴ 'Iranian refugees in Philippines, 1981-1982', 11/2/10-100.PHILIRN, UNHCR Records and Archives. Iranians who married Filipinos, however, were able to stay legally in the Philippines as 'non-quota immigrants'. Those without relations were considered for resettlement.

⁴³⁵ Lipman situates the two Philippine sites amidst the broader network of camps in Guam, Malaysia and Hong Kong, exploring how these sites became spaces for Vietnamese activism and diasporic action. Lipman, *In Camps*.

to the Refugee Convention and Protocol.⁴³⁶ These scholars have shown how both local and regional politics drove international refugee policy. I build on their work by drawing attention to the national level of the refugee regime. My research adds nuance to how the exercise of sovereignty and institutional interests among different actors shaped the overall Philippine response to displacement in the region.

This chapter begins by establishing the context. It again reminds us that the Marcos administration not only hosted refugees but also generated displacement in the process of state-formation. By centring on the issue of ‘Filipino refugees’, I draw out some points about Marcos’ regional foreign policy, which had important implications on the outcomes of his response to the Indochinese refugee ‘crisis’. The succeeding sections focus on Philippine refugee policy towards displaced persons from Indochina, most of whom were Vietnamese ‘boat people’. I trace key developments in the local and regional levels of the refugee regime, ending with Marcos’ accession to the Refugee Convention and Protocol in 1981.

‘Filipino refugees’ and regional politics

‘Filipino refugees’ were a ‘side-effect’ of the process of state-formation under Marcos. Sovereignty enabled the dictator to suppress what he deemed were ‘undesirable elements’ within the Philippines and which, in his view justified the imposition of martial law.⁴³⁷ This had two outcomes related to displacement. One was the outflow of thousands of Filipinos into Malaysia. The second outcome was that around a dozen of leading political opponents sought exile in the US.⁴³⁸ In this section, therefore, I emphasise that the Philippine government was also a refugee-producer. Rather than reiterating the root causes of displacement, discussed in chapter one, I want to explore what ‘Filipino refugees’ can further tell us about the refugee regime, and how Marcos sought to address this issue. This section emphasises the extent to which Marcos used the presence of Indochinese refugees for his own national and regional interests.

Chapter one established that Marcos’ attempt to consolidate his control of Mindanao generated refugees and internally displaced persons. The violent confrontation between the Philippine armed forces and the MNLFF movement resulted in over 13,000 deaths and displaced over a million Filipinos, including tens of thousands of civilians who fled their homes to find refuge in Sabah,

⁴³⁶ Davies, *Legitimising Rejection*.

⁴³⁷ On 23 September 1972, Marcos declared a state of emergency on the basis of threats from the Left and Muslim ‘rebels’. Abinales and Amoroso, *State and Society in the Philippines*, 205.

⁴³⁸ These opponents appear to migrate to the US as regular migrants rather than as asylum-seekers. Jose V. Fuentecilla, *Fighting from a Distance: How Filipino Exiles Helped Topple a Dictator* (University of Illinois Press, 2013). An editorial from the Los Angeles Times criticised the US Government of denying asylum to these persons, keeping its foreign policy interests a priority – an alliance it had with the Philippine dictator. See: “Filipino Political Refugees Get Run-Around in US”, 3 May 1975, *Los Angeles Times*.

Malaysia. The Sabah authorities recognised the newcomers as ‘refugees’ according to their own interpretation of refugee law. (Malaysia did not ratify the UN Refugee Convention)

The refugee issue, however, was entwined with broader foreign policy matters concerning Philippine-Malaysian relations. The discussion in the sources is dominated by questions of Malaysia’s involvement in helping the MNLF and the Philippines’ historical claim to Sabah, rather than how to address the refugee issue.⁴³⁹ ‘Filipino refugees’ in Sabah were not Marcos’ priority. He believed that many among those who fled were members of the MNLF and did not press for their repatriation.⁴⁴⁰ Instead he concentrated his efforts on addressing the armed conflict and addressing the diplomatic relationship between the Philippines and Malaysia.

The ‘Filipino refugees’ issue coincided with the arrival of Vietnamese boat people across Southeast Asia and Hong Kong. As the next sections show, Marcos’ extension of asylum to Vietnamese refugees and his contribution of the refugee processing centre were widely publicised in both national and international newspapers.⁴⁴¹ By contrast, the matter of ‘Filipino refugees’ was downplayed, and it appears that the dictator sought to confine the issue of the ‘Filipino refugees’ to his bilateral discussions with the Malaysian government. Malaysian authorities, on the contrary, emphasised their acceptance and assistance for these ‘Filipino refugees’ when internationally criticised for their lack of assistance for the boat people.⁴⁴² Nevertheless, both governments decided to keep the refugee issue as a bilateral matter between them. This became apparent when the UNHCR’s Bangkok Office had tried to intervene after seeing news reports on the presence of displaced Filipinos in Sabah.⁴⁴³ Both governments declined UNHCR’s requests to intercede,

⁴³⁹ Literature about Marcos and the MNLF conflict focus more on the politics than the presence of refugees. Meanwhile, sources that have focused on the presence of the ‘Filipino refugees’ in Sabah have addressed the Malaysian government’s response or the more recent issues that concern the displaced group. Some examples of sources are: Erwin S. Fernandez, “The Malaysian Plot: Marcos, Sabah, and the Origins of Moro Secessionism,” *Social Transformations: Journal of the Global South* 1, no. 2 (August 2013): 43–78; Kassim, “Filipino Refugees in Sabah”; Maruja Milagros B. Asis, “The Filipinos in Sabah,” in *Migration and Health in Asia*, ed. Santosh Jatrana, Mika Toyota, and Brenda S. A. Yeoh (Routledge, 2006), 116–140.

⁴⁴⁰ William Branigin, “Marcos Wants ASEAN To Consider Dispute,” *Washington Post*, March 1984; Lipman, *In Camps*, 78.

⁴⁴¹ The importance placed on the Indochinese refugee ‘crisis’ is further evident from the archival sources. UNHCR archives and news repositories in the Philippines have yielded much more material about the Philippines’ response to Vietnamese refugees than the displacement of Filipinos. International newspapers that covered Marcos’ extension of asylum to the boat people include: *The New York Times*, *The South China Morning Post*, and *the Washington Post*. These reports were found through the ProQuest historical newspapers database.

⁴⁴² Lipman, *In Camps*, 77–78.

⁴⁴³ These reports are found in UNHCR’s Records and Archives: 11/2/10-100.MLS.PHI[a], UNHCR Records and Archives. UNHCR’s first office in Southeast Asia was in Bangkok. When the Indochinese refugee ‘crisis’ occurred, representatives were present in the different countries of first asylum. UNHCR opened its Manila office in 1977.

claiming that it was an ‘internal matter’.⁴⁴⁴ Nevertheless, the UN provided \$1.5 million in aid for ‘Filipino refugees’.⁴⁴⁵

The Philippine and Malaysian governments’ response thus indicates that they perceived the presence of ‘Filipino refugees’ not as a humanitarian matter, but rather a diplomatic one between the two states. UNHCR’s half-hearted attempt to intervene shows its limited scope to intervene unless the host-state invited it to assist. The decision to keep the ‘Filipino refugees’ issue as an internal matter appears to be in line with ASEAN’s interests – both governments having been founding members of the organisation in 1967. It was a delicate issue since both states staked a claim to Sabah, and the Philippine Government accused Malaysian officials of supporting the Muslim insurgencies in the south.⁴⁴⁶ These tensions strained ASEAN’s principles and aims for regional stability, which prioritised the principle of non-interference in member-states’ domestic affairs.⁴⁴⁷ In order to uphold the ASEAN’s interests, Marcos toned down the issue of displaced Filipinos, as well as the Philippines’ own claim to Sabah.⁴⁴⁸ Gobius, who had been based in Bangkok in the early 1970s, visited Malaysia and observed that the issue of ‘Filipino refugees’ did not affect ASEAN solidarity.⁴⁴⁹

The next sections confirm that ASEAN cooperation was important for Marcos. Regional interests meant that sovereignty was compromised to an extent, but this did not mean that national policies were always in tune with the region’s interests. The Indochinese refugee ‘crisis’ presented an opportunity for Marcos to use refugees as a means to balance his foreign policy objectives with ASEAN and the US, and make the Philippines into a humanitarian actor.

The first refugee arrivals from Indochina and the question of responsibility

“It was frightening to think that this seemingly infinite sea could at any time so easily swallow our tiny boat. It was as though we were in a large valley surrounded by many high mountains of water.” – Excerpt from the diary of Minh Tan Do, Vietnamese Refugee (June 1978)⁴⁵⁰

⁴⁴⁴ Gilbert Jaeger to The High Commissioner, 3 May 1973, 11/2/10-100.MLS.PHI[a], UNHCR Records and Archives.

⁴⁴⁵ Thambeyapha Manjoorsa and Abdurasad Asani to Kurt Waldheim, October 1977, 11/2/10-100.PHI.ICH, UNHCR Records and Archives.

⁴⁴⁶ Fernandez, “The Malaysian Plot”; Abinales and Amoroso, *State and Society in the Philippines*, 216–217; Paridah Abd. Samad and Darusalam Abu Bakar, “Malaysia-Philippines Relations: The Issue of Sabah,” *Asian Survey* 32, no. 6 (1992): 554–567.

⁴⁴⁷ Acharya, “Culture, Security, Multilateralism.”

⁴⁴⁸ Marcos had actively pursued the Philippines’ claim to Sabah since the 1960s, which was previously pursued by his predecessor President Diosdado Macapagal (1961-1965). Fernandez, “The Malaysian Plot.”

⁴⁴⁹ Otto Gobius to The High Commissioner, 15 February 1974, 11/2/10-100.MLS.PHI[a], UNHCR Records and Archives.

⁴⁵⁰ Ai-Van Do, “Simple Map, Small Compass, Three Flashlights,” in *Voices of Vietnamese Boat People: Nineteen Narratives of Escape and Survival*, ed. Mary Terrell Cargill and Jade Quang Huynh (McFarland & Company, 2000), 17.

Ai-Van Do, a Vietnamese refugee, fled Vietnam in June 1978 with her parents. They decided to sail for the Philippines ‘because of its reputation for welcoming refugees’.⁴⁵¹ Her father (Minh Tan Do) kept a diary. After eight days, on a small boat they reached Manila’s harbour and stayed in the Philippines for one year, receiving aid from the Philippine Government. In June 1979, Oakhurst Baptist Church in Mississippi sponsored them; Ai-Van Do and her parents resettled in the US. Hers is one of the many stories of boats arriving in Philippine shores, one of the many that were not pushed back from the Philippines.

This section shows how the admission of Indochinese refugees was different from the previous case studies. Quezon and Quirino both approved the admission of Jewish and Russian refugees respectively prior to their arrival in the Philippines, issuing each one with the necessary papers. The exodus from Vietnam on boats meant that refugees arrived sporadically in various points in the Philippines, many without documents. The archipelagic nature of the Philippines meant that its borders were porous – it was impossible to constantly monitor the entire coastline. I explore this theme more in chapter eight.

The first refugees from Indochina arrived in April 1975; these were the Vietnamese.⁴⁵² The early months of the Indochinese refugee ‘crisis’ in the Philippines can be narrowed down to a question of who was responsible for these refugees. This section demonstrates how there was no clear Philippine policy towards the early arrivals. The lack of clarity existed between Philippine and American officials, as well as between national and local governments – each had their own definitions of what ‘rescue’ entailed. I explain this through UNHCR’s initial observations of the responses that took place in the archipelago in 1975.

When American forces withdrew from Saigon, they took thousands of evacuees and Vietnamese refugees to American bases in the Philippines, where they were processed for migration to the US.⁴⁵³ More than 7,500 people a day were flown from Saigon to these bases.⁴⁵⁴ Simultaneously, many left Vietnam by their own means, chartering boats to states in Southeast Asia and Hong Kong. Their dramatic exodus captured international media attention, labelling them as ‘boat people’. The Philippine navy took the ‘boat people’ who arrived across the Western coast of the

⁴⁵¹ Do, “Simple Map, Small Compass, Three Flashlights.”

⁴⁵² Approximately 184,000-200,000 left Indochina through land routes to Thailand and by sea to nearby states in Southeast Asia. Based on the Philippines’ distance from Vietnam (800 miles), there were less ‘boat people’ who arrived on Philippine shores compared with other states. For a discussion on the causes of migration, see: Robinson, *Terms of Refuge*, Davies, *Legitimising Rejection*. For an overview of the Cold War, see: Westad, *The Global Cold War*.

⁴⁵³ US forces evacuated those persons and dependents on its ‘parole’ program, including US citizens, their dependents, Vietnamese who worked for American and high-risk South Vietnamese government officials and military and their dependents.

⁴⁵⁴ Robinson, *Terms of Refuge*, 18.

Philippines to the American bases where the US army created provisional refugee camps. Since these bases were American territories, any refugees who entered these extraterritorial spaces would be under US jurisdiction.⁴⁵⁵ The Philippine government's attempts to bring any refugees who arrived on Philippine shores to the US bases emphasised its belief that Vietnamese refugees were an American responsibility— a sentiment many states and UNHCR shared in these early years as well.⁴⁵⁶

The presence of refugees on these bases, however, posed a problem for Marcos' other foreign policy agenda: establishing diplomatic channels with Hanoi. Hosting Vietnamese refugees could be considered an unfriendly act by the new Vietnamese government. Marcos decided to clarify the government's position on the refugee issue, claiming that he consented to the evacuation of refugees to the American bases 'on humanitarian grounds' owing to the nature of the emergency.⁴⁵⁷ A few months after the evacuation from Saigon, Marcos demanded that no refugees pass through the bases, partially fearing that refugees would be there 'forever'.⁴⁵⁸

Prior to this new policy, the Philippine government's shuttling of refugees to the US bases became a point of contention about who was responsible for refugees who arrived in the Philippines. Based on UNHCR's observations in the Philippines, both the Philippine and American governments saw the other as responsible. Meanwhile, national policy conflicted with local government perceptions of how to respond to the refugees' arrival as well. UNHCR had no office in the Philippines until 1977, but its observations about how different governmental authorities responded to arrivals emphasise the ad hoc nature of refugee policy in the archipelago.

From June to July 1975, UNHCR representative, Rajagopalam Sampatkumar, travelled to different sites in the Philippines in order to report the situation on the ground to Geneva.⁴⁵⁹ His notes shed light on the decentralised responses between national and local governments, and those between Filipino and American officials. When he visited Batangas (about 200 kilometres south of Manila) in July 1975, for example, he noted that 76 refugees who landed there wanted to go to the Subic Naval Base.⁴⁶⁰ He commented that this was unlikely to happen since American officials thought them (and others who arrive on Philippine shores) to be Philippine authorities' responsibility. US

⁴⁵⁵ Under the terms of the Military Bases Agreement of 1947, the Philippines leased the Clark Air Force Base and Subic Naval Base to the US. Cullather, *Illusions of Influence*, 51–59.

⁴⁵⁶ Robinson, *Terms of Refuge*, 7.

⁴⁵⁷ "Philippines to Restrict Refugees Who Arrive at American Bases", 3 May 1975, *New York Times*. There were over 30,000 refugees who were temporarily housed in American Bases immediately after the end of the Vietnam War.

⁴⁵⁸ Espiritu and Ruanto-Ramirez, "The Philippine Refugee Processing Center," 120.

⁴⁵⁹ Sampatkumar to UNHCR Headquarters, 'Memorandum', 2 July 1975, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

⁴⁶⁰ Bergstrom to UNHCR Headquarters, 27 June 1975, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

officials based this premise on the fact that the local Batangas government provided relief for the ‘boat people’. The Department of Foreign Affairs (DFA) —responsible for officially granting asylum—thought otherwise. It claimed that assistance provided by the local Batangas authorities were ‘on humanitarian grounds’, not a formal grant of asylum. Sampatkumar added that ‘similar positions were taken by Philippines and the Americans respectively on each and every occasion’ when refugees arrived.

To complicate the issue further, the local government departed from the DFA’s statement. Sampatkumar related that Batangas Governor, Jose Antonio Leviste, did not agree with the DFA and believed that ‘the refugees should be allowed to settle on a nearby island he owns personally’.⁴⁶¹ The Batangas situation, Sampatkumar commented, was ‘fairly confused’. Nevertheless, the group sailed to Subic Bay where American authorities accepted them. During the Batangas episode, the US Army also agreed to Marcos’ policy of evacuating refugees; they transferred all refugees to Guam.

Meanwhile, UNHCR also observed that based on Philippine-American discussions, there was no need for the refugee agency to intervene on behalf of Indochinese refugees in the archipelago.⁴⁶² The agency decided to limit its work by assisting any refugees that requested material assistance or subsistence allowance.

UNHCR also claimed the Philippine government upheld the principle of *non-refoulement*. According to another UNHCR Representative, Anupam Dhar, no refugee was turned away from the Philippines when they arrived. ‘This’, he wrote, ‘can be ascribed largely to the humanitarian attitude adopted by the concerned officials of the Foreign Affairs Department.’⁴⁶³ One instance that demonstrated *non-refoulement* was in 1977 when the new Vietnamese government requested Philippine officials to repatriate five Vietnamese persons who hijacked a vessel and sailed to the archipelago. The Philippine government refused, saying that ‘any crew member not wishing to be repatriated would not be forced to do so’.⁴⁶⁴ Without ratifying the Refugee Convention and Protocol, the Philippine government upheld one of its key principles. This open attitude was not going to be held for long as more boats left Vietnam.

⁴⁶¹ Sampatkumar to Geneva, 5 July 1975, 11/2/10-100.PHLSRV[b], UNHCR Records and Archives.

⁴⁶² Schlatter to UNHCR Headquarters, 14 June 1975, 11/2/10-100.PHILICH, UNHCR Records and Archives.

⁴⁶³ Dhar to Sampatkumar, 26 August 1976, 11/2/10-100.PHILICH, UNHCR Records and Archives. Marcos occasionally threatened to turn boats away, but never did. Robinson, *Terms of Refuge*, 23.

⁴⁶⁴ Werner Blatter to UNHCR Headquarters, 8 September 1977, 11/2/64-640.PHI[b], UNHCR Records and Archives.

During the first months of the Indochinese refugee ‘crisis’, the main issue concerned the question of who was responsible for refugees. The Batangas issue was a case in point. Outside the American bases, it seems the Philippine Government had the authority to grant asylum (allowing DPs to come ashore) and aid, but upon arrival in Subic, they became an American responsibility. Shortly, Subic Bay was no longer used as a refugee camp, as part of the Marcos’ foreign policy agenda which aimed to establish diplomatic relations with Hanoi. Meanwhile, Marcos mobilised governmental bodies to assist refugees, showing that the government had the capacity and resources to do so, possibly owing to the small numbers which made displacement manageable – a very different response from the previous case studies. Later, the question of whose responsibility was no longer an issue. Instead, questions began to be asked as to who among the forced migrants were ‘refugees’ and who were not.

The regional refugee regime

This section discusses how definitions of ‘refugee’ differed between the Philippine government, UNHCR, and ASEAN. Each actor approached the Vietnamese refugee ‘crisis’ with different agendas and ‘solutions’ within the local and regional refugee regime.

Marcos recognised the initial arrival of boat people as ‘refugees’, extending asylum ‘on humanitarian grounds’.⁴⁶⁵ Recognition led to aid and protection, and the Philippines became a country of first asylum. Marcos mobilised different state departments to manage the refugees by providing relief, liaising with UNHCR and other states for resettlement, and transporting ‘boat people’ to government-run accommodation. After the Geneva Conference of 1979 (see next section), we see the state enforcing the distinction between ‘refugees’ and ‘asylum-seekers’.

Meanwhile, UNHCR initially saw things differently from the Philippine government. The refugee agency sent mixed signals about its early perceptions of the Indochinese refugee ‘crisis’ and its broader regional interests. On the one hand, the refugee agency invited the Philippine government to ratify international refugee law. On the other, it held back from recognising those who fled Indochina as ‘refugees’ under its mandate. We will see how UNHCR’s ambivalence enabled ASEAN to react to the ‘crisis’ by claiming the refugees disrupted its primary goal for peace and stability. Member-states, at one point, chose to label refugees as ‘illegal immigrants’ when they saw displacement as a threat to their interests. As countries of first asylum, the Philippines, along with Southeast Asian states and Hong Kong, were adamant that the international refugee regime should resettle those who arrived in their shores.

⁴⁶⁵ Sylvia P. Montes, “The Refugees: A Global Movement in Humanism,” *Catholic Lawyer* 25, no. 2 (1980): 191–192.

In the Philippines, asylum meant that refugees received assistance. This was provided by various governmental bureaus such as the Philippine Navy and Department of Social Welfare (DSW). The Philippine government initially accommodated refugees at the Jose Fabella Centre (JFC) in Manila, under the auspices of the DSW. The JFC had been a temporary shelter for vagrants and mendicants; an annexe for 150 to 200 persons was allocated for refugees, but this space quickly became overcrowded. From here, the DSW provided relief while the Marcos administration negotiated with various embassies for third country resettlement. When the PFAC and PRPC were established in 1979 and 1980 respectively, refugees were mainly housed in these camps.

Categories were constantly created by different actors as more refugees arrived. At times, these definitions clashed. One example is the arrival of 1,000 ‘common law wives of Filipino nationals working in Vietnam and their children’ in 1975. The Philippine government extended asylum to them and labelled them as ‘refugees’, which the UNHCR did not acknowledge.⁴⁶⁶ Later, the state, Catholic church and voluntary organisations referred to them as ‘displaced persons’. This label denoted a separate identity from ‘refugees’ and ‘asylum-seekers’ because of their ambiguous legal status with connections to Filipino citizens (see next chapter). These ‘displaced persons’ did not come under UNHCR’s protection, but were looked after by a voluntary organisation: The Centre for Assistance to Displaced Persons (CADP). This NGO, along with other voluntary organisations, immediately responded to the arrival of refugees in the Philippines.

UNHCR refused to recognise those fleeing Indochina as ‘refugees’. According to Gil Loescher, ‘UNHCR doubted that the Indo-Chinese were bona fide refugees. Rather it was the UNHCR's perception that the evacuations were American operations, and it was not UNHCR policy to take care of America's allies to the exclusion of other refugees.’⁴⁶⁷ Instead, the agency referred to them as ‘displaced persons outside Indochina’, suggesting ‘that the majority of people fleeing Cambodia, Laos and Vietnam, were displaced due to a change of regime and a general fear of the new regime, and that none of them could claim membership of a particular group that was being persecuted’.⁴⁶⁸ The agency ‘saw little or no reason at the time why [they] could not return’.⁴⁶⁹ These movements, UNHCR believed, were an ‘aftermath of war’ and not the beginnings of a new refugee crisis.⁴⁷⁰ This was made clear to the agency’s Manila office, which stressed that the organisation was ‘not using [the] term “refugee”’.⁴⁷¹ This clashed with Marcos’ own definition.

⁴⁶⁶ Manila to Geneva, 2 July 1975, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

⁴⁶⁷ Loescher, *UNHCR and World Politics A Perilous Path*, 190.

⁴⁶⁸ Davies, *Legitimising Rejection*, 91.

⁴⁶⁹ Robinson, *Terms of Refuge*, 8.

⁴⁷⁰ UNHCR, ‘The State of The World’s Refugees 2000,’ 81.

⁴⁷¹ Geneva to Sampat Kumar, 3 July 1975, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

The Convention's limited definition prevented UNHCR from legally protecting the thousands of Indochinese who fled. Its position on the matter was 'ambiguous' from 1975 to 1978. Despite the refugee agency's failure to consider 'boat people' as 'refugees', it funded NGOs. In the Philippines, organisations like the CADP, Philippine Red Cross and Catholic Relief Services were the refugee agency's 'implementing partners'.⁴⁷²

Meanwhile, the Indochinese refugee 'crisis' became a regional issue. Over 700,000 people left Vietnam, as accounted for by the arrivals in Southeast Asia and Hong Kong.⁴⁷³ As refugee arrivals increased in countries of first asylum in 1978-1979, ASEAN states agreed that they could not effectively address the refugee issue individually.⁴⁷⁴ The regional organisation provided a platform for states to act collectively, stressing the effects of the increasing number of refugees in their own states. ASEAN declared its own response to the matter. Member-states did not want to take responsibility for refugees; they argued that the refugee 'crisis' threatened its objective to create a 'zone of peace, freedom and neutrality' in Southeast Asia.⁴⁷⁵ None of the states were party to the Convention and Protocol, obliging neither of them to protect and assist refugees. What emerged was a declaration that the ASEAN states would agree to grant temporary asylum on the condition that the international community provided permanent resettlement places.⁴⁷⁶

UNHCR eventually recognised those fleeing what had been Indochina as *prima-facie* refugees.⁴⁷⁷ This label meant that refugee status was conferred on the mode of departure, rather than the reason for leaving (such as enshrined in the 1951 Refugee Convention).⁴⁷⁸ The agency eventually took the lead in providing international protection for displaced Indochinese, which was its largest operation during this decade. This was a response to the increasing number of refugees arriving in first asylum countries, whose governments threatened to deny them asylum and repatriate them. While Western countries wanted proper refugee processing procedures for resettlement, Southeast

⁴⁷² 'Catholic Relief Services – Philippines, 1976-1980', 11/2/41-410.CRS.PHI, UNHCR Records and Archives.

⁴⁷³ The Far Eastern Economic Review estimated of over 28,000 deaths at sea. Frank Frost, "Vietnam, ASEAN and the Indochina Refugee Crisis," *Southeast Asian Affairs*, 1980, 348.

⁴⁷⁴ The increase in numbers is attributed to the Sino-Vietnamese conflict and Vietnamese invasion of Cambodia. The Vietnamese Government pressured ethnic Chinese to leave Vietnam. For estimated numbers of arrivals in first-asylum countries in 1978-1980, see: Astri Suhrke, "Indochinese Refugees: Impact on ASEAN and U.S. Policy," *Contemporary Southeast Asia* 3, no. 1 (1981): 24–40. Although I limit my discussion to ASEAN, refugees also reached Hong Kong. For a discussion on camps in Hong Kong, see: Lipman, *In Camps*, chap. 4; Knudsen, *Chicken Wings*.

⁴⁷⁵ ASEAN attempted to establish diplomatic relations with Vietnam. In December, however, Vietnam invaded Cambodia, challenging the regional organisation's vision of a regional peace and stability, as well as its policy of non-interference. The conflict also brought to the fore the larger Cold War conflicts such as the Sino-Soviet conflict for influence in the region. See: Acharya, *Constructing a Security Community in Southeast Asia*.

⁴⁷⁶ Davies, *Legitimising Rejection*, 90.

⁴⁷⁷ Davies, 89. For a more in-depth discussion on the UNHCR and categorisations, see: Joël Glasman, "Seeing Like a Refugee Agency: A Short History of UNHCR Classifications in Central Africa (1961–2015)," *Journal of Refugee Studies* 30, no. 2 (2017): 337–362.

⁴⁷⁸ Suhrke, "Indochinese Refugees," 1983.

Asian states claimed they were expected to grant temporary asylum to all arrivals, widening the ratio between arrivals and resettlement places.

Amidst the refugee ‘crisis’, UNHCR invited the Philippine government to ratify the Refugee Convention and Protocol. The discussions from UNHCR’s Records and Archives Office present a cautious approach to the state, as well as the agency’s limited view of who qualified for refugee protection. These discussions began in 1976 when UNHCR Representative Anupam Dhar met with Philippine Ambassador Ira Plana, Assistant Secretary for Legal Affairs at the DFA. Plana asked why no Southeast Asian country ratified the Convention and Protocol. Dhar responded that in the past, the refugee ‘problem’ mainly concerned Europe, but that ‘Asia’s support to these instruments would have a great moral force’.⁴⁷⁹ Meanwhile, Geneva advised Dhar that that ‘approaches, which would possibly create the impression that we are pressing the Philippines into accession, should naturally be avoided’.⁴⁸⁰ Geneva gave Dhar some talking points on the advantages of ratification, adding that accession would ‘constitute a reaffirmation of the long-established humanitarian traditions of the Philippine nation’.⁴⁸¹ What these traditions were, Geneva did not elaborate.

There are few things to comment on about this encounter between Dhar and Plana. First, since Plana was part of the legal affairs team, this emphasises the legal aspects of protection. This judicial aspect would characterise Philippine refugee policy after ratification – a theme I explore more in chapter eight. Second, Dhar’s comment that Philippine ratification would be a ‘great moral force’ and Geneva’s talking points reflects how UNHCR advertised ratification and refugee protection to generate humanitarian credentials in the international community. Third, without elaborating on ‘long-established humanitarian traditions’, it becomes clear that refugee matters were to an extent de-historicised. Documents concerning the Philippines’ accession to the Refugee Convention and Protocol available in UNHCR’s archives do not mention past episodes of admissions. Additionally, the Philippines had already admitted thousands of refugees without ratification – it is no surprise that Marcos did not accede immediately.

UNHCR also had a broader agenda by inviting the Philippines. The country’s more liberal outlook to extending asylum and upholding the principle of *non-refoulement* made the archipelago a potential

⁴⁷⁹ Anupam Dhar to UNHCR Headquarters, 30 March 1976, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁴⁸⁰ Otto Gobius to UNHCR Branch Office for the Philippines, 7 April 1976, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁴⁸¹ Otto Gobius to UNHCR Branch Office for the Philippines, 23 April 1976, 11/2/67-671.1.PHI, UNHCR Records and Archives.

hinge into the region's accession to the Convention and Protocol.⁴⁸² UNHCR officials were aware of the importance of regional policies among ASEAN member-states. Werner Blatter who was one of the agency's first representatives in the Philippines mentioned to Geneva that he 'gained the impression that the DFA was still reluctant to go ahead without knowing if the other member states of ASEAN would follow its example'.⁴⁸³

Davies has shown that UNHCR attempted to invite each state but was met with rejection: ASEAN states saw the Refugee Convention and Protocol as 'old' solutions to a different refugee problem.⁴⁸⁴ States also cited fears that extending asylum per its terms would create a 'pull factor' for more DPs to depart for first asylum countries. I expand Davies' analysis later to show how Marcos' accession considered other interests. Meanwhile, one of the agency's officers in the Asian Regional Section, E. Soeprapto commented that ratifying the Convention and Protocol "would only add unnecessary burdens" for states since these were developing states, and due to political instability, security concerns were paramount.⁴⁸⁵ Many states saw refugees as a threat to economic and political security.⁴⁸⁶

Southeast Asian states began to reject new asylum-seekers, turning boats away and refusing to process anyone who arrived on shore.⁴⁸⁷ Such practices were believed to prevent more refugees from arriving in their territories. Malaysia for example, for racial reasons did not want to take in ethnic Chinese DPs; others refused for security reasons, fearing some refugees were spies of Vietnam and sent to destabilise countries.⁴⁸⁸ Boats began to be pushed back. In the Philippines, a more restrictive stance also took hold. In 1979, Foreign Affairs Secretary Carlos Romulo, who also handled the Russians' temporary asylum in the 1950s, announced that the Philippines 'cannot accept any more refugees, and that stricter measures will be taken'.⁴⁸⁹ Philippine policy was clearly linked to ASEAN's hard-nosed approach, but it still upheld the principle of *non-refoulement*. Despite regional policy, the realities on the ground were different.

⁴⁸² The sources do not mention episodes of pushing boats back to sea. The closest incident was when Marcos refused any disembarkation from the Panamanian-registered ship *Tung An* which carried over 2,000 Vietnamese refugees into Manila Bay at the end of 1978. He threatened to send the ship back out to sea but relented due to US pressure. Robinson, *Terms of Refuge*, 31.

⁴⁸³ Werner Blatter to THE UNHCR Headquarters, 31 March 1977, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁴⁸⁴ Davies, *Legitimising Rejection*, 112.

⁴⁸⁵ Davies, 90–91.

⁴⁸⁶ Loescher, *UNHCR and World Politics A Perilous Path*, 204.

⁴⁸⁷ Davies, *Legitimising Rejection*, 86.

⁴⁸⁸ Loescher, *UNHCR and World Politics A Perilous Path*, 204.

⁴⁸⁹ Manila to Geneva, 16 April 1979, 11/2/10-100.PHI.SRV[d], UNHCR Records and Archives.

The lack of resettlement places forced ASEAN to take an even more stringent stance towards refugees, which pressured the international refugee regime to act. Foreign Ministers from the five member-states met in Bali on 28-30 June 1979; they issued a joint communique that their countries would not accept any new arrivals, in the interest of ‘preserving peace and stability in the region’.⁴⁹⁰ The foreign ministers declared that ‘the unrestricted flow of Indochinese displaced persons / *illegal migrants* (refugees) [had] further exacerbated the situation in the region’.⁴⁹¹ Defining refugees as ‘illegal immigrants’ was a clear sign that member-states had no obligation to extend asylum to them, nor did they want refugees to stay permanently. Labelling refugees as ‘illegal immigrants’, however, was dangerous; being ‘illegal’ subjected refugees to (forced) repatriation and/or deportation. This communique threatened UNHCR’s interests in the region; it called for the International Conference on Indochinese Refugees in Geneva in July 1979 (referred to as the Geneva Conference hereafter), which sought to address the Indochinese refugee ‘crisis’ on a global level.

This section has identified some ways that key actors (the Philippine government, UNHCR and ASEAN) defined refugees and what consequences these had. Based on these initial responses to DPs from Indochina, the Philippine government permitted some refugees to stay permanently, particularly those with links to Filipino nationals; otherwise, it preferred resettlement to a third country. UNHCR pushed its own agenda and invited states to ratify the Convention and Protocol, but its promotion of these instruments contrasted with the agency’s initial refusal to recognise displaced Indochinese as ‘refugees’. This reluctance revealed that the organisation still resisted recognising non-Europeans as ‘refugees’. Meanwhile, ASEAN became a powerful actor whose own agenda and policies challenged not only UNHCR, but Marcos’ own policies.

The search for solutions

This section explores how Marcos used the refugee issue to pursue his national interests: to bolster the image of the Philippines as a humanitarian actor, and meet development goals. These aspects make Marcos’ plans similar to what we have seen with Quezon’s ‘Mindanao Plan’ in chapter two. I draw attention to the state’s use of camps to manage the refugees: the PFAC and the PRPC. The discussion pays more attention to the circumstances around the PRPC’s construction, which was Marcos’ contribution to the solutions sought during the UNHCR-led Geneva Conference.⁴⁹² The Philippines, being 800 miles away from Vietnam, had a comparably lower number of refugee

⁴⁹⁰ ASEAN, *Joint Communique of the Twelfth ASEAN Ministerial Meeting*, Bali, Indonesia, 30 June 1979. (www.asean.org)

⁴⁹¹ Emphasis added.

⁴⁹² Lipman, *In Camps*, 79–86; Davies, *Legitimising Rejection*, 106–113; Robinson, *Terms of Refuge*, 50–58.

arrivals than other Southeast Asian states, yet committed to accommodate refugees in two large refugee camps.⁴⁹³ I do not intend to discuss camp life here, as many scholars have tackled this elsewhere.⁴⁹⁴

This section also shows that the presence of two camps stressed the distinction between ‘refugees’ and ‘asylum-seekers’ – the PRPC was specifically for those UNHCR recognised as ‘refugees’ and had been guaranteed resettlement places in third countries. These distinctions became more pronounced in 1989 with the enactment of the Comprehensive Plan of Action (CPA) by UNHCR and first asylum countries.⁴⁹⁵ The CPA was a means to screen refugees in order to confer refugee status. Thus, inequalities in refugee ‘rescue’ existed as categories shaped how the state, UNHCR and NGOs provided protection and aid.

Refugee camps across Southeast Asia and Hong Kong became a tool to manage the large numbers of refugees.⁴⁹⁶ They varied in purpose, size, location, assistance offered. The Philippines was recognised internationally to host the largest refugee processing centre (PRPC) and the ‘the most open of Southeast Asian camps’ (PFAC).⁴⁹⁷ These camps differ from what we have seen in Samar, which was tightly controlled by Quirino whose security forces monitored the movements of the Russian refugees.

The first refugee camp in the archipelago was the PFAC. It was built as a temporary structure in 1979 on the island of Palawan (see map 4), which is on the western side of the Philippines. The camp was intended to accommodate 2,000 refugees, but its population soon doubled to 5,000-7,000 refugees; between 1979-1989, about 40,000 Vietnamese refugees passed through the PFAC.⁴⁹⁸ The camp was jointly administered by the Philippine Western Command, a regional branch of the Philippine military, and UNHCR. As its name suggests, the PFAC was a ‘first asylum camp’, and was where refugees were brought and accommodated as *prima facie* refugees. It was an open camp, meaning refugees were free to leave the camp and go into the city of Puerto Princesa, where the camp lay on the city’s margins. According to a former Head of UNHCR’s Field Office,

⁴⁹³ There were around 5,000 in the Philippines out of the 350,000 refugees across first asylum countries in 1979.

⁴⁹⁴ Some important sources: Lipman, *In Camps*; Joanna Catherine Scott, *Indochina’s Refugees: Oral Histories from Laos, Cambodia and Vietnam*, Reprint edition (Jefferson, N.C.: McFarland & Co, 2011); Knudsen, *Chicken Wings*; Hitchcox and Reichstein, *Vietnamese Refugees In Southeast Asian Camps*.

⁴⁹⁵ Sara E. Davies, “Realistic yet Humanitarian? The Comprehensive Plan of Action and Refugee Policy in Southeast Asia,” *International Relations of the Asia-Pacific* 8, no. 2 (2008): 191–217; W. Courtland Robinson, “The Comprehensive Plan of Action for Indochinese Refugees, 1989–1997: Sharing the Burden and Passing the Buck,” *Journal of Refugee Studies* 17, no. 3 (2004): 319–333.

⁴⁹⁶ Lipman, *In Camps*; Robinson, *Terms of Refuge*.

⁴⁹⁷ Lipman, *In Camps*, 203–208. Lipman noted the change in refugees’ perception of the camp’s openness when the CPA was adopted.

⁴⁹⁸ Lipman, 203.

camp authorities did not turn away any one without a genuine refugee claim until 1989, when the CPA was adopted and an individual screening process was conducted.⁴⁹⁹ For those who were not recognised as ‘refugees’, the PFAC became an important place for refuge where they were not forcibly repatriated, at least until the early 1990s – more on this in the next chapter.

The PFAC and PRPC were not mutually exclusive. Both camps served as ‘training’ grounds for resettlement where NGOs delivered services for learning English and cultural orientations; social workers moved between camps.⁵⁰⁰ Displaced Indochinese refugees (not only from Palawan but from other first asylum countries) who were granted refugee status and guaranteed resettlement places were brought to the PRPC in Bataan (see map 4). From the PRPC, they waited for about six months until resettlement in a third country like the US, Canada, and Australia.

In order to understand why the PRPC became a reality, we need to look first at the international response to the refugee ‘crisis’ in 1979. UNHCR hosted the Geneva Conference, which was an important juncture in the history of the Indochinese refugee ‘crisis’. It brought 60 states together, including Vietnam, to find solutions that would ‘relieve’ first countries of asylum, create funding streams, and increase resettlement places.⁵⁰¹ Vietnam agreed to control departures. Since May 1979, UNHCR opened negotiations with Hanoi, and both signed a Memorandum of Understanding that established the Orderly Departure Program (ODP) – a means for UNHCR to ‘pre-empt a refugee problem’.⁵⁰² At the Conference, Vietnam was ‘encouraged to prevent illegal departures’ and signed a moratorium. This had repercussions on those the Vietnamese considered as illegally exiting the country.⁵⁰³

The Geneva Conference was significant. The ‘solutions’ that states agreed on produced a framework for the refugee regime that endured for at least a decade. The Conference generated new approaches to assist Indochinese refugees from rescue to resettlement: the development of rescue-at-sea initiatives, establishment of refugee processing centres, and mobilised an increased

⁴⁹⁹ Based on an interview with Jan Top Christensen who headed UNHCR’s field office in Palawan from 1987-1990. Interviewed 10 August 2017.

⁵⁰⁰ Lipman, *In Camps*, 205.

⁵⁰¹ Vietnam was willing to attend the Conference, insisting that ‘only “humanitarian” aspects of the refugee problem, not the “political” ones were discussed (including the Cambodian situation). “Geneva Conference on Refugees Faces Divisions: Asian Countries Divided Over Indochina Refugees,” *The Washington Post*, July 1979. For more on the Geneva Conference, see: Davies, *Legitimising Rejection*, 106–113.

⁵⁰² The ODP was devised so that ‘Vietnamese authorities agreed to permit the orderly departure of individuals to resettlement countries, to avoid the clandestine and dangerous departures by sea’. UNHCR, “The State of The World’s Refugees 2000,” 79.

⁵⁰³ Davies, *Legitimising Rejection*, 111; Robinson, *Terms of Refuge*, 57–58.

international response. Western states committed to refugee protection, provide funds, and offer more resettlement places.⁵⁰⁴

One of the innovative and important solutions that Marcos specifically contributed to was the use of refugee processing centres. These were in a sense, refugee camps that were used to ease the socio-economic and political pressures on countries of first asylum (particularly for Thailand and Malaysia who received most arrivals). They were meant to clear spaces in first asylum camps by accommodating those recognised as ‘refugees’ and expediate refugee processing for those accepted for resettlement.

Both Indonesia and the Philippines had already offered sites prior to the Conference: Galang Island and Tara Island respectively, on the conditions that ‘the host country would retain full control over the centres’.⁵⁰⁵ During the Conference, the Philippine offer changed. Romulo announced that other than Tara Island, Marcos offered a new centre with the capacity for 50,000 – an offer that outdid Indonesia’s 10,000-person capacity.⁵⁰⁶

UNHCR accepted this offer, while donor countries like the US and Japan, covered the costs. Meanwhile, Richard Clark, US Coordinator for Refugee Affairs commented that “the [US] endorsed the idea of such centres as a way of relieving pressures on existing camps and as a symbol of the commitment of the world community to make sure that the first-asylum countries are not left to absorb large refugee populations”.⁵⁰⁷ Meanwhile, Richard Holbrooke, US Assistant Secretary of State, praised Marcos’ offer, saying that ‘I think it is a very important gesture and opponents and supporters of the Marcos Government alike should feel proud of the actions of their Government and their country’.⁵⁰⁸

A closer look at the local level of the regime tells us that refugees became a priority for the state for reasons of international diplomacy. The Philippine Government, Marcos claimed, was ‘willing

⁵⁰⁴ See for example Australian refugee policy to the ‘boat people’: Klaus Neumann, *Across the Seas: Australia’s Response to Refugees: A History* (Australia: Schwartz Publishing Pty, Limited, 2015).

⁵⁰⁵ The idea of refugee processing centres was first introduced at the Meeting with Interested Governments on Refugees and Displaced Persons in Southeast Asia on 11-12 December 1978. Tara Island (150 miles south of Manila) had the capacity for 7,000 persons. Frost, “Vietnam, ASEAN and the Indochina Refugee Crisis,” 359; Suhrke, “Indochinese Refugees,” 1981, 29. For more on Indonesia’s refugee centre, see: Antje Missbach, “Waiting on the Islands of ‘Stuckedness’: Managing Asylum Seekers in Island Detention Camps in Indonesia: From the Late 1970s to the Early 2000s,” *Austrian Journal of South-East Asian Studies* 6, no. 2 (2013): 288.

⁵⁰⁶ “Philippines Offers Transit Camp for up to 50,000 Viet Refugees,” *The Sun*, July 1979. See also: UN General Assembly, Meeting on Refugees and Displaced Persons in South-East Asia, convened by the Secretary-General of the United Nations at Geneva, on 20 and 21 July 1979, and subsequent developments: Report of the Secretary-General, 7 November 1979, A/34/627, <https://www.refworld.org/docid/3ae68f420.html> [accessed 31 July 2020].

⁵⁰⁷ United States, Congress. (1979) *Refugee crisis in Southeast Asia: Results of the Geneva Conference: Hearing before the Committee on the Judiciary, United States Senate, Ninety-sixth Congress, first session, July 26, 1979*. U.S. Govt. Print. Off., 7.

⁵⁰⁸ “American Official Praises Marcos For Refugee Center in Philippines,” *New York Times*, October 1979.

to work with other nations to help solve the international refugee problem'.⁵⁰⁹ The decision to accommodate 50,000 refugees was a bold statement and certainly gained him some humanitarian points within the international community. Whilst ASEAN collectively presented the region as restrictive to refugees, Marcos own action show a different side.

In order to facilitate matters relating to Indochinese refugees, Marcos instituted the Task Force for International Refugee Assistance and Administration (Task Force hereafter), which liaised with UNHCR and NGOs. This Task Force was also responsible for building the PRPC and working with UNHCR to assist refugees.

The PRPC spanned 300-hectares; it was the largest refugee camp in Asia. It was administered by both the Philippine Government and UNHCR. When states offered refugees resettlement places, they were transferred from other first-asylum camps and were accommodated at processing centres for about six-months. The PRPC was a site of 'second asylum' where NGOs delivered services prepare refugees for resettlement in third countries (most went to the US).⁵¹⁰

The scale and capacity of the refugee camp also formed part of the president's and first lady Imelda Marcos' 'politics of spectacle' that characterised the dictatorship. It was one of the 'cultural' and 'political' projects that were tangible manifestations of their power.⁵¹¹ It also promoted an image of the first couple as 'patrons' for refugees, with Imelda Marcos overseeing the project (though important to remember that the PRPC was not funded by the Philippine government). Part of this image was boosted by the visit of popular figures, most notable Pope John Paul II who visited the camp in 1981.

There was, however, a darker side to this internationally claimed 'humanitarian gesture'. The PRPC disguised domestic problems. On the one hand, the refugee camp concealed the presence of 90,000 Filipinos in Malaysia (in 1978) and the human rights abuses from martial law (these abuses received international condemnation, such as the Amnesty report above).⁵¹² On the other hand, the PRPC was linked to internal displacement. The land cleared in Morong, Bataan (30 miles from Manila) was traditionally claimed by the Aetas, whose ancestors were believed to be the first inhabitants of the area.⁵¹³ Recent research suggests that while Marcos granted asylum to

⁵⁰⁹ Pacifico Castro, *Diplomatic Agenda Of Philippine Presidents, 1946-1985* (Foreign Service Institute, Department of Foreign Affairs, 1985), 306.

⁵¹⁰ Lipman, *In Camps*, 88.

⁵¹¹ Vicente L. Rafael, "Patronage and Pornography: Ideology and Spectatorship in the Early Marcos Years," *Comparative Studies in Society and History* 32, no. 2 (1990): 295.

⁵¹² Davies, *Legitimising Rejection*, 13.

⁵¹³ Aetas are a semi-nomadic indigenous group believed to be one of the 'original inhabitants' of the archipelago. Bataan was also a site for Marcos' economic development plans and where the US bases were. As Lipman

Indochinese DPs, he also triggered the eviction and relocation of the Aetas which destroyed part of their traditional lifestyle.⁵¹⁴ To boost the country's international profile, Marcos internally displaced indigenous persons. This suggests, that along with the displaced Filipinos in Mindanao, the dictator took an offhand approach to internal displacement. Thus, when Marcos inaugurated the PRPC and claimed that the Philippines 'was a nation composed of many refugees', his rhetoric masked how the state also displaced his own people. Meanwhile, Washington supported Marcos and added to disguising the domestic issues. Holbrooke's statement above recasts the figure of the refugee as a cause for which both supporters and opposers 'should feel proud' – this, in full knowledge of Marcos' authoritarian rule.

During the PRPC's inauguration in January 1980, Marcos legitimised this project to the local community of Morong. As mentioned in the beginning of this thesis, he concocted a shared history between Vietnamese refugees and Philippine history. He also claimed that "Vietnam is our neighbour and their suffering is our suffering too" (*Sapagka't ang Vietnam nga ay ating kapitbahay, ang kanilang paghibirap ay paghibirap din natin*).⁵¹⁵ Marcos also assured the local community that the camp would provide jobs to Filipinos, especially to those who chose to farm near the camp.⁵¹⁶ He iterated that no expense was charged to the Government since the project was funded by contributions from the international community and UNHCR. Thus, he requested that everyone support the PRPC: "I say that this is a national commitment, not only a commitment of your President, but a commitment of the Filipinos." Refugees refashioned the dictator as 'compassionate' and 'humanitarian'. Unlike the Jewish and Russian refugee admissions, the sources do not confirm the extent of opposition (if any) to the PRPC's construction, owing to the authoritarian rule of the country.

Over 300,000 refugees passed through the centre in its lifetime. North and South Vietnamese, Cambodians and Laotians were represented at the camp, but due to ethnic animosities, were kept separate. From what remains in the camp's grounds (now within the Bataan technology park), remnants of the different cultures can be seen through religious shrines – testaments to the freedom given refugees to practice their own cultures (figures 6 and 7). These camps were temporary spaces and after the UNHCR ceased programmes for Indochinese refugees in 1996, these spaces were emptied out or abandoned.

mentioned, the camp was situated amidst sites of Marcos' other interests, but the camp existed as a separate space. Lipman, *In Camps*, 105–110.

⁵¹⁴ Espiritu and Ruanto-Ramirez, "The Philippine Refugee Processing Center."

⁵¹⁵ Ferdinand Marcos, F. E. *Presidential speeches*, Vol. 10, (Manila: Office of the President of the Philippines, 1985).

⁵¹⁶ Espiritu and Ramirez, 129;



Figure 6 'Little Angkor Wat' served as a shrine for Cambodian refugees at the PRPC (personal photo)



Figure 7 Vietnamese shrine in PRPC (personal photo)

The admission of Indochinese refugees also highlighted another form of inequality, particularly among refugees in the Philippines. While boat people were seeking asylum from the 1970s through the early 1990s, so too were those from the Middle East, Africa and South Asia. These refugees were lumped together under the label 'non-Indochinese refugees' that were used by government and UNHCR officials.⁵¹⁷

⁵¹⁷ Candelaria, "The Practice of Refugee Law in the Philippines," 192–196.

The largest number of refugees were from Iran, many of whom were students in the 1970s or from the persecuted Bahá'í religious minority.⁵¹⁸ Students refused to return to Iran after the revolution of 1979 and were threatened by pro-Khomeini supports in the Philippines; they approached UNHCR's Manila office to claim asylum. The agency recognised a number of them as 'refugees *sur place*' (because of they were displaced in the Philippines where they had lived for over a year); the refugee agency labelled those whose applications were pending as persons 'of concern'.⁵¹⁹ According to a UNHCR memorandum, Marcos refused to extend asylum to these refugees, even temporarily, and wanted them resettled quickly.⁵²⁰ Marcos' reasons were that he did not want to jeopardise the situation of Filipinos in Iran, nor did he want Iran to support the MNLF movement in Mindanao, which had gained support from Muslim countries like Libya.⁵²¹ Nevertheless, the government told UNHCR that it would not deport those under the agency's protection. The state did not provide this group with the same level of welfare to Indochinese refugees, but ensured that their needs were provided by one NGO: Refugee Services Philippines, Inc.⁵²²

Inequalities in protection and assistance were further evinced by the limited archival sources about the case of these Iranian refugees – and 'non-Indochinese refugees' more broadly. A few folders from the UNHCR archives document 'non-Indochinese' refugees, and a few paragraphs from secondary literature exists, compared with those of Indochinese refugees.⁵²³ Additionally, displaced Iranians in the Philippines did not garner the same international attention nor did Marcos see much political capital to be gained from extending asylum to them. Iranian displacement in the country did not affect regional politics or realise primary foreign policy objectives.

We have seen how the Philippine government managed refugees by using two camps: the PFAC and the PRPC—these camps were not simple humanitarian gestures. The PRPC had been a tool for the dictator to boose the country's humanitarian credentials during the Geneva Conference, which was praised by international figures. The two camps highlighted the distinctions between 'asylum-seekers' and 'refugees' among displaced Indochinese, but also internally displaced indigenous persons. The Indochinese refugee 'crisis' was more beneficial for Marcos and this was clear when further contrasted with his response to Iranian refugees. This latter episode shows the

⁵¹⁸ See files under 11/2/10-100.PHI.IRN, UNHCR Records and Archives.

⁵¹⁹ Volume 1, 11/2/10-100.PHI.IRN, UNHCR Records and Archives.

⁵²⁰ J. de Riedmtten to UNHCR Branch Office Tokyo, 8 October 1984, 11/2/10-100.PHI.IRN, UNHCR Records and Archives.

⁵²¹ For more on the international dimensions around the MNLF, see: Ariel Macaspac Hernandez, "Dealing with Biased Meditation: Lessons from the Malaysian and Libyan Mediation in the Philippines," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, March 2012).

⁵²² Candelaria, "The Practice of Refugee Law in the Philippines," 192–196.

⁵²³ Candelaria, "The Practice of Refugee Law in the Philippines"; Muntarbhorn, *The Status of Refugees in Asia*, 86.

inequalities of refugee ‘rescue’ in the Philippines, emphasising the ad hoc nature of Philippine refugee policy.

Meanwhile, the Philippines was still not party to the Refugee Convention and Protocol. Davies argued that Southeast Asian states did not accede to these instruments because it would have ‘reduced their bargaining power’, and they could also reject asylum-seekers who could be labelled as ‘illegal immigrants’.⁵²⁴ There was, in their eyes, more to be gained from rejecting these legal instruments. The Philippine government, however, saw that there was something to be gained. I explore this in the next section.

Accession to the Convention and Protocol

This section shows the extent to which the Convention and Protocol became an intersection of interests for Marcos and UNHCR. The Philippines in 1981 became the first and only signatory among ASEAN member-states during the Indochinese refugee ‘crisis’. I pay special attention to how Marcos’ government perceived the benefits to accession and the implications for refugee protection in the archipelago. One of the key figures involved in this episode was Romulo. Based on archival sources from UNHCR, he was instrumental in influencing Marcos’ decision.⁵²⁵

In 1978, UNHCR’s officials discussed if an ASEAN accession was possible amidst the rising numbers of refugees and asylum-seekers in Southeast Asia. Werner Blatter, the agency’s representative to the Philippines, believed that it was ‘still too soon to speak about an ASEAN approach regarding refugees’.⁵²⁶ He recommended that due to national interests and the ‘historical, religious, and economic background’ of each state, ‘a country by country approach’ was more appropriate.

Romulo had been considering ratification as well. The foreign secretary revealed to UNHCR that he recommended such actions to Marcos’ cabinet, but that ultimately, it was the president’s decision to sign international legal instruments.⁵²⁷ Romulo advised the president that there were advantages to gain. Accession, he wrote:

⁵²⁴ Davies, *Legitimising Rejection*, 116.

⁵²⁵ ‘1951 Convention Relating to the Status of Refugees – Philippines, 1970-1984’, 11/2/67-671.1.PHI, UNHCR Records and Archives. The previous case study has already mentioned Romulo’s involvement in refugee matters, but neither the archival material nor his memoirs of working in the UN mention any references to the historical grants of asylum prior to the arrival of Indochinese refugees and asylum-seekers. See, for example: Carlos Peña Romulo and Beth Day Romulo, *Forty Years: A Third World Soldier at the UN* (Greenwood Press, 1986).

⁵²⁶ Werner Blatter to F.L. Pijnacker Hordijk, 3 August 1987, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁵²⁷ ‘Memorandum for the President’, Carlos Romulo, 19 June 1981, ‘1951 Convention Relating to Philippines, 1970 – 1984, 11/2/67-671.1.PHI, UNHCR Records and Archives.

might serve to reinforce Philippine Government efforts in helping the International Community handle the refugee problem by providing an internationally accepted legal framework as basis. The possibility of irritants being created between the country of origin and country of asylum may be substantially reduced when the country of asylum is clearly acting in accordance with obligations under instruments which are internationally supported [...] I strongly feel it is in our interest to spearhead the move in acceding to the Convention and Protocol at a time when no ASEAN country has yet acceded.⁵²⁸

This passage reveals Marcos' reservations about ratification that remained more as foreign policy concern: that accession to the Refugee Convention and Protocol would have repercussions on Philippine-Vietnamese relations. As mentioned earlier, the presence of 'Filipino refugees' in Malaysia already strained diplomacy with the Philippines' neighbour. This reason expands Davies' analysis for the Philippines' hesitation, which she claimed were for two reasons: first, that the US, Marcos' main ally, had not ratified the instruments; second, along with other ASEAN states, Marcos feared accession might cause a 'pull factor'.⁵²⁹ Romulo's message, however, adds another dimension, which questioned the extent to which accession affected the Asian-oriented foreign policy particularly towards Vietnam. Romulo also made it clear that there was something to be gained by being the first ASEAN state to do so. Ratification was more of a political calculation than a humanitarian deed.

Marcos signed the Instrument of Accession on 26 June 1981. The document declared that the Philippine Government 'recognizes the importance of granting basic human rights and establishing a minimum standard for the treatment of refugees as embodied in [the Convention and Protocol]'.⁵³⁰ High Commissioner Poul Hartling cabled the President and Foreign Secretary, mentioning how this action was a 'testimony of the humanitarian role that the Republic of the Philippines has traditionally played in responding to the cause of refugees'.⁵³¹ Hartling, however, remained silent about other displacement issues (such as the Filipinos in Sabah) and human rights abuses.

Ratification was another means to mask the undesirable aspects of Marcos' authoritarianism. The Philippines earned humanitarian credentials on the international stage. Romulo deposited the

⁵²⁸ 'Memorandum for the President', Carlos Romulo, 19 June 1981.

⁵²⁹ Davies, 136-137.

⁵³⁰ 'Instrument of Accession', 26 June 1981, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁵³¹ Poul Hartling to Ferdinand Marcos, 8 July 1981, '1951 Convention Relating to Philippines, 1970 – 1984, 11/2/67-671.1.PHI, UNHCR Records and Archives.; Poul Hartling to Carlos Romulo, 8 July 1981, '1951 Convention Relating to Philippines, 1970 – 1984, 11/2/67-671.1.PHI, UNHCR Records and Archives.

Instrument of Accession at the UN Secretariat in New York on 22 July 1981. In a small ceremony, he claimed that the Philippine initiative, which was “made amid internal problems and difficulties elicited the attention and praise of world leaders”.⁵³² Such praise came from UN Secretary General Kurt Waldheim and former US vice president Walter Mondale. Meanwhile, Michel Moussalli, UNHCR Director of International Protection, claimed that the Philippines ‘has indeed taken its rightful place among Nations which have played an effective role in resolving refugee problems and have given legal content to their participation in humanitarian action undertaken by the international community’.⁵³³

The Philippines helped UNHCR realise one of its goals: it was an addition to the number of states party to the Convention and Protocol. Marcos’ actions, however, did not prompt other ASEAN states to do so. It seems the opposite occurred. Davies noted that after accession, there was an increase in the number of arrivals to the Philippines (though she is cautious to say that this is not a direct correlation).⁵³⁴ This increase in arrivals pushed other ASEAN states further from ratification; neither did they see the relevance of accession if it was not applied to local legislation, as was the case in the Philippines. Ratification served foreign policy interests rather than domestic ones.

Despite earning humanitarian points within the international community, the Convention and Protocol did little to change Philippines refugee policy, which was still an impromptu policy that gave the government room to manoeuvre. International refugee law was not incorporated into national law – Section 47.B in the Immigration Act remained the main policy towards refugees.⁵³⁵ After Marcos’ ousting in 1986, a more rigorous screening process followed with the adoption of the CPA that further narrowed who qualified as a ‘refugee’ among the ‘asylum-seekers’. The CPA’s screening process ended the *prima facie* refugee status that was in place since over a decade before. In terms of ‘durable solutions’, nothing changed in the Philippine position. It remained a country of first asylum and rejected any attempts at local integration (except for ‘Filipino nationals’ mentioned earlier) – this had implications later in the mid-1990s when the camps were closed.

This screening process became the government’s priority, evinced by changes within the state’s administrative arm for managing refugees. UNHCR began a programme to train ‘two qualified officials with legal background and some experience in alien affairs’ to Geneva.⁵³⁶ Antonio

⁵³² Manila to Geneva, 24 July 1981, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁵³³ Moussalli to Romulo, 7 August 1981, ‘11/2/67-671.1.PHI, UNHCR Records and Archives.

⁵³⁴ Davies, *Legitimising Rejection*, 138.

⁵³⁵ Withit Mantāphōn, *The Status of Refugees in Asia* (New York, 1992), 84.

⁵³⁶ P.M Moussalli to Carlos P. Romulo, 7 August 1981, 11/2/67-671.1.PHI, UNHCR Records and Archives.

Manguiat and Reynaldo Catapang, who worked on legal matters for the Department of Foreign Affairs, were sent to Geneva in September 1981.⁵³⁷ A division within the Department of Justice was dedicated to refugee status determination – Indochinese refugees helped constitute the Philippine state (I discuss this theme more in chapter eight).

This chapter has demonstrated how the Philippine government asserted its sovereignty in response to displacement in the 1970s-1980s. I began with the episode of refugee-production, when thousands of Filipinos found asylum in Sabah. The Philippine and Malaysian governments maintained the situation was an internal matter, which meant declining UNHCR assistance and ensuring that ASEAN interests were prioritised. The chapter then moved on to the early years of the Indochinese refugee ‘crisis’, showing how questions about who was responsible for refugees from Indochina shaped the Philippine government’s and UNHCR’s responses.

We then saw how definitions mattered. UNHCR, for example, wavered in its commitment to protecting refugees until 1978—one manifestation of the Eurocentric nature of its mandate. The refugee agency provided assistance but made it clear that it did not recognise displaced Indochinese as its responsibility. Meanwhile, ASEAN claimed that boat people were ‘illegal immigrants’, which meant states chose to refool them or shoo boats away. Another layer of categorisations emerged with the two camps that distinguished ‘refugees’ from ‘asylum-seekers’.

Amidst the proliferation actors, this chapter has demonstrated how different actors did not always dance to the same tune. Despite being an ASEAN member-state, the Philippine government departed from the regional organisations’ rigid policies and generally upheld the principle of *non-refoulement*. While most ASEAN states also chose to reject international refugee law, Marcos decided otherwise. Part of the reason was that he used the Indochinese refugee ‘crisis’ to meet his own interests.

Marcos’ collaboration with the UN to address the refugee ‘crisis’ ‘allowed it to shine’ as a country that ‘embraced UNHCR’s priorities and mission’.⁵³⁸ His ratification of the Refugee Convention and Protocol was made in consideration of Philippine-Vietnamese relations. Yet, the existence of displaced Filipinos reminds us that Marcos’ decision to host Vietnamese refugees enabled his regime to underplay the Philippines’ own ‘refugee problem’.⁵³⁹

⁵³⁷ Manguiat had served as refugee coordinator for the department, liaising with the UNHCR officials on the matter; Catapang assisted. Incoming cable from UNHCR Manila to HICOMREF Geneva, 28 August 1981, 11/2/67-671.1.PHI, UNHCR Records and Archives.

⁵³⁸ Lipman, *In Camps*, 96.

⁵³⁹ Espiritu and Ruanto-Ramirez, “The Philippine Refugee Processing Center,” 123.

This chapter has centred on how the Philippine government, UNHCR and ASEAN responded to the presence of refugees from Indochina. The next chapter explores the ‘crisis’ from an NGO perspective. I use the CADP, a faith-based organisation, as my subject. Through the CADPs work, we can see some of the short-comings of the Philippine government and UNHCR as the Indochinese refugee ‘crisis’ came to a close in the archipelago.

Chapter Seven

The separation of church and state? Refugee protection under the Centre for Assistance to Displaced Persons

In February 1996, the Philippine government, under President Fidel Ramos (1992-1998) deported a plane-load of Vietnamese ‘asylum-seekers’ from the Philippine First Asylum Camp (PFAC) in Palawan to Vietnam, on the grounds that they were no longer ‘refugees’ under UNHCR’s protection. This episode marked the end of what UNHCR considered as the Indochinese refugee ‘crisis’, which meant the termination of funds and protection for any remaining refugees in Southeast Asia. This episode was also the one instance wherein displaced Vietnamese in the Philippines were forcibly repatriated, making the Philippine government a unique actor among other countries of first asylum for refugees from Indochina.⁵⁴⁰

The end of UNHCR’s funding raised questions about who was now responsible for the remaining refugees; there were over 2,000 still in Palawan who were un-resettled and refused to repatriate. Ramos declined to allocate government resources for these refugees’ upkeep, prompting the question of their fate in the Philippines. At this point the Centre for Assistance to Displaced Persons (CADP) entered the arena.

The CADP was a Catholic agency founded in 1975 by the Manila-based Daughters of Charity of St. Vincent de Paul. This organisation began as an impromptu response to refugee arrivals and then became the Church’s main agency for delivering refugee aid. During the early years of the refugee ‘crisis’, the CADP worked in coordination with the government’s Department of Social Welfare (DSW) and UNHCR. Thus, from 1975 to the mid-1990s, this faith-based organisation was one of (if not *the*) longest operational NGOs throughout the Indochinese refugee ‘crisis’. It occupied a singular place in Philippine refugee history as a whole. The Catholic Church in the Philippines, Jana Lipman pointed out, was a ‘powerful ally’ for Vietnamese refugees.⁵⁴¹ This is a new dimension in Philippine refugee history from what we have previously seen.

The previous case studies have shown the relevance of locally based diasporic action, as with the JRC, and the importation of an international NGO in the shape of the WCC. The CADP is different. Through the CADP, the church becomes an active and powerful figure in refugee ‘rescue’. Religious principles of charity aside, the church’s emergence as a key actor in the refugee

⁵⁴⁰ Lipman, *In Camps*, 201; Freeman and Huu, *Voices from the Camps*, 12–17; Robinson, *Terms of Refuge*, 281.

⁵⁴¹ Lipman, 6.

regime could be attributed to two reasons.⁵⁴² First, I suggest a religious one. Many Vietnamese refugees were Catholic, leaving the Church to feel responsible for co-religionists. Meanwhile, those who were not Catholic provided an opportunity for conversion to the Church. I base this on the existence of data pertaining to number of baptisms in the CADP's reports – these reports (dated from 1975 to 1996) serve as my main source for this chapter.⁵⁴³ Second, personal motivations were involved. This was embodied by Sr. Pascale Le Thi Triu (Sr. Pascale hereafter) a Vietnamese nun who came to the Philippines in 1972; she represented the CADP from 1975 until the 2000s.⁵⁴⁴ We shall again see the extent to which the efforts and determination of certain individuals made a significant impact on the institutional response to refugee admission in the Philippines.

The longevity of the CADP's work testifies to its importance in the local efforts to assist displaced persons from Indochina. The *long durée* of the CADP's work also suggests that it was a dynamic organisation, whose operations transformed from delivering humanitarian aid and pastoral care into one that became grounded in the language of the right to remain. This transformation is visible with the CADP's pursuit of its interests vis-à-vis the contours of sovereignty.

One of the turning points for the local refugee regime was the enactment of the Comprehensive Plan of Action (CPA) in 1989 and the emergence of a UNHCR-facilitated 'repatriation' programme.⁵⁴⁵ These highlighted asymmetrical relationships and differing goals among the CADP, UNHCR and the government. UNHCR and Ramos sought 'voluntary' repatriation, causing an extent of resistance from the faith-based organisations – so to say, a separation between church and state. In the absence of the state and intergovernmental organisations, the CADP proposed to Ramos that it provide the necessary protection and welfare for the remaining 2,000 refugees. In July 1996, a Memorandum of Understanding (MOU) between the Church (which included CADP officials) and the Philippine government were reached, transferring all responsibilities for the remaining Vietnamese refugees to the CADP. We will see that as the NGO took a central role in the local refugee regime, the state and UNHCR shifted to the periphery.

Official categories were assigned to forced migrants from Indochina, distinguishing 'refugees' 'asylum-seekers' and 'displaced persons'. For the CADP, these terms were not neutral. The

⁵⁴² For a discussion on how Christian principles feed into Western humanitarianism, see: Barnett, *The Empire of Humanity*, chap. 3.

⁵⁴³ The CADP Reports are from the Episcopal Commission on Migrants and Itinerant (ECMI) People at the CBCP office in Manila.

⁵⁴⁴ Sr. Pascale arrived in 1972 with a scholarship for a degree in social work. Joachim Pham, Q & A with Sr. Pascale Le Thi Triu, working with the expatriates of Vietnam, December 2015, <https://www.globalsistersreport.org/blog/q/ministry/q-sr-pascale-le-thi-triu-working-expatriates-vietnam-35421> (accessed 24 August 2018).

⁵⁴⁵ Davies, "Realistic yet Humanitarian?"; Robinson, "The Comprehensive Plan of Action for Indochinese Refugees, 1989–1997."

‘displaced person’ label, for example, referred to a specific group of forced migrants: dependents of Filipinos in Vietnam who arrived in May 1975. This group is the reason behind the ‘displaced persons’ in the CADP’s name, but the organisations’ beneficiaries would expand to all who arrived in the Philippines. This chapter shows how these distinctions affected the kinds of assistance the CADP delivered, as well as how the organisation identified sub-categories (such as ‘children’, ‘handicapped’ refugees) within these broader labels, and defined their ‘needs’. Identifying these sub-categorises necessitated organisational flexibility.

Scholars on the Indochinese refugee ‘crisis’ have noted the significant role the CADP played.⁵⁴⁶ Jana Lipman, for example, analysed the CADP’s work most extensively, especially around the organisation’s work after the Indochinese refugee ‘crisis’, when those refugees who were un-resettled by 1996 were allowed to stay in the Philippines.⁵⁴⁷ She raised important points about the politics of these refugees’ legal status as debated between the Church and Vietnamese NGO, VOICE, which remain outside the scope of this chapter. I expand on her work by using the CADP’s annual reports, under the custody of the Catholic Bishops Conference of the Philippines (CBCP) Office in Manila.⁵⁴⁸ The CBCP staff and I found these files by accident. Since these reports were submitted to CBCP officials, they cannot be taken at face value. However, they provide a unique perspective, showing how the organisation portrayed itself within the Church and the claims it made on behalf of refugees. These reports emphasise how the CADP saw its work as ‘rescuing’ refugees, suggesting an extent of paternalism and pastoralism in its humanitarian work.

This chapter is divided into three sections. The first part traces the origins of the CADP to the very beginning of the Indochinese refugee ‘crisis’. The discussion identifies the organisation’s different responsibilities in order to show how the CADP initially managed its delivery of aid. The following section emphasises the importance that was attached to categories and labels. The labelling exercise defined the kinds of services the CADP provided, requiring flexibility from this organisation. The final section focuses on the latter part of the Indochinese refugee ‘crisis’ when the CADP asserted its authority amidst changes in the international refugee regime and state policy towards the remaining refugees in 1996. The CADP’s longevity in providing refugee aid testifies to the important work and advocacy it had for hundreds of thousands of refugees who sought asylum in the archipelago.

⁵⁴⁶ Some examples include: Freeman and Huu, *Voices from the Camps*, 169; Davies, *Legitimising Rejection*; Robinson, *Terms of Refuge*.

⁵⁴⁷ Lipman, *In Camps*, chap. 6.

⁵⁴⁸ CADP Annual reports from 1986-1997, ECMI-CBCP Office. The CBCP is a permanent institution that promotes spiritual and welfare programmes in the Philippines. The CADP was only one part of CBCP’s welfare departments, solely concerned with refugee matters.

‘Displaced persons’ and the origins of the CADP

On 1 May 1975, 3,000 women and children — dependents of Filipino Overseas Workers — disembarked in Manila Bay. The Daughters of Charity, whose office was nearby, provided aid and relief on an informal basis. They were led by Sr. Pascale who served as interpreter between refugees and Filipino officials. The continued arrival of ‘boat people’ over the next months, however, necessitated a more formal programme of delivering aid. The Church, through the CBCP, officially established the CADP with Sr. Pascale as its head; she led the CADP from its establishment throughout its lifetime. The new organisation became the Church’s official agency tasked to respond to the needs of refugees from Indochina. The CADP closed its Manila office in September 2000.⁵⁴⁹

The CADP’s history provides some context about the church’s relationship with state. Under the Marcos dictatorship, the church held a prominent position in society and was one of the few organisations able to challenge the state. Marcos’ government suppressed anyone who opposed it; many church men and women were arrested alongside student-activists, political opponents and journalists.⁵⁵⁰ Because of a large purge of NGOs, the Church became a main vehicle for social work in the country.⁵⁵¹ Church officials, however, were split across a spectrum of supporting the authoritarian regime or not.⁵⁵²

Among the different factions that formed within the church, the CBCP was composed of conservative and powerful church officials; its leader, Jaime Cardinal Sin took a moderate stance to Marcos’ government. According to Robert Youngblood, Cardinal Sin ‘reserved the right to criticize specific injustices of the regime without attacking martial law in principle’.⁵⁵³ Based on the CBCP’s statements on the boat people, the church kept refugee matters and domestic affairs separate.⁵⁵⁴ Keeping the two spheres apart likely factored into the CADP’s significance and scope of work in refugee assistance. The Church’s relation to the state, and the absence of any other refugee-engaged local NGOs provided a space for the CADP to emerge.

⁵⁴⁹ Freeman and Huu, *Voices from the Camps*, 17. The CADP appears to have been incorporated into the CBCP’s ECMI office, which was responsible for all migrant-related work on behalf of the CBCP.

⁵⁵⁰ Marcos also mobilised the Armed Forces of the Philippines for socio-economic and community development. Clarke, *The Politics of NGOs in Southeast Asia*, 62.

⁵⁵¹ Clarke, 61.

⁵⁵² Robert L. Youngblood, “Church Opposition to Martial Law in the Philippines,” *Asian Survey* 18, no. 5 (1978): 505–520. Marcos’ administration ended in February 1986 with the ‘People Power Revolution’; the Church was a key figure in the revolution.

⁵⁵³ Youngblood, 506.

⁵⁵⁴ Jaime Cardinal Sin, “On Refugees,” *CBCP Online* (blog), July 1980, <http://cbcponline.net/statement-of-the-catholic-bishops-conference-of-the-philippines-on-refugees/>; Jaime Cardinal Sin, “I Was A Stranger,” *CBCP Online* (blog), August 1979, <https://cbcponline.net/i-was-a-stranger/>.

The separation of church and state, however, is less clear when looking at the CADP and the assistance it provided during the martial law years. It is difficult to ascertain the level of independence the CADP had from the state then because the reports lump its activities during the martial law years into one single report that summarised *all* activities from 1975 to 1986, when martial ended.⁵⁵⁵ Based on this report, it can be said that the CADP's work and the state's refugee policy were aligned during the dictatorship, thus its longevity in refugee assistance.

The CADP did not act alone in delivering refugee aid during martial law. From 1976 to 1982, the organisation, along with other Catholic organisations operating in the Philippines (CARITAS and Catholic Relief Services), received funds from UNHCR as 'implementing partners'.⁵⁵⁶ These organisations were responsible for the care and maintenance of refugees who were accommodated in the government-run Jose Fabella Centre (JFC). One of the CADP's main projects was a skills and education programme for employment, and the provision of counselling services.⁵⁵⁷ For those categorised as 'displaced persons', local resettlement in the Philippines was permitted, which the DSW and the CADP jointly handled.⁵⁵⁸ Both institutions also sought employment for refugees; a few were able to secure jobs – some with the CADP.⁵⁵⁹ DSW's responsibilities, a UNHCR representative commented 'terminated whenever a refugee [was] gainfully employed'.⁵⁶⁰

The CADP's scope and scale of work changed over time. In 1975, its primary beneficiaries were those the government referred to as 'displaced persons' who were common-law wives and children (dependents) of Filipinos from Vietnam. They were the first group of refugees from Vietnam to be absorbed by Filipino institutions.⁵⁶¹ As mentioned in the previous chapter, this group was legally distinct from 'refugees' and 'asylum-seekers' in the Philippines. They were treated as a different group because of their ambiguous legal status; they were not Filipino citizens, but had some claim to it.⁵⁶²

⁵⁵⁵ After the 1975-1986 report, the CADP published yearly reports until 1997.

⁵⁵⁶ UNHCR provided around \$195,000 in 1977 in the Philippines under its Special Programmes. For CRS, see: 'Catholic Relief Services-PH, 1976-1980', 11/2/41-410.CRS.PHI, UNHCR Records and Archives. For CRS' role in the Vietnam War, see: Scott Flipse, "The Latest Casualty of War: Catholic Relief Services, Humanitarianism, and the War in Vietnam, 1967-1968," *Peace & Change* 27, no. 2 (2002): 245-270.

⁵⁵⁷ The Archbishop of Manila donated and constructed a house inside the Caritas Manila compound for them. Cardinal Sin, "I Was A Stranger." See also: Anupam Dhar to Rajagopalam Sampatkumar, 26 August 1976, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

⁵⁵⁸ Robinson, *Terms of Refuge*, 23.

⁵⁵⁹ Lipman, *In Camps*, 208; Corazon Alma De Leon, "Status Report on the Vietnamese Refugees Housed at the Jose Fabella Center" (Department of Social Welfare, Republic of the Philippines, August 1975), "NGOs - 1972-1983", 11/2/40-400.PHI, UNHCR Records and Archives.

⁵⁶⁰ Schlatter to UNHCR Headquarters, 14 June 1975, 11/2/10-100.PHI.SRV[b], UNHCR Records and Archives.

⁵⁶¹ As mentioned in chapter six, the very first refugees – Americans and their Vietnamese dependents – were all taken to the American bases, thus under American control.

⁵⁶² In 1995, President Fidel Ramos granted citizenship to 'displaced persons' who arrived between 1975-1978 through Executive Order 249 (1995).

The CADP played also played a vital role in filling the gap between the state and asylum-seekers. Although ‘displaced persons’ were the CADP’s primary group to aid, the organisation also extended support for boat people who were waiting for the government’s official extension of temporary asylum. This meant that there was a period when these refugees had no status and therefore no access to aid from the DSW until asylum was officially granted; UNHCR referred to this as the ‘processing time’.⁵⁶³ The CADP was supplementary and surrogate to the state in the ‘processing time’.

NGOs and International Organisations in the PFAC / PRPC

International Organisation for Migration (IOM)	Adventist Development and Relief Agency
UN World Food Program	Baptist Refugee Ministries
Centre for Assistance to Displaced Persons	Intergovernmental Committee for Migration
Community and Family Services Inc. (CFSI)	International Catholic Migration Commission
Baptist World Alliance	Japan Overseas Cooperation Volunteer
Philippine National Red Cross	Joint Voluntary Agency
Jesuit Refugee Services	Mormon Christian Services
Rotary International	Norwegian Relief Agency
Holy Trinity College	Salvation Army
	World Relief Corporation

Table 1: List of organisations active in PFAC and PRPC. Source: personal list

The CADPs role began to change as more refugees arrived and the UNHCR slowly took the lead in 1978-1979. The increase in refugee numbers also drew more international NGOs to first asylum countries. The CADP became one among many organisations (governmental and non-governmental; international and local) that delivered aid to Indochinese refugees (see table 1).⁵⁶⁴ The presence of so many organisations paints a very different picture from the assistance discussed in the two other case studies, in which one organisation took on all the responsibilities for each episode of refugee admission.

The multiplicity of NGOs assisting Indochinese refugees necessitated that each carved its own niche: Jesuit Refugee Services, for example, provided legal services to refugees, while Community and Family Services, Inc. offered psychological support. The CADP was no exception; after all, it was accountable to the CBCP, its donors, and refugees. One advantage the CADP had was that among local NGOs, it was ‘the only private and Catholic Church agency officially accredited by

⁵⁶³ Incoming cable from Manila, 5 November 1976, 11/2/41-410.CRS.PHI, UNHCR Records and Archives.

⁵⁶⁴ For more information on organisations at the PRPC, see: Vance Geiger, “Southeast Asian Refugees in the Philippine Refugee Processing Center” (University of Florida, 1994).

the Philippine government to work with refugees'.⁵⁶⁵ Meanwhile, there were four sites in the Philippines that were used to accommodate refugees: the two camps (PRPC and PFAC), and in Manila at the JFC and the Philippine Refugee Transit Centre (where refugees were placed prior to resettlement or moving between camps). The CADP operated in all, but was most active and asserted its authority in the PFAC, while most international NGOs worked in the PRPC.

The presence of multiple actors also forged asymmetrical relationships. The notion of local (or Southern) NGOs as implementing partners of Northern NGOs developed in the 1980s. Within the language of development and 'capacity-building', Northern NGOs supported the 'development' of local institutions.⁵⁶⁶ For the CADP, this came through funds from UNHCR, but eventually relations between the two institutions soured as each defined refugee assistance differently – more on this later. Their relationship demonstrates how local NGOs tend to have more of a stake in the outcomes of aid, while Northern NGOs leave when the perceived crisis is over.

The roots of the CADP can be traced to the arrival of a particular group of Vietnamese refugees: Filipino dependents categorised as 'displaced persons'. The CADP became one of the longest active organisations aiding Indochinese refugees in the Philippines. In 1996, when the camps closed and UNHCR's funding ceased, the CADP appears to be the sole organisation assisting and advocating for refugee rights. Part of this longevity was because of its links to the CBCP and its apolitical nature during the martial law years. As the next sections show, the organisation transformed and constantly redefined its work, partners and autonomy to claim its relevance in refugee 'rescue'. These changes enabled the CADP to care and protect all the remaining refugees in the archipelago in 1996.

Adapting assistance

This section discusses the CADP's work as disclosed in reports to the CBCP. These reports are useful for identifying what kind of services were provided and for whom, and how these evolved over time.⁵⁶⁷ This section demonstrates that a complex system of labelling existed. 'Refugees' and 'asylum-seekers' had their own sub-categories that further defined their needs, such as 'unaccompanied minors', 'handicapped refugees' that necessitated particular forms of aid. The

⁵⁶⁵ Sr. Illuminada Torres (NASSA) to UNHCR, 10 October 1983, 'NGOs – 1972-1983', 11/2/40-400.PHI, UNHCR Records and Archives.

⁵⁶⁶ Ferris, "The Role of Non-Governmental Organizations in the International Refugee Regime"; Clarke, "Non-Governmental Organizations (NGOs) and Politics in the Developing World."

⁵⁶⁷ These reports lack details that could tell us more about the CADP, such as number of staff and the logistics of delivering aid.

CADP adapted to their needs over time; it was a reactive organisation, but also one that framed refugees through a paternalistic lens.⁵⁶⁸

For the duration of the refugee 'crisis', the organisation's services did not remain static nor did they provide the same kind of services for all refugees. The organisation adapted and introduced different services as it identified 'categories' among the displaced Indochinese in the Philippines. It is unclear, however, if these categories were shared by all institutions and NGOs delivering aid. Comparing the services offered between 1975 and 1997, the CADP organised its services according to two broad groups: 'displaced persons' whom I mentioned above, and the 'boat people' which encompassed all who were granted asylum and living in the various camps or holding centres in the Philippines. The CADP provided both groups with medical care, counselling services, training and educational activities.

'Boat people' were further divided into sub-categories, which mimicked UNHCR's and the state's own categorisations. These included separating 'first asylum' arrivals (those directly arriving on Philippine shores from Vietnam) from 'second asylum' arrivals who UNHCR moved from first asylum countries to the PRPC. The CADP provided aid depending on what categorisation one was in. Generally, all 'boat people' were able to access landing and departure assistance, crisis intervention, and services including tracing and mailing, banking, pastoral, resettlement, legal assistance.

The CADP claimed that its role was to 'listen, watch and negotiate on behalf of the refugees' rights and needs', and supplement those that were not met by public provisions especially towards disadvantaged groups.⁵⁶⁹ Its reports suggest that the organisation sought out persons whose needs were not readily met by UNHCR or the state. This produced further 'categorisations' among the 'boat people' that necessitated specific kinds of services for what the CADP perceived to be their needs. To illustrate, significant changes to the CADPs programmes and services occurred in 1989 when an 'influx' of children of (absent) American fathers and Vietnamese mothers arrived – the 'Unaccompanied Minors' as they came to be officially classified.⁵⁷⁰ A new programme addressing children's needs began that placed these refugees either with family, friends or other refugees they knew, or under the supervision of 'house parents' that mirrored a foster system.

⁵⁶⁸ Relationships between humanitarian workers and refugees have been explored by Barbara Harrell-Bond: Harrell-Bond, "Can Humanitarian Work with Refugees Be Humane?"

⁵⁶⁹ CADP, 'Annual Activity and Statistics Report, January to December 1990, ECMI-CBCP.

⁵⁷⁰ CADP, 'Annual Activity and Statistics Report, January to December 1990'. For more on 'unaccompanied minors' in camps, see: Freeman and Huu, *Voices from the Camps*.

Meanwhile, the depth and scale of the CADP's work and beneficiaries projected an image of impartiality: it extended help to those in most need ('poorest'), unconcerned about one's religious identity.⁵⁷¹ Alongside the services above, however, the CADP was first, a faith-based organisation and whose funding and administration came from the CBCP. This religious identity was manifested by the organisation's provision of pastoral care, which suggests that the Church, through the CADP, had other goals than the simple delivery of refugee aid. The Indochinese refugee 'crisis' provided a space for missionary action. Reports included statistics on religious services including baptism and catechism classes, testifying to efforts for conversions.⁵⁷² The CADP did not just provide material assistance; it also became a transformative force in the lives of refugees. Conversion and humanitarianism are not unique to the CADP. Churches and faith-based organizations have been known to 'use the fact that affected communities are particularly vulnerable to try to convert them [...] creating conditional connections between the provision of relief and faith'.⁵⁷³

The modifications and additions of services, such as those for unaccompanied minors or pastoral care, show how the organisation identified and met 'unattended needs' of the refugees. The CADP saw its role as a means to supplement the needs of those its members perceived were the most 'disadvantaged groups'. Making such claims presents the inconsistencies of refugee assistance in the camps despite the presence of numerous international and non-governmental organisations. This is where I see the CADP carving its niche amidst the plethora of organisations. Not only did the organisation aid 'displaced persons' who were outside the UNHCR's mandate, but it also made the invisible visible by responding to hidden needs. Organisational reports included the provision of child care, detention visits and services for handicapped refugees that only emerged because of refugees' prolonged stay in camps.⁵⁷⁴

We have seen how the CADP was a dynamic organisation, which adapted its services according to official categorisations. Thus, different aspects of its services were tailored for those categorised as 'displaced persons' and 'boat people'. As more refugees arrived in the Philippines and refugees stayed in the camps for longer periods, the CADP identified groups that it believed fell into the cracks of refugee assistance and addressed their needs. Meanwhile, delivering aid also presented an opportunity for the Church to gain new converts, using the camps as a means to offer pastoral

⁵⁷¹ CADP, 'Annual Activity and Statistics Report, January to December 1990'.

⁵⁷² The presence of Protestant organisations in the camps may have led to some form of competition though not explicitly mentioned in the reports.

⁵⁷³ Elizabeth Ferris, "Faith and Humanitarianism: It's Complicated," *Journal of Refugee Studies* 24, no. 3 (2011): 606–625.

⁵⁷⁴ CADP, 'Annual Activity and Statistics Report, January to December 1990'.

care. Categorisations, however, took a more bureaucratic shape as states began questioning who among the displaced were ‘refugees’ and who were ‘economic migrants’. These questions and the labelling exercises that followed prompted the CADP to depart from UNHCR and later the Philippine government’s definitions of what refugee ‘rescue’ entailed.

From provider to protector? Resisting the state

In 1989, UNHCR enacted the CPA. This programme entailed various ‘solutions’ to manage to exodus from Indochina. This section is particularly interested in the application of a screening process and repatriation efforts. Screening processes were used by UNHCR and governments to determine who were ‘refugees’ among displaced Indochinese arriving in countries of first asylum. Those ‘screened out’ risked repatriation back to Vietnam if not found to be ‘genuine’ refugees. Presidents Corazon Aquino and Fidel Ramos adopted these measures in the Philippines.

This section centres on events that occurred in the mid-1990s when the CPA was ending. During this time, UNHCR and the Philippine government refused to categorise displaced Vietnamese still in the camps as ‘refugees’.⁵⁷⁵ Labels had significant implications on the fate of refugees, and the CADP intervened, which to an extent, meant resisting governmental refugee policy. This section explores how the CADP renegotiated its identity and authority amidst the developments in the international refugee regime towards the end of what had been known as the Indochinese refugee ‘crisis’. One of the outcomes was that the CADP became the *de facto* protector and provider of the remaining Vietnamese refugees.

The CPA became a point of tension between the CADP and UNHCR. The CADP heavily criticised UNHCR’s administration of the PFAC. The NGO claimed that the refugee agency attempted to ‘prohibit’ CADP’s programmes and services and began acting in the interest of repatriation rather than protection.⁵⁷⁶ At the same time, UNHCR was frustrated since the CADP acted like the CPA ‘did not exist’.⁵⁷⁷

The end of the CPA presents how refugee protection was compromised, despite the Philippines’ ratification of the Refugee Convention and Protocol since 1981. Beginning in 1995, UNHCR and first asylum countries adopted an ‘Orderly Return Programme’ (‘voluntary repatriation’) for those

⁵⁷⁵ In the 1990s, the Indochinese refugee ‘crisis’ was no longer THE UNHCR’s main priorities. Other displacements in the Middle East, Africa and East Timor drew its attention. Loescher, *UNHCR and World Politics A Perilous Path*, chap. 9.

⁵⁷⁶ CADP, ‘Annual Activity and Statistics Report, January to December 1990’.

⁵⁷⁷ Lipman, *In Camps*, 211.

refugees and asylum-seekers still in first asylum countries.⁵⁷⁸ The Philippines refused to send anyone involuntarily, except for the infamous incident of February 1996 when soldiers “carried off crying refugees” into a plane bound for Vietnam.⁵⁷⁹ 2,000 refugees lived in Palawan then, none of whom wanted to repatriate. The Philippine government’s policies towards Indochinese refugees began to change, following the developments in the international refugee regime and the Indochinese refugee ‘crisis’.

On the local level of the regime, refugee protection and assistance became complicated when on 30 June 1996, UNHCR ceased its funding for all ‘boat people’ in Southeast Asian camps (except Hong Kong). This placed financial burdens on the Ramos administration. UNHCR reported that it spent \$16 million for both the PRPC and PFAC per year.⁵⁸⁰ Camp upkeep was costly and the state refused to keep the camps open. Instead, the government and UNHCR encouraged ‘voluntary’ repatriation. Thus, the government maintained its position since 1975: asylum was a temporary matter and no refugee would be integrated.

Sovereignty meant that the state had the authority to expel refugees, but the CADP resisted. The church, so to speak, separated from the state’s refugee policy. The church advocated for the Vietnamese refugees’ right to remain – a clear opposition to the state’s no-integration stance. Church officials and the CADP’s representatives agreed to take full responsibility for their care, maintenance and accommodation.

Oscar and Susan Evangelista, whose research focused on this latter part of the refugees’ asylum in Palawan, narrated the events that enabled the CADP to take on full responsibility of the remaining group.⁵⁸¹ To overcome financial difficulties, the church tapped the Vietnamese diaspora in the US for assistance. Bishop Ramon Arguelles (then head of the CADP) successfully secured \$1.3 million from Vietnamese Americans. Diaspora, like in the case of Jewish refugees, factored into refugee ‘rescue’.

These funds enabled the CADP to purchase land and help refugees become self-sufficient through loans controlled by the church. The acquired property was still in Palawan, not too far from the PFAC; it became known as the Vietnamese Village, or ‘Vietville’ as it is known today (see map

⁵⁷⁸ Robinson, “The Comprehensive Plan of Action for Indochinese Refugees, 1989–1997,” 330. It is worth mentioning that Vietnam became an ASEAN member state in July 1995, which likely factored into the government’s position towards any remaining refugees.

⁵⁷⁹ This was described by (former) Bishop Pedro Arigo, who was assigned to Palawan and one of CADP’s officials. Email interview, 4 August 2017.

⁵⁸⁰ ‘UNHCR leaves fate of Vietnamese refugees to RP government’, 3 July 1995, *The Philippine Star*.

⁵⁸¹ Evangelista and Evangelista, “The Vietnamese in Palawan, Philippines: A Study of Local Integration.”

4).⁵⁸² The CADP proposed for refugees to be legally allowed to remain in the Philippines, citing that ‘most of the Vietnamese have behaved responsibly and can support themselves’.⁵⁸³ The CADP framed this governmental agreement in the language of rights, which allowed the refugees to legally reside on church-owned land, and permitted them to access social services. Such language denotes that the organisation did not present the remaining refugees as vulnerable, instead shifting the rhetoric to show they are ‘rehabilitated’ and should be allowed to remain. While my earlier discussions presented how the JRC and the WCC legitimised their presence through refugees’ vulnerability, the CADP presented them as ‘self-sufficient’.

The CADPs efforts and ability to sway public opinion on behalf of refugees resulted in the creation of a Memorandum of Understanding (MOU) between the Ramos administration and the CADP (represented by Sr. Pascale), which both parties signed on 17 July 1996. The MOU legalised the refugees’ residence, enabling them “to access education, skills training, livelihood project and other employment opportunities”.⁵⁸⁴

Still, the Evangelistas argued, this agreement was made thinking that these refugees would one day repatriate. It was not a permanent solution – refugees existed in an extra-legal sense without passports – but it was not forced repatriation. The question of permanent settlement in the Philippines continued into the 2000s beyond the lifetime of the CADP (Sr. Pascale’s return to Vietnam in 1999).⁵⁸⁵ Nevertheless, the MOU was a manifestation of the CADP’s determination and commitment to refugees since 1975 and was a means for the NGO to render refugees visible to the state. The camps, far from Manila, were left outside the government’s purview, but the CADP reminded the government of its obligations to refugees.

The CADP encountered significant changes to its operations towards the end of the Indochinese refugee ‘crisis’. These changes included more stringent screening processes and tensions among key actors that required the CADP to re-negotiate and re-interpret its functions. When the UNHCR closed the camps and ceased funding, leaving around 2,000 ‘asylum-seekers’ without protection from the government or refugee agency, the organisation transformed. Its work went beyond charity in its fight against forced repatriation through advocacy and lobbying, taking full responsibility for refugees’ welfare and legal status—the CADP found a political solution to the

⁵⁸² The PFAC was torn down and now comprises part of the airport in the city.

⁵⁸³ 11 February 1996, ‘Troops storm Viet’s temple’, *Today*.

⁵⁸⁴ Evangelista and Evangelista, “The Vietnamese in Palawan, Philippines: A Study of Local Integration,” 79. By 1990, many DPs who arrived in 1975 were still not given permanent residence permits.

⁵⁸⁵ Evangelista and Evangelista, 83–85. Some of these legal proceedings and appropriations are found in the Library at the House of Representatives in the Philippines.

refugee ‘problem’. In spite of these efforts, there are still stateless Vietnamese in the Philippines today.⁵⁸⁶

This chapter has shown how the CADP, on behalf of the Catholic Church in the Philippines was an important actor during the Indochinese refugee ‘crisis’. Like the JRC and the WCC, the CADP reflected the absence of NGOs with a refugee-focused agenda in the country, and refugee arrivals provided a space for a new organisation to emerge and carve out a niche. The CADP was a dynamic NGO. We have seen that from 1975 to 1996, it constantly changed: from ad hoc relief among the Daughters of Charity into a formalised organisation under the CBCP; from one among many implementing partners into the sole organisation that maintained its goal of helping refugees and finding a solution to their displacement. The CADP was also more than Sr. Pascale and the Daughters of Charity. It expanded into network of church officials and members of the Vietnamese diaspora who funded ‘Vietville’. The organisation, to an extent, bridged the gap between the state and the refugee, bringing the refugee into the Philippine polity through legal residency. As Lipman said, the church was a powerful ally for Vietnamese refugees.

Although the CADP provided much needed assistance protection, its agenda was not purely altruistic. As a faith-based organisation, church officials saw an opportunity to convert refugees to Catholicism. The CADP saw its work as ‘rescue’, not only through protection and assistance, but spiritual salvation. Despite its commitment to refugees, the CADP had its shortcomings. Its refugee advocacy, for example, increased throughout its lifetime, but its reports remained silent on the exodus of so many Filipinos to Sabah nor did it mention other so-called ‘non-Indochinese’ refugees also in the Philippines who received considerably less attention, assistance and protection (see chapter six).

The Indochinese refugee ‘crisis’ presented different circumstances for admitting refugees when compared with the previous episodes. There was no pre-arrival agreement or issuing of visas; instead, the Marcos, Aquino and Ramos administrations extended asylum as ‘boat people’ began arriving along the shore. Additionally, national policies, as we have seen in the previous chapter, considered regional interests as well. The scale of displacement and media attention on the boat people caught the world’s attention, bringing international organisations to the Philippines. Nevertheless, there are some similarities in so far as the Philippine state had responsibilities as refugee-host: asylum was a temporary matter for the state, evinced further by the destruction or

⁵⁸⁶ Lipman, *In Camps*, 220–229. Lipman discusses the complexities of the issue of statelessness. One reason that these refugees are still stateless was because this status is a means for these refugees to enter the US. Taking on Philippine citizenship would lessen their chances of migrating.

abandonment of what were once refugee camps. The majority of welfare fell on the shoulders of NGOs. Meanwhile, national interests shaped the terms of asylum, creating a state that both hosted and produced refugees.

These nuances are visible through a critical analysis of the local refugee regime. Different actors defined 'refugees' and 'rescue' differently, in accordance with their own agendas. These shaped the outcomes of aid and protection, showing that there were moments when the state or intergovernmental organisations relinquished any responsibilities for refugees. The local refugee regime reminds us that key actors were not always on the same page. The CADP's intervention and subsequent MOU with the government is one manifestation of this.

Having presented the three case studies, the next chapter asks what this all means when we consider the modern history of the Philippine state. I suggest the need for a re-thinking of Philippine history, one that has a place for the refugee.

Chapter Eight

Re-thinking the history of the Philippine state through migration

Philippine history is in part a history of refugees. Previous chapters have brought the figure of the refugee back into Philippine history by looking at her place in relation to the changing form and self-representation of the state. As should now be clear, displaced persons – a term I use loosely and interchangeably with ‘refugees’ – are very much a part of modern Philippine history, present in almost every decade of the twentieth century.⁵⁸⁷ While chapter one introduced the history of the Philippines, outlining the different incarnations of the state and its attitudes towards its ‘others’, this final chapter aims to specify and rethink the state’s relationship with the refugee, and to extend this to its relationship with other migrants. This is not an attempt to re-write Philippine history, an enterprise that would demand more than a few thousand words. Rather, this is an invitation for a more nuanced understanding of changing state attitudes towards non-citizens, and how these relate to the exercise of state sovereignty in the domestic and foreign realms.

Having looked at the case studies, this chapter draws threads together by examining the legislative framework around migration and how it changed over time to accommodate both refugees and non-refugee immigrants. I focus on (a) Section 47.B of the Immigration Act of 1940, (b) the Alien Registration Act of 1950, (c) the (failed) Refugee Act of 1958, and (d) Letter of Instruction (LOI) No. 270 (1975). These laws show how the state considered migrants, including refugees, as ‘problematic’ – their presence tested questions about citizenship and belonging. These laws also show us how these perceptions of non-citizens were constantly redefined and that the state-refugee relationship was conflicted, resulting in evolving policies that have been discussed earlier.

To further emphasise the ad hoc nature of Philippine refugee policies, this chapter also draws attention to another dimension of the state-refugee relationship. It presents examples of displaced persons or groups who do not easily fit into existing categories as ‘refugee’ or ‘citizen’ that we have previously seen: Russian defectors, ‘overstaying’ Chinese migrants who refused to return to the PRC after 1949, and Karman Karbasi who, in 2017, was the first refugee to be granted Filipino citizenship under the provisions of the Refugee Convention and Protocol. These examples shed light on the state’s management of unauthorised migration in the Philippines.⁵⁸⁸

⁵⁸⁷ As I wrote in the introduction of the thesis, I define refugees as people who are forced to flee because they no longer have the protection of their country of origin and are forced to flee to another.

⁵⁸⁸ The origins of illegal immigration within the Philippines have not been addressed as a focus of study. Instances of Chinese deportation are found in various sources about Chinese in the Philippines. The Philippines, however, features as a source of illegal migrants, rather than a destination for unauthorised migration. Graziano Battistella and Maruja Milagros B. Asis, *Unauthorized Migration in Southeast Asia* (Scalabrini Migration Center, 2003).

By way of proceeding, I draw attention to two examples of Russian defectors who claimed refugee status, but their experiences show how the state's encounter with unauthorised migrants presented a dilemma given the extent of the porosity of the archipelago's borders. We already saw some aspects of this porosity with the sporadic arrival of Vietnamese boat people from 1975 through the 1990s (see chapter six), as well as the anti-Chinese immigration sentiments resulting from 'unchecked' immigration (see chapter two).

On 9 March 1966, 28-year-old Russian biochemist Anatole Geichenko defected from the Soviet Union. He jumped from the Russian tourist ship, *SS Russ*, and washed ashore in Palawan (see map 4), on the western side of the Philippines.⁵⁸⁹ A few years later, a similar incident happened. On 13 December 1974, another Russian jumped ship near the Philippine coast. Stanislav Kurilov, an oceanographer, jumped from a Russian cruise liner off Siargao Island on the eastern side of the archipelago (see map 4) and swam to "freedom", as he called it.⁵⁹⁰ Both refugees were detained by the Marcos administration for illegal entry. From detention, they asked for political asylum in a western democracy; Marcos offered temporary asylum 'on humanitarian grounds' in the Philippines until they were resettled to third countries.⁵⁹¹ Unlike the case studies, their movement to the Philippines did not involve the immediate intervention from intergovernmental refugee agencies or NGOs.⁵⁹²

The irregular entry of both men into the archipelago necessitated an ad hoc response from the state which first criminalised their actions and then moved to a more legal process of granting asylum. The state's responses concern two issues: border control and the ad hoc extension of asylum. Border control was another means for the state to assert its sovereignty, permitting and excluding non-citizens from entering its territory. Border patrols existed but the archipelago's extensive coastlines made it difficult to completely police; certain corridors lacked proper surveillance and were susceptible to clandestine entries of people and goods.⁵⁹³ It was not

⁵⁸⁹ "Asylum in P.I. for Russian," *South China Morning Post*, February 1967; "Letters to the Editor: Plea for Asylum," *The Manila Chronicle*, November 1966, Lopez Museum and Library.

⁵⁹⁰ Slava Kurilov, "Escape in the Ocean," in *The Other Russia*, ed. Norman Stone and Michael Glenny (London: Faber and Faber, 1990), 1–33. The details of Kurilov's escape are obscure and contested. His memoir claims that he swam alone in the ocean for three nights only to be brought by the tide to a lagoon in Siargao. The media reported he swam for four hours until fishermen found him clinging onto a derelict boat. The details of Geichenko's case are better documented through news articles prior to martial law (when Marcos controlled the media); Kurilov's case appears nevertheless to be similar.

⁵⁹¹ For Geichenko, see: "Russian Refugee to Stay," *The Manila Chronicle*, February 1967. For Kurilov, see: "Great Escape," *The Jerusalem Post*, October 1986.

⁵⁹² "Russian Refugee to Stay"; "Great Escape." It is unclear in the sources to what extent, if any, UNHCR was involved in both cases. Meanwhile, accessing individual case files at the UNHCR Records and Archives Office for this period remains restricted.

⁵⁹³ For issues on Philippine maritime security and the illegal entry of people and commodities, see: Mary Ann Palma, "The Philippines as an Archipelagic and Maritime Nation: Interests, Challenges, and Perspectives," 2009. For the Philippines in the intersection for trafficking persons, see: Adam Graycar and Rob Mccusker, "Transnational Crime

impermeable and was constantly challenged by people on the move – a ‘problem’ since colonial times that was often associated with the Chinese community.⁵⁹⁴ These irregular movements into the country are a reminder that the state’s control over its borders was not absolute. Meanwhile, for refugees, clandestine entry could be a means to avoid refusal at the border, which risked immediate forced repatriation. Thus, the need for evolving migration laws and ad hoc refugee policies to assert sovereignty over the borders.

Legislative changes were designed to deal with this dilemma. Section 47.B in the Philippine Immigration Act of 1940 represented an attempt to resolve refugee policy by granting powers to the office of the president (see chapter two), enabling him to exercise discretion so the policy remained ad hoc. We see this with Marcos’ extension of asylum to both Geichenko and Kurilov ‘on humanitarian grounds’ providing them with the right to remain in the country until resettlement. Although Section 47.B acknowledges that ‘refugees’ were a separate category of people on the move, this chapter stresses that the label was only distinctive in terms of the right to enter and remain in the Philippines. The Registration Act of 1950 illustrates this point; it made no distinctions when it came to administrative matters for all migrants in the country.

Unlike the discretion of refugee policies in the case studies, colonial legacies of exclusion left no need for any discretion towards Chinese arrivals. The experience of migrant Chinese features prominently in this chapter. They occupy an awkward position within Philippine society: first as migrant since pre-colonial times, and after 1949, as refugee. Different political administrations refused to extended asylum to ‘overstaying Chinese’ who were displaced by the political changes in mainland China in 1949. Politicians referred to them as ‘illegal’ immigrants who violated provisions of Philippine Immigration Law by overstaying their visa. Based on what we know from the case studies, this group of Chinese refugees was somewhat different because of the circumstances of their displacement. As visitors, they were already within Philippine national borders when they refused to return to the newly established PRC. This episode on the ‘overstayers’ supports my argument for the state’s selective refugee policy, which troubles the image of the state as refugee-host.

and Trafficking in Persons: Quantifying the Nature, Extent and Facilitation of a Growing Phenomenon,” *International Journal of Comparative and Applied Criminal Justice* 31, no. 2 (2007): 147–165.

⁵⁹⁴ ‘Illegal’ Chinese immigration traces back to the Spanish period, which regulated and restricted Chinese migration, deporting those who did not comply. Salvador P. Escoto, “Expulsion of the Chinese and Readmission to the Philippines: 1764-1779,” *Philippine Studies* 47, no. 1 (1999): 48–76. Under the American colonial state, Chinese Exclusions Laws were extended to the Philippines in 1902 but were loosely enforced leading to an increase in Chinese immigrants in the early 1900s. The problem of clandestine entries into the archipelago was noted by the American colonial state. Howard Taft, the first American civil governor of the Philippines, acknowledged the limited capacity of the Americans to police the maritime borders. Burns, “A New Pacific Border,” 319. See also: Chu, *Chinese and Chinese Mestizos of Manila*, 292–294.

Of particular interest are the debates from 1958 about a so-called ‘Refugee Act’ – an important episode that researchers of immigration to the Philippines have overlooked.⁵⁹⁵ Instead, the literature on these ‘overstayers’ has focused on 1975 when Chinese migrants, including the ‘overstaying’ Chinese, were allowed to petition for naturalisation.⁵⁹⁶ The changes to Chinese exclusion were made by Marcos’ LOI No. 270, which established an administrative procedure for the naturalisation of migrants already residing in the Philippines.⁵⁹⁷ Prior to 1975, the process of naturalisation was complicated and expensive.⁵⁹⁸ After centuries of the state’s attempt to restrict not only Chinese migrants’ entry but also their national belonging, the minority’s legal status was no longer precarious. Later in this chapter, I discuss how this was made in part because of Marcos’ foreign policy interests.

This chapter also puts forward another argument: that the presence of refugees helped constitute the state. I map out the development of the government’s administrative arm to manage refugees and shed light on some of the recent developments. This governmental apparatus is a manifestation of the state’s concern on refugees’ right to remain in the archipelago, which made use of a refugee status determination process. I use the example of Karbasi to demonstrate how refugees can challenge this apparatus and the policies and protocols in place for refugees. Like Geichenko and Kurilov, he was able to enter national territory through unauthorised means, but he also obtained Filipino citizenship by overcoming what was a restrictive process. He was not the first refugee to be naturalised, but his case was a pioneer in its use of the Refugee Convention and Protocol, which the Philippine government has ratified since 1981 (see chapter six).⁵⁹⁹

By tracing the development of migration policies, this chapter reminds us that the presence of migrants has and continues to shape the development of the Philippine state and its exercise of sovereignty. As we have seen in the case studies, decisions to restrict or liberalise the borders to the enter the national territory or join society were shaped by various national interests and colonial legacies of exclusions. These policies emphasise the changing nature of the state, its fragmentations

⁵⁹⁵ Various news clippings from January 1958 about the Refugee Relief Act are found in the Lopez Museum and Library, Philippines. I have also found versions of this bill from the library at the Philippines’ House of Representatives: House Bill (HB) numbers 49 and 314.

⁵⁹⁶ Aguilar, “Philippines,” 333; Filomeno Aguilar, *Report on Citizenship Law: Philippines* (European University Institute, 2017), 15; Filomeno Aguilar and Benito Lim, “Benito Lim: Philippine Citizenship through Mass Naturalization, a Dictator’s Largesse?,” *Philippine Studies: Historical & Ethnographic Viewpoints* 60, no. 3 (2012): 391–415; Tan, “The Changing Identity of the Philippine Chinese, 1946–1984,” 178–179.

⁵⁹⁷ Letter of Instruction No. 270 (1975): ‘Naturalization of Deserving Aliens by Decree’. Applicants ‘indicated their interest to acquire Philippine citizenship to a committee headed by the Solicitor General’. This was expanded to include the wife and children of the principal petitioner; it was not applicable to female principal applicants. The majority of resident migrants came from China and South Asia. Aguilar, “Philippines,” 333.

⁵⁹⁸ Hau, *The Chinese Question*, 59; Aguilar and Lim, “Benito Lim,” 397.

⁵⁹⁹ After the Second World War, there were a few successful citizenship cases among White Russian refugees who arrived in the 1920s. Such as Eremes Kookooritchkin who was mentioned in chapter four.

and that people on the move continue to test the definition of who belongs in the Philippine society. Putting these discussions back in Philippine history might present an uncomfortable racialised or xenophobic discourse, but they are part of the long history of the state's efforts to control movement to the archipelago.⁶⁰⁰

Though this chapter begins in the 1930s, there is a much longer history of migration control that traces to the beginnings of Spanish colonial rule. Migration occupies a large space in the history of the Philippines, and so far, the literature around migration, citizenship and belonging have been dominated by a focus on Chinese migration.⁶⁰¹ This is entirely understandable. Among the policies I discuss, most concern the Chinese: those in power confronted what they saw as a 'Chinese problem' as the state evolved from colonial to post-colonial forms.⁶⁰² The Spanish expelled them in the 1700s, the Americans excluded them in 1902, and as this chapter shows, the post-colonial Filipino state legislated against them.⁶⁰³ Thus, the Chinese provide an opportunity to shift the attention to forms of displacement in the Philippines other than the case studies discussed in previous chapters. Chinese displacement coincided with a state obsessed with security and immigration restrictions. This was not exceptional for the Philippines. A large part of the 20th century's history of displacement was 'a Chinese problem', fleeing communism or those ethnic Chinese minorities who were excluded or expelled from their countries of residence ('Overseas' Chinese).⁶⁰⁴ Yet the literature conceals issues of displacement relating to refugee policies. Accordingly, I bring original archival research to this history.

This chapter begins by discussing the different policies towards migrants and refugees, which shows the varying attitudes towards non-citizens, seen in moments of liberalisation and restriction. It begins with the Philippine Immigration Act and the inclusion of Section 47.B in light of the 'Mindanao Plan' (see chapter two). The discussion moves on to the 1950s, which was a period of restrictive immigration. I question the diminution of colonial legacies in 1975, when migrants (not refugees) could avail themselves of a more liberal process for naturalisation. The next section outlines the development of the state's administrative arm in managing displaced persons, which

⁶⁰⁰ A broad overview of groups of migrants in the Philippines is discussed in the edited volume: Asis, *The Philippines as Home*.

⁶⁰¹ There is a rich literature on the Chinese community in the Philippines from colonial to post-colonial times. Selected literature include works from scholars such as Richard Chu, Antonio Tan, Teresita Ang See, Caroline Hau, and Edgar Wickberg.

⁶⁰² I use this term as shorthand for immigration policies on Chinese.

⁶⁰³ For migration policies towards the Chinese under colonial rule, see: Aguilar, "Philippines"; Burns, "A New Pacific Border"; Chu, *Chinese and Chinese Mestizos of Manila*.

⁶⁰⁴ Peterson, "Forced Migration, Refugees and China's Entry into the 'Family of Nations', 1861–1949," 13–14; Amrith, *Migration and Diaspora in Modern Asia*; Zhou, *Migration in the Time of Revolution*. Many Philippine Chinese were aware of the international scope of their exclusion. See the discussion in: Hau, *The Chinese Question*, 59.

emerged after Marcos' ratification of the Convention and Protocol in 1981. Under the direction of the Department of Justice (DOJ), this was an apparatus concerned with the process of refugee status determination. The chapter ends with the journey of Karbasi in order to show how the historical processes of the state's management of refugees shaped the policies of the 2000s, enabling Karbasi to seek asylum and eventually become a Filipino citizen.

Sovereignty and the regulation of migration

The case studies presented a series of ad hoc refugee policies, which provided room for the state (or president) to manoeuvre in order to realise its political interests. This section expands those policies in relation to broader issues and developments in migration control. At certain junctures of Philippines state-formation, migrants became the objects of political debates that resulted in a series of laws that dictated who among non-citizens were permitted to enter. This section focuses on four policies that demonstrate these shifts and the contexts of their enactments: (a) the Philippine Immigration Law of 1940, (b) the Alien Registration Act of 1950, (c) the (failed) Refugee Act of 1958, and (d) Letter of Instruction (LOI) No. 270 (1975).

The Philippine Immigration Act of 1940 is the cornerstone of today's Philippine immigration and refugee policies. This Act underlines the makeshift nature of refugee policies through the special provision of Section 47.B, which authorises the president to admit refugees outside of the quota system based on a persecution-centred definition (see chapter two). This provision was also (and continues to be) the basis for refugee status determination, which I explain in more detail in the next section.

The 1950s was a restrictive period. The decade presents another side of Quirino's refugee policies: the admission and temporary asylum of over 5,000 Russian refugees from China coincided with developments in immigration laws. One of these was the introduction of the Alien Registration Act. I also pay special attention to the 1958 debates over a bill that never saw the light of day. These debates reveal the extent to which the politicians perpetuated anti-Sinitic mentalities based on prejudices that formed during the colonial period. They refused to legalise the status of 2,700 'overstayers' who were displaced after 1949 based on a so-called 'Chinese immigration problem'.

Meanwhile, things changed for Chinese migrants in 1975 when Marcos decided to recognise the PRC and open diplomatic relations, ultimately breaking ties with Nationalist China. This was a significant shift for Philippine foreign policy, which intended to diversify diplomatic relationships and re-examine Philippine-American relations.⁶⁰⁵ Marcos' LOI ended generations of exclusion for

⁶⁰⁵ Lela Garner Noble, "Philippines 1975: Consolidating the Regime," *Asian Survey* 16, no. 2 (1976): 178–185.

migrants by liberalising the citizenship process for ‘deserving’ Chinese residents.⁶⁰⁶ This LOI prompted a ‘mass naturalisation’, including the ‘overstayers’. The LOI, however, did not apply to those with refugee status. Barriers to citizenship remained for refugees until 2015, when Karbasi petitioned for naturalisation.⁶⁰⁷

The cornerstone of immigration law: The 1940 Immigration Act

The establishment of the Commonwealth Government in 1935 paved the way for semi-autonomy. Migration shaped the political debates of the 1930s, when non-citizens – specifically from China and Japan – were scapegoats for the emerging state’s troubles (see chapter two).⁶⁰⁸ American immigration laws that were meant to keep Chinese migrants away were not strictly enforced, kindling racial prejudice against the minority from Filipinos.⁶⁰⁹ This laxity partially fuelled calls for a new immigration act in the 1930s. One of the most important outcomes of the political debates about migration was the Philippine Assembly’s passage of the Immigration Act of 1940.

This Act was a statement about Filipino politicians’ vision of how the independent Philippines presented itself to the ‘international community’, but the law was subject to the American president’s approval under the terms of the 1935 Philippine Constitution that established the Commonwealth Government. This Act is currently the basis of Philippine immigration law, and its colonial origins raise questions about the extent of autonomy the Philippine government had in attempting to control its own borders.

The key characteristic of the 1940 Act was its quota-based system of allowing the entry of 500 persons per nationality per annum. It further set out the provisions between ‘immigrant’ and ‘non-immigrant’; it also laid out the provisions for the cancellation of entry permits (Section 23), the detention of arriving aliens (Section 25), excluded classes of aliens (Section 29), deportation (Section 37), and removal of ‘indigent’ aliens (Section 43-44). Refugees came under the special provisions (Section 47) for ‘non-immigrants’ as exceptions to the quota.

⁶⁰⁶ Aguilar and Lim, “Benito Lim”; Arturo G. Pacho, “The Naturalization Process and the Chinese in the Philippines,” *Philippine Journal of Public Administration* XXIV, no. 3 (1980): 223–248; Irene R. Cortes, “Mass Naturalization by Legislation and the Chinese in the Philippines,” *Philippine Law Journal* 52, no. 4 (1977): 353–373.

⁶⁰⁷ Russian refugees who arrived in 1923 were admitted under American policies, and in the post-independence period, allowed to naturalise. Refugees who arrived from the Commonwealth onwards were restricted.

⁶⁰⁸ Aguilar pointed out how since 1916, many Filipinos shared American racism; the Philippine Assembly legislated to bar “Asiatics” – those from China and Japan – from naturalising as Filipino citizens. For debates within the Philippine Assembly about Asian immigration and anti-colonial sentiments, see Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947,” 440–441.

⁶⁰⁹ The relaxed enforcement of laws, however, was also in keeping with American and some local business interests. Illegal immigration brought more labourers in the Philippines who could not arrive in the US because of the lack of papers. However, among the local population, racial discrimination against the Chinese were manifested through anti-Chinese riots in 1931. Cullather, *Illusions of Influence*, 15–16.

External actors challenged the new immigration bill, which had foreign relations implications. Despite the image of an equal and unbiased quota of 500 for all nationalities, Chinese and Japanese officials were not ignorant of the discrimination against their nationals.⁶¹⁰ The Japanese Foreign Office protested against the quota, asserting that it was “an unfriendly act” against Japan; officials further attempted to constrain Philippine sovereignty by approaching Washington for ‘having pressure brought to bear upon the Commonwealth authorities to effect revision’.⁶¹¹ In response, Washington reportedly claimed through a statement that they did not interfere in any decisions made by the Philippine Assembly and approved by Quezon, and that the Philippine government could choose to ‘make a concession to Japan on its own volition’.⁶¹² Additionally, Filipino officials stressed that the Assembly’s decisions ‘were not motivated by anti-Japanese feeling [...] but rather by a pro-Filipino feeling of preservation’.⁶¹³ The rise of nationalism, spurred by the promise of independence, manifested in immigration law.

Meanwhile, Washington’s claim of non-interference is questionable for two reasons. On the one hand, the new bill constitutionally required the approval of the American president. Thus, it needed to consider, to an extent, American interests. On the other, Washington sent two American immigration experts (George Brandt and Irving Wixon) to Manila to advise the National Assembly on the drafting of the new bill. One of the outcomes was the inclusion of Section 47.B (see chapter two), which was a response to ensuring that thousands of Jewish refugees could legally enter the Philippines as part of the ‘Mindanao Plan’.⁶¹⁴ This provision authorised the Philippine president ‘[f]or humanitarian reasons, and when not opposed to the public interest, to admit aliens who are refugees for religious, political, or racial reasons, in such classes of cases and under such conditions as he may prescribe’.⁶¹⁵

Through Section 47.B, the refugee label gained legislative currency, which allowed later refugee groups to enter the Philippines legally. The authority, however, rested not on the National Assembly but in the hands of the Philippine president who could enact this provision with discretion.⁶¹⁶ Although Section 47.B suggests that the Philippine government was open to receiving

⁶¹⁰ The bill also resonated with US immigration policy using quotas based on nationality, embodied by the American Immigration Act of 1924 (which was not extended to the Philippines).

⁶¹¹ US High Commissioner to the Philippines, *Annual Report of the United States High Commissioner to the Philippine Islands*, (Manila, 1940): 35.

⁶¹² ‘Quezon to back Assembly policy’, *The Daily Tribune*, 24 April 1940

⁶¹³ ‘Yulo and Vargas Deny Reports’, *The Daily Tribune*, 26 April 1940.

⁶¹⁴ US High Commissioner to the Philippines, *Annual Report of the United States High Commissioner to the Philippine Islands*, (Manila, 1940): 35. See also: Ephraim, “The Mindanao Plan.”

⁶¹⁵ “Commonwealth Act No. 613.” (Philippines)

⁶¹⁶ The Bureau of Immigration was also placed directly under the Office of the President in 1940 until it was transferred to the Department of Justice in 1948.

refugees, part of presidential discretion meant that not all groups fell into the ‘refugee’ category. The ‘refugee’ label had political meaning and was, as the case studies have shown, used selectively. This provision kept refugee policy as an ad hoc matter.

Anti-Asian sentiments that sprung from the colonial period shaped Philippine immigration law in the 1930s. Immigration became a quota-based system, but the introduction of Section 47.B, ensured that persons the president recognised as ‘refugees’ were exempted. Despite the legal currency gained by the ‘refugee’ label in the Philippines, an even more restrictive migration policy ensued after the Second World War and upon achieving independence in 1946. The following decades were periods of contradictions in the state’s response to displacement, revealing the conflicting relationship between the state and the refugee.

Tightening Immigration: the 1950s

The geopolitics of the Cold War and post-war reconstruction influenced changes in Philippine immigration law during the 1950s. The emerging state was obsessed with security and intent to promote ‘Filipino business establishment’.⁶¹⁷ Border control and internal administrative procedures towards non-Filipinos assumed more importance in this period. The Philippine government projected an image that was anti-immigrant and exercised more control on regulating non-citizens’ movements into the archipelago.⁶¹⁸ Migrants, among whom the Chinese were the largest group, were targets of economic and security concerns.

This section investigates how changes in immigration laws affected non-citizens through the reduction of quotas, introducing new administrative requirements per the Alien Registration Act of 1950 and debates about the failed Refugee Act of 1958. The discussion pays particular attention to the Chinese, including refugees from the PRC after 1949. Citizenship issues around the ‘Chinese question’ formed part of the post-war policy debates in the emerging state.⁶¹⁹ Nationalism was on the rise and the minority served as a convenient scapegoat for economic woes, resulting in the nationalisation laws from the 1950s to 1960s.⁶²⁰ Displaced Chinese – so-called ‘overstayers’ – were caught up between domestic and foreign (Nationalist government of China) actors, and their

⁶¹⁷ For the rise of nationalist discourse, see: Abinales and Amoroso, *State and Society in the Philippines*, chap. 7; Cullather, *Illusions of Influence*, chap. 6.

⁶¹⁸ Americans were exempted from any migration changes.

⁶¹⁹ Hau, *The Chinese Question*, 58. Citizenship, in the post-war period, was based on a number of prerequisites, such as duration of residence, good moral character. Based on citizenship cases, anti-Sinicism appears to be more the issue that prevented Chinese migrants from obtaining citizenship. Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947.”

⁶²⁰ Appleton, “Overseas Chinese and Economic Nationalization in the Philippines,” 157–158.

experience is a clear expression of the selective nature of Philippine refugee policy, especially when set against the admission of Russian refugees which occurred around the same time.

Recalling chapter four, Quirino's initial statements about receiving refugees from China was limited to 'friendly nationals fleeing from the Chinese civil war and whose governments have concluded amity treaties with the Philippines'; Chinese and stateless persons were prohibited.⁶²¹ We have seen that Russians were eventually offered temporary asylum in 1949, which boosted the country's international image as a humanitarian actor. By contrast, the rejection of displaced Chinese was a clear perpetuation of racial formations from the colonial period; the concept of the 'Chinese migrant' (which did not differentiate between migrant and refugee) was weighed down with negative political meanings and often associated with 'illegal' entry into the archipelago.⁶²²

In the 1950s, migrants and refugees were entangled into the state's security interests and fight against communism. Fears circulated that spies were among non-citizens, including the Russians who were isolated in Guiuan (see chapter four). Episodes of 'anti-communist' hostility, however, mainly targeted Chinese migrants (including refugees), who numbered over 150,000 in 1948.⁶²³ One example of how Quirino attempted to control Chinese migration was to amend the Immigration Act by decreasing the quota from 500 to 50 per nationality. By overhauling the quota system, the state was able to restrict the number of Chinese migrants entering the country 'without openly discriminating against any one nation'.⁶²⁴

Another measure to control migrants more broadly was through the Alien Registration Act of 1950.⁶²⁵ This new legal instrument required all foreigners already in the Philippines to register themselves with the Bureau of Immigration and pay a fee of Php50 (\$25) per person; failure to do so subjected non-citizens with fines or imprisonment. The Alien Registration Act could also be seen as a means to provide the state with data – personal information including addresses, date of birth, occupation – creating an official record of non-citizens in the country.

Refugees were not exempted from registration fees. The remaining 'hard-core' Russian refugees in Samar illustrate this point. In 1951, the government requested that the IRO pay for the

⁶²¹ "The Official Month in Review," 1948.

⁶²² For a discussion on the issues concerning Chinese (illegal) immigration, see: Ang See, "Influx of New Chinese Immigrants to the Philippines: Problems and Challenges."

⁶²³ "Republic of the Philippines -- Summary of Basic Economic Information," 3.

⁶²⁴ United States Congress House Committee on the Judiciary. *Revision of Immigration, Naturalization and Nationality Laws: Joint Hearings Before the Subcommittees of the Committees on the Judiciary, Congress of the United States, Eighty-second Congress, First Session, on S. 716, H.R. 2379 and H.R. 2816, Bills to Revise the Laws Relating to Immigration, Naturalization and Nationality* (U.S. Government Printing Office, 1951), 272.

⁶²⁵ RA 562 - Alien Registration Act of 1950 (also known as Republic Act 562).
<http://immigration.gov.ph/information/immigration-law>.

registration of the remaining 911 refugees, amounting to Php42,262 (which included penalties for 'late registration').⁶²⁶ The IRO filed for an exemption for the refugees, but it remains unclear whether the refugee agency paid the fees or not. Nevertheless, the Alien Registration Act tells us that the state did not differentiate between refugees and migrants when it came to administrative matters.

Another example that shows this lack of distinction between refugee and migrant can be seen in taxation matters. Vladimir Trirogoff, who was a former Russian refugee with the Siberian flotilla that arrived in January 1923, was registered in the Philippines as a 'refugee' on his 1955 tax form (see figure 8). It is unclear whether the state or Trirogoff himself identified as a refugee. What is important, however, is that the 'refugee' label only held currency in terms of the right to remain in the country.⁶²⁷

Figure 8 Tax Form of Vladimir Trirogoff (personal collection of Dinee De Mesa, his granddaughter)

Meanwhile, the 'problem' of Chinese immigration concerning 2,700 'overstayers' became a legislative matter in 1958. The main concern was that they were in 'violation' of the 1940

⁶²⁶ This amounted to \$212,352.18 in 2019. 'Refugees Must Pay', *The Manila Times*, 1 August 1951.

⁶²⁷ Other administrative practices such as acquiring Philippines visas were mentioned in chapter four. For a discussion about the distinction between the refugee and migrant categories in the post-war period, see: Katy Long, "When Refugees Stopped Being Migrants: Movement, Labour and Humanitarian Protection," *Migration Studies* 1, no. 1 (2013): 4–26.

Immigration Act by overstaying their visas.⁶²⁸ This group, however, became displaced upon the communist takeover of mainland China in 1949, but their protracted presence in the Philippines prompted political debates about what to do with them, with the possibility of legalising their stay through a new law – the so-called Refugee Act of 1958.⁶²⁹ The debates did not only concern domestic matters, but also affected diplomatic relations between the Philippine government and that of Nationalist China (Taiwan).

Succeeding political administrations of Quirino, Ramon Magsaysay (1953-1957), Carlos P. Garcia (1957-1961) refused to extend the ‘refugee’ label to Chinese displaced persons, making them a political ‘problem’ since the 1940s. In 1958, few politicians were in favour of extending asylum to these displaced persons on humanitarian grounds through the passage of the Refugee Act. Senator Francisco Rodrigo filed the bill citing ‘humanitarian grounds’ and suggested the extension of permanent residence to ‘deserving’ Chinese.⁶³⁰ In order to identify ‘deservedness’, he further suggested a screening process and those who were rejected would be deported by the state to Taiwan. Many opposed his plans citing fears that asylum could trigger a pull factor; others held that the Chinese were ‘suspected of controlling the national economy’ and that accepting more as refugees would be ‘oppressive on the economy’.⁶³¹ Meanwhile, senators blamed Nationalist China for refusing to take in these “illegal immigrants”.⁶³² Those opposed to the bill suggested taking drastic measures by ending diplomatic ties with Taiwan and sending refugees to Hong Kong instead. The trail on these debates ended with no clear decision.⁶³³ However, based on opposition from powerful politicians like the Immigration Commissioner and the aloofness of then President Carlos Garcia (1957-1961), the bill did not pass.⁶³⁴

The failure of the Refugee Act was not an indication that the state was anti-refugee, rather it was because many state officials were anti-Sinitic. These attitudes also rang strong with members of

⁶²⁸ This violation denied certain rights to ‘overstayers’. They were not allowed to work without permission from the Commissioner of Immigration, for example.

⁶²⁹ House Bill (HB) numbers 49 and 314, Legislative Library, Archives and Museum, House of Representatives Library (Philippines).

⁶³⁰ ‘To Allow Reentry of “Deserving”’, *Daily Mirror*, 4 Feb 1958. “‘Soc’ explains why he filed refugee bill”, *The Manila Times*, 21 February 1958.

⁶³¹ ‘Rodrigo, Other Solons Clash on Refugee Bill’, *The Daily Mirror*, 18 February 1958. Chinese businesses controlled majority of retail trade (see chapter one).

⁶³² Kung, “Nationalist China in the Postcolonial Philippines”; Appleton, “Communism and the Chinese in the Philippines,” 380. This is in part because politicians must have believed that ‘overstayers’ were citizens of Nationalist China, per the 1909 Chinese nationality law with used the principle of *jus sanguinis* or blood lineage to define nationality. Shao Dan, “Chinese by Definition: Nationality Law, Jus Sanguinis, and State Succession, 1909-1980,” *Twentieth-Century China* 35, no. 1 (2009): 4–28.

⁶³³ The last news article from the archive is dated to 26 February 1958, which reported on the Immigration Commissioner’s opposition to the bill. ‘Galang against Rodrigo bill’, *The Daily Mirror*, 26 February 1958.

⁶³⁴ ‘Garcia Cool to Sino Bill’, *The Daily Mirror*, n.d.

the public who called for mass deportation of Chinese migrants.⁶³⁵ The suggestion of deportation shows a clear misunderstanding among politicians about the geopolitics and the displacement issues, blinded by nationalisation and anti-Sinicism.⁶³⁶ This suggestion was also based on misconceptions about the relationship between the ‘overstaying Chinese’ and their relationship with mainland China, which was now communist; neither did these refugees have social, political or economic ties to Taiwan. Despite deportation as a sovereign act, where would the government send these displaced persons? That also constrained the state to act.

The late 1950s were a period of increased nationalism and ad hoc refugee policies. A heavy protectionist attitude dominated the government that restricted the admission of any Chinese refugees. Admitting Chinese persons – refugees or not – in the eyes of the state, would have departed from its nationalist policies, some that explicitly targeted the minority. The Retail Trade Act of 1954 is an example. This policy prioritised Filipino and American business interests and restricted Chinese enterprise.⁶³⁷ That same year, the Magsaysay administration rejected UNHCR’s request to admit Chinese refugees in Hong Kong to the Philippines during UNHCR Representative Edvard Hambro’s visit to Manila.⁶³⁸ The Justice Secretary ruled that ‘such a move would require special legislation and would not be welcomed by nationalistic elements in the country’.⁶³⁹ Meanwhile, under President Garcia, a “Filipino First” policy began in August 1958; this policy related to decolonising the economy from American interests.⁶⁴⁰ The next year, Garcia proclaimed that 1 January to 30 June 1960 was a period for campaigning in the Philippines in support of the UN’s World Refugee Year (1959-1960).⁶⁴¹ Again, the state was not anti-refugee, it was anti-Sinitic, and thus had a Janus-faced refugee policy partly informed by racial discrimination.

The debates concerning the ‘overstaying Chinese’ were also a manifestation of the lack of clarity in Philippine refugee policy. Section 47.B of the Immigration Act of 1940 remained the sole policy about refugee admission, but this provision was concerned about the legal entry of refugees into the territory. The ‘overstaying’ Chinese, as well as Geichenko’s and Kurilov’s cases, presented a dilemma about what to do with migrants who became displaced *within* national borders. The

⁶³⁵ Hau, *The Chinese Question*, 59.

⁶³⁶ ‘Red China, P.I Talks Proposed’, *The Daily Mirror*, 25 February 1958.

⁶³⁷ Appleton, “Overseas Chinese and Economic Nationalization in the Philippines,” 157–158.

⁶³⁸ Hambro was responsible for surveying the Chinese refugees in Hong Kong. See: Madokoro, *Elusive Refuge*; Laura Madokoro, “Surveying Hong Kong in the 1950s: Western Humanitarians and the ‘Problem’ of Chinese Refugees,” *Modern Asian Studies* 49, no. 2 (March 2015): 493–524.

⁶³⁹ ‘Chinese Refugees Not Welcome Here’, *The Manila Times*, 25 June 1954.

⁶⁴⁰ Cullather, *Illusions of Influence*, 163.

⁶⁴¹ Proclamation No. 637, s. 1959. For World Refugee Year, see: Peter Gatrell, *Free World?: The Campaign to Save the World’s Refugees, 1956-63* (Cambridge: Cambridge University Press, 2011).

absence of protection for these displaced persons meant that they were subjected to the threat of deportation or were detained.

If the Senate passed the 1958 Refugee Act, two major effects could have happened. First, drafting such a law could have regularised the legal status of the thousands of ‘overstaying Chinese’ after a protracted period; second, legislating on refugees meant a transfer of power from the President to the courts, allowing for legal procedures that the government could follow. Refugee law could exist in national law. Instead, another decade of an unclear asylum process continued, which criminalised refugees and asylum-seekers for ‘illegal entry’ (per Geichenko and Kurilov’s case).

Immigration in the 1950s can be characterised as a time of restriction: the government temporarily decreased the quota limits and required all non-citizens to register with the Bureau of Immigration. Refugee policy was selective shown with the admission of Russian refugees and the support for the World Refugee Year campaign, as well as the failure of the Refugee Act of 1958 which denied asylum to displaced Chinese.

Diminishing colonial legacies?

Immigration policies changed during the Marcos dictatorship (1965-1986). While we have already seen his decision to extend temporary asylum to boat people, this section shows how he changed the state’s policies towards the Chinese in Philippine society through the issuing of Letter of Instruction No. 270 (LOI) in 1975. This policy liberalised the naturalisation process to non-citizens residing in the Philippines (of which the Chinese comprised the majority).⁶⁴² A mass naturalisation occurred which changed the legal status of around 125,000 ‘overstayers’, as well as other resident aliens, such as the Indian community.⁶⁴³ After decades of legal limbo, the ‘overstayers’ were integrated into the Filipino polity.

Marcos decision to shake what had been Chinese exclusion since the colonial times was not an attempt to disrupt the status quo. Chinese migrants were incorporated into his foreign policy objectives through the opening of diplomatic relations with communist China in 1975. Some of his reasons included that he did not want the large minority to be under the communist regime’s jurisdiction, to increase foreign investment in the Philippines, and to prevent the sale of arms from the PRC to ‘communist elements’ in the country.⁶⁴⁴ Meanwhile, public opinion did not readily

⁶⁴² Aguilar, “Philippines”; Aguilar, “Between the Letter and Spirit of the Law: Ethnic Chinese and Philippine Citizenship by Jus Soli, 1899 - 1947”; Filomeno Aguilar, “The Triumph of Instrumental Citizenship? Migrations, Identities, and the Nation-state in Southeast Asia,” *Asian Studies Review* 23, no. 3 (September 1999): 307–336.

⁶⁴³ Aguilar, *Report on Citizenship Law*, 15. For the Indian community, see: Ajit Rye, “The Indian Community in the Philippines: A Profile,” *Asian Studies Journal*, 1981, 56–64.

⁶⁴⁴ Aguilar, “Philippines,” 333; Ang See, “Influx of New Chinese Immigrants to the Philippines: Problems and Challenges,” 137,141.

welcome Marcos' decision to 'integrate' ethnic Chinese into the polity – racial prejudice was part of the public's perception of the minority.⁶⁴⁵

Naturalisation, however, was still restricted for those the state considered as 'refugees'.⁶⁴⁶ One likely reason is because the extension of asylum was temporary in nature. In the previous chapter, we saw that the 1996 MOU between the CADP and the government legalised the refugees' stay but this did not mean did naturalisation, evinced by the presence of stateless Vietnamese today.⁶⁴⁷ The later discussion about Karbasi shows that the naturalisation process was possible for refugees.

As we have seen, the Philippines' legislative framework around migration evolved. Movement into the archipelago was restricted and the naturalisation process was initially complicated and expensive. Colonial legacies of exclusion and state interests informed how laws were shaped. Chinese migrants had been main objects of immigration, economic and security interests from the 1930s through 1975. The 1958 debates show the lack of political will to address the displacement of thousands of so-called 'overstayers', perpetuating displacement despite a history of admitting Jewish and Russian refugees. As these laws were enacted, the state also mobilised an apparatus to manage migrants. This apparatus developed a refugee-centred arm as refugee admissions occurred.

Developing a refugee-centred apparatus

This section demonstrates the extent to which refugees helped constitute the state. I trace this to the Indochinese refugee 'crisis' when Marcos constituted a task force to manage the refugees. Since then, the developments reveal an apparatus that was primarily concerned with the refugee status determination process.⁶⁴⁸ Despite the creation of governmental units that address displacement, the absence of any national refugee law meant that policies would remain on an ad hoc basis, focused on the legality of refugees' right to remain in the country.

The arrival of Vietnamese boat people in 1975 prompted Marcos to create the Task Force for International Refugee Assistance and Administration (Task Force hereafter). This Task Force was a collective of five governmental departments: Foreign Affairs (as chair), the Office of the President, Justice, National Defence, and Social Welfare. Acting as the official governmental unit, it worked in cooperation with UNHCR and NGOs. Though representative of *all* refugee needs, the Task Force was primarily concerned with the Indochinese refugees, while Refugee Services

⁶⁴⁵ Pacho, "The Naturalization Process and the Chinese in the Philippines," 243.

⁶⁴⁶ The Lawphil Project of the Arellano University Foundation digitised many cases, including those around citizenship of refugees. Some cases are about the naturalisation of former Russian refugees who arrived in 1923, such as Eremes Kookooritchkin (G.R. No. L-1812) who I mentioned in chapter four. See: www.lawphil.net.

⁶⁴⁷ Aguilar, "Philippines," 341.

⁶⁴⁸ Candelaria, "The Practice of Refugee Law in the Philippines."

Philippines Inc., a local NGO, was responsible for those officially labelled as ‘non-Indochinese’.⁶⁴⁹ I argued in chapter six about the inequalities this posed for refugees in the Philippines during this period.

In matters of state-building, the Department of Justice (DOJ) was responsible for all immigration matters, including refugee issues. The DOJ based its asylum decisions on Section 47.B of the Immigration Act.⁶⁵⁰ This provision existed side by side with the Refugee Convention and Protocol which Marcos ratified in 1981.

After Marcos’ ousting in 1986, President Corazon Aquino (1986-1992) reconstituted the Task Force. In 1987, she passed Executive Order No. 304, requiring it to ‘issue Identity Papers and Travel Documents to refugees’ which enabled them to travel outside the Philippines.⁶⁵¹ The Bureau of Immigration became an integral actor in the status determination process under the Comprehensive Plan of Action’s (CPA) criterion.⁶⁵² This has been discussed in the previous chapter, but I want to reiterate how refugee protection, despite this bureaucracy and ratification of the Convention and Protocol, was not always guaranteed. The forced repatriation of a plane full of displaced Vietnamese in 1996 was a case in point. Then what followed was the question of responsibility for over 2,000 un-resettled Vietnamese refugees from the Philippine First Asylum Camp in Palawan; they were no longer considered ‘refugees’ but re-labelled as ‘illegal’ immigrants. The MOU in 1996, which transferred the remaining refugees to the care of the CADP, sought to remedy this failure of protection. However, the government assumed that the MOU was a temporary measure and that these refugees would resettle elsewhere.⁶⁵³ They did not. Citizenship remained elusive, and those refugees who were ‘screened out’ were, and remain at present, as stateless – a complex issue, as Jana Lipman discussed.⁶⁵⁴

In 1998, the government’s administrative arm for managing refugees was formalised through the creation of the Refugee Protection Unit. This unit became the official *de facto* state institution for refugee-related matters. Despite the admission of refugees since the 1930s, the absence of any formal administrative office until this year can be attributed to the lack of state interest in refugee

⁶⁴⁹ For the division of the Task Force and RSPI’s duties, see: Candelaria, 192–196.

⁶⁵⁰ Department Order No. 94 (1998): Establishing a Procedure for Processing Applications for the Grant of Refugee Status.

⁶⁵¹ Candelaria, “The Practice of Refugee Law in the Philippines,” 193.

⁶⁵² I discuss the CPA in chapter seven.

⁶⁵³ Evangelista and Evangelista, “The Vietnamese in Palawan, Philippines: A Study of Local Integration,” 83.

⁶⁵⁴ Congressional discussions since the early 2000s debated around extending permanent residence to the Vietnamese refugees still in the Philippines. See: ‘Congressional Appropriations’, Philippine House of Representatives, 4 February 2003. See also: Lipman, *In Camps*, 220–229.

issues, the nature of asylum as a temporary response to displacement, and that refugees did not see the Philippines as an ideal destination for resettlement.

The unit was renamed to the Refugee and Stateless Persons Protection Unit (RSPPU) in 2012, when the Philippines ratified the 1954 Convention relating to the Status of Stateless Persons. Subsequently, Secretary of Justice (now Senator) Leila de Lima issued Department Circular No. 58 that year entitled ‘Establishing the Refugee and Stateless Determination Procedure’.⁶⁵⁵ Its objective was to establish:

a fair, speedy and non-adversarial procedure to facilitate identification, treatment, and protection of refugees and stateless persons consistent with the laws, international commitments and humanitarian traditions and concerns of the Republic of the Philippines.⁶⁵⁶

The RSPPU supposedly upheld the obligations of the Philippines to the Refugee Convention and its Protocol, and the Convention on Statelessness.⁶⁵⁷ Although there was a focus on status determination, these developments were significant as they prohibited the detention of displaced persons (in lieu of illegal entry) and refoulement (Section 3).⁶⁵⁸ Thus, asylum-seekers entering the Philippines similarly to Geichenko and Kurilov, were no longer criminalised for their means of entry *sans papiers*. Though not national law, this was a major step in defining the procedures, policies and duties of the DOJ concerning refugees and stateless persons in the country.

In 2019, this unit was again renamed to ‘Refugees and Stateless Persons Protection Board’, which was mandated to ‘prescribe rules and regulations on how to deal with the application status of refugee or stateless persons while promoting programs for their protection’.⁶⁵⁹ De Lima, who proposed this ‘new’ unit and its mandate, acknowledged that there remains a need to institutionalize the status determination procedure for refugees and stateless persons.

Today, UNHCR works closely with the DOJ to promote protection for refugees and stateless persons. Majority of UNHCR’s work, however, deals with internally displaced persons, showing

⁶⁵⁵ Aguilar, “Philippines,” 340.

⁶⁵⁶ Section 2, Department Circular 58. <http://www.refworld.org/docid/5086932e2.html>.

⁶⁵⁷ This unit was headed by a Chief State Counsel and was assisted by personnel from the Department of Justice. The unit worked with UNHCR and NGOs to execute its mandate. This circular was applied to stateless persons of Indonesian descent, see: Aguilar, “Philippines,” 340–341. There is no institutional history for the RSPPU (based on an email exchange I had with the department in January 2020).

⁶⁵⁸ Refugees and stateless persons could be removed under Section 30 for criminal offences or as a threat to national security or public order.

⁶⁵⁹ ‘Law to Protect Refugees and Stateless Persons Proposed’, *Manila Bulletin* 24 June 2018.

that the Philippine government needs to tackle this form of displacement and extend its apparatus for their care. Despite these developments, no refugee laws exist in national legislation.

Historical processes have led to the development of the Philippines' current refugee regime. The colonial legacies that made membership to the Philippine polity exclusive were manifested in the state's relationship with the refugee at the end of the twentieth century – one that remained conflicted. More recently, these include a number of Syrians who arrived in 2013 and have yet to have their status determined.⁶⁶⁰ The failure to include refugee law into national legislation meant that refugee policy was still an ad hoc decision. Though an apparatus is in place, there is still a hesitation to legislate in favour of extending asylum and citizenship to refugees.

In the next section, I briefly focus on another episode of displacement: Karman Karbasi, a former Iranian refugee who became the first refugee to obtain Filipino citizenship with reference to the Refugee Convention and its Protocol.⁶⁶¹ His journey not only shows the transition from displacement to citizenship, but also disrupts the image of the Philippines as a first country of asylum. Additionally, he also managed to enter the Philippines despite the restrictive immigration policies. Like Geichenko and Kurilov, he challenged the porous border, but in a different way.

From Refugee to Filipino citizen

Karman Karbasi fled Tehran in 1986 with his brother; he was 20 years old. They moved to Pakistan, where Karbasi lived for three years. He decided to travel to the Philippines where his brother had moved. He arrived in Manila on 11 July 1990 by airline under a different name, Syed Gul Agha, and a different passport. Karbasi immediately presented himself to UNHCR's Manila office. The refugee agency recognised him as a refugee, which entitled him to legal protection, an allowance and medical services. He was able to attend university and to find work, eventually marrying a Filipina citizen. Karbasi filed for naturalisation in 2002, but was rejected. He successfully appealed in 2015 and in 2017, he became a Filipino citizen.⁶⁶² Karbasi's journey presents an opportunity to explore the refugee-to-citizen process.

Three points of interest emerge, which show another angle to the state-refugee relationship that we already know. First, Karbasi's choice of the Philippines as a country of resettlement disrupts

⁶⁶⁰ Aguilar, "Philippines," 341.

⁶⁶¹ Francis Tom Temprosa gives a detailed analysis on the naturalisation case of Karman Karbasi. Francis Tom Temprosa, "The 'Liberalization' of Refugee Naturalization: Some Insights in Republic v. Karbasi on the Gains and Deficits on the Law on Local Integration," *Ateneo Law Journal* 61, no. 1 (2016). See also Karbasi's legal case: G.R. No. 210412 (2015), https://www.lawphil.net/judjuris/juri2015/jul2015/gr_210412_2015.html.

⁶⁶² UNHCR Philippines, 'From refugees to Filipinos: How two former refugees found a home in the Philippines', 8 May 2017. <https://www.UNHCR.org/ph/11708-refugees-filipinos-two-former-refugees-found-home-philippines.html>.

the notion of temporary asylum that has weaved through this thesis. The Philippines served as a jump-off point for resettlement to Western countries for those refugee groups in my case studies, as well as (in a literal sense) for Geichenko and Kurilov. In contrast, Karbasi insisted on making the Philippines home, following his brother who was able to move to the archipelago earlier on.

This brings me to my second point: his admission as a regular migrant based on a false identity. Without a passport, Karbasi could not travel to the Philippines, thus necessitating the procurement of one under a false name. This allowed him to enter the Philippines unhindered, which further enabled him to present himself to UNHCR in Manila and claim asylum, resulting in a grant refugee status. Refugee status presented certain rights such as education and access to medical services. Unlike Geichenko or Kurilov, Karbasi was not detained for ‘illegal’ entry, from which he would have to claim asylum from detention.

UNHCR’s authority to grant asylum, which was recognised by the Philippine government suggests that refugee status was not an ad hoc decision anymore, nor was refugee admission or the right to remain subject to the president’s discretion anymore. The agency’s authority meant that there were two paths to being admitted as a ‘refugee’ in the country. On the one hand, the claimant could present themselves to UNHCR Philippines. On the other, one claimed asylum through the DOJ under the provisions of Section 47.B of the Immigration Act, allowing for a change of status to ‘special non-immigrant’ category as a ‘refugee’.⁶⁶³ Both institutions respected the other’s grant of refugee status.

Lastly, Karbasi’s naturalisation brings together themes across this thesis: exclusionary practices towards non-citizens, adhering to international refugee law, and sovereignty. Refugees’ petitions for naturalisation were costly and protracted (requiring at least 10 years residency). Again, refugees were excluded from the easier measures for migrants that Marcos instituted in 1975.⁶⁶⁴ These restrictions were a means for protecting sovereignty by keeping refugees as refugees, ‘unless it is in their sovereign interest to offer them some rights’.⁶⁶⁵ However, by ratifying the Refugee Convention and Protocol, certain aspects of sovereignty were compromised. Karbasi’s defence illustrates this during his appeal for naturalisation. When the Office of the Solicitor General opposed his appeal based on flawed financial and tax documents, Karbasi defended his position by referring to the Philippines’ obligations to the Refugee Convention and Protocol. He drew attention to Article 34, which stipulated integration and naturalisation as one of the ‘durable

⁶⁶³ Candelaria, “The Practice of Refugee Law in the Philippines,” 198–200.

⁶⁶⁴ Karbasi’s status as a refugee lasted under five administrations: Corazon Aquino (1986-1992), Fidel Ramos (1992-1998), Joseph Estrada (1998-2001), Gloria Macapagal Arroyo (2001-2010), and Benigno Aquino III (2010-2016).

⁶⁶⁵ Haddad, *The Refugee in International Society: Between Sovereigns*, 86.

solutions'. Ultimately, the Supreme Court ruled in his favour, directly interpreting the Refugee Convention that "the Naturalization Law must be read in light of the developments in international human rights law specifically the granting of nationality to refugees and stateless persons."⁶⁶⁶ It added that Karbasi's character as a 'self-made entrepreneur' made him an unlikely public charge. This reference to refugees not being public charges echoes the parameters of refugee 'rescue' in the 1930s – the state as unwilling or lacked the resources to care for refugees once they legally entered the archipelago.

Karbasi's case was the first instance in which the Convention's provision influenced the court's decision to grant citizenship, based on one's status as refugee. Upon taking his oath of citizenship, Karbasi remarked, "I feel free now [...] I feel no more worries. I can settle now. I can concentrate more on my children and support them."⁶⁶⁷ Amidst this history of restriction and the shifting of legal borders since the colonial period, the state welcomed the refugee as one of its own in 2017.

As we have seen, there is a long history of the Philippine state's attempts to control its borders. The laws discussed above show how refugee policies evolved not only in response to unpredictable challenges such as the arrival of asylum-seekers, but also the constant presence of 'undesirable' groups, such as Chinese migrants. Legislative changes were designed to deal with this perceived problem. Section 47.B in particular represented an attempt to resolve refugee policy by granting powers to the president, enabling him to exercise discretion. The result was a series of ad hoc decisions. Meanwhile, there was never any question of exercising discretion towards Chinese migrants until 1975 when a path to citizenship opened up. Amidst the evolution of the legislative framework, refugees remained as outsiders in Philippine society.

If the Philippines does indeed have an "open-door policy" for refugees, as current president Rodrigo Duterte's administration claims, then much more remains to be done.⁶⁶⁸ The history presented in this thesis shows that recent experiences of refugees can be traced to the restrictive environments that characterised the early development of the Philippine state, whose roots reach back into the colonial period. There is a rich history of encounter between the state and the refugee. Philippine history, is in part, a history of refugees. One can only hope that its future direction can be dedicated not only to admitting refugees, but also to providing services and opportunities for them as it does for citizens. Does the refugee have a place in the Philippines? Can the state commit

⁶⁶⁶ Temprosa, "The 'Liberalization' of Refugee Naturalization: Some Insights in Republic v. Karbasi on the Gains and Deficits on the Law on Local Integration," 255–257.

⁶⁶⁷ UNHCR Philippines, 'From refugees to Filipinos: How two former refugees found a home in the Philippines'.

⁶⁶⁸ "Duterte Offers Filipino Citizenship to Rohingya Refugees," *GMA News Online*, February 2019, <https://www.gmanetwork.com/news/news/nation/686271/duterte-offers-filipino-citizenship-to-rohingya-refugees/story/>.

to protecting refugees so that it does not repeat the failure of the ‘Mindanao Plan’, Quirino’s abandonment of Russians in the 1950s, and that of Ramos’ forced repatriation, which placed refugees on a plane back to Vietnam in 1996? Can it become that “place of freedom” for which Geichenko and Kurilov risked their lives? If so, the law needs to be clear about what the state can and cannot provide. At the very least, a more honest and informed conversation is needed.

Conclusion

This thesis opened with Marcos' claims that the Philippines was built on displacement. It was "a nation composed of many refugees" – a rhetorical tool to help justify his decision to inaugurate the Philippine Refugee Processing Centre. He was not wrong, but as this thesis has shown, his rhetorical claims omitted an important and more recent history. The previous chapters have demonstrated that Philippine history is in part a history of refugees. Almost every decade of the twentieth century history has episodes of encounters between the state and refugees. The Philippines was both refugee-host and refugee-producer, but the relationship between the state and refugees was invariably a conflicted one.

The Philippines is also a part of refugee history. The case studies emphasised the important and complex role of states from the Global South in the international refugee regime. They also shed light on why emerging states choose to admit refugees and reject others, and remind us that geopolitics (such as the Cold War) and colonial legacies have roles in shaping those decisions. This thesis adds nuance to actors and their agenda within the different layers of the refugee regime, and provides an opportunity to re-thinking the nature of managing refugees (such as using camps). This thesis has also emphasised that refugee studies is more than just about refugees, and that refugees are interwoven into the histories of nation-states.

The decision that different political administrations took to extend asylum to refugees helped foster a humanitarian image for the country. When many states refused German Jews, Russians from China, or pushed back boat people, those in power opened the Philippines' borders and 'rescued' hundreds of thousands of displaced persons.

Yet, there is also another side to Philippine refugee history. Sovereignty did not only mean the authority to admit displaced groups, but also to facilitate their rejection. The ad hoc nature of refugee policy left refugee admission to the president's discretion. In order to emphasise this, the thesis drew attention to displaced Chinese, the detention of Russian escapees, and the production of 'Filipino refugees'. The state's attitudes towards these groups were in part a manifestation of colonial legacies of exclusion. The Philippines' Janus-faced refugee policy shows the extent to which refugees were entangled with the process of state-formation.

The case studies demonstrated that refugees were visible at particular junctions of state-formation concerning immigration, citizenship and international relations. One of the key moments in this history was the inclusion of the refugee-favoured provision, Section 47.B, to the Philippine Immigration of 1940. The plan to 'rescue' thousands of Jewish refugees required the insertion of this provision to legally allow the entry of forced migrants outside of immigration quotas. The

'refugee' label, as defined by the state, held power, and was used selectively. By denying asylum to specific displaced groups, the state reinforced the outside status of certain migrants and minorities. Thus, we saw in 1958, how 'overstaying Chinese' were not considered as 'refugees' but as 'illegal immigrants', thwarting them from receiving legal protection.

Refugees were also used to realise national and international policy objectives. These changing interests across different political administrations shaped each refugee admission – each episode looked different. During Quezon's presidency, we saw how Jewish refugees were tied into development goals in Mindanao. Under Quirino's administration, security became a primary concern and in the interest of preventing possible communist 'infiltration' from Russian refugees, the group was isolated in a camp far away from Manila. Lastly, Marcos used the Indochinese refugee 'crisis' to bolster the Philippines' place in the international stage as a 'humanitarian actor', masking negative aspects of his dictatorship and the generation of 'Filipino refugees'.

This thesis also put forward another argument: that refugees helped constitute the state. The final chapter demonstrated how the presence of refugees transformed the state through the development of an administrative apparatus for managing refugees, in particular through the creation of the Refugee Protection Unit. This office manifested the state's concern about the legality of refugees' status in the country and hence, the need for a status determination process that began during the Indochinese refugee 'crisis' and that endures until today.

We have seen that there was a proliferation of actors in the various episodes of refugee admissions. This thesis has discussed the roles and responsibilities of intergovernmental agencies and NGOs in addition to the state. The discussion has drawn out some nuances about each actor's different agenda, which was challenged by the host-state's sovereignty. As 'gatekeeper' the state provided them access to refugees.

The proliferation of actors has also demonstrated that concepts like 'refugees' and 'displaced persons' did not have a fixed meaning. The history of the international refugee regime, for example, shows how the 'refugee' definition became transformed across the twentieth century: from its association to particular nationalities (e.g., Russians) in the interwar period, to being individualised in the post-war period based on persecution. For the most part of the twentieth century, the 'refugee' excluded non-Europeans. This thesis has shown how different actors had different definitions of the 'refugee'. Chapter seven has shown what this meant for the 'boat people'. On the one hand, UNHCR initially refused to recognise as 'refugees' under its mandate, which delayed their qualification for international protection. On the other, ASEAN chose to refer

to those fleeing Indochina as ‘illegal immigrants’ in order to twist the arm of the international community to provide resettlement places.

Among the different actors, the thesis also placed significance on the work of NGOs, namely the JRC, the WCC and the CADP. The state’s commitment to refugees were short-sighted and mainly concerned with the legalities of their entry into the archipelago. This created a space for NGOs to seize the opportunity to become key players in the refugee regime and fill the gap between the state and refugees. The responsibilities assumed by these NGOs went beyond charitable relief. The JRC, for example, took on what amounted to state-like functions by acting like an immigration department. The WCC and the CADP provided protection and searched for ‘durable solutions’. In order to further their objectives, NGOs also challenged the state, and to an extent constrained its exercise of sovereignty. We saw how the CADP resisted the outcomes of UNHCR and the government’s closure of the camps for Vietnamese refugees by taking on all responsibilities for the remaining 2,000 refugees who refused to repatriate.

Meanwhile, refugees have been absent in orthodox accounts of Philippine national history. My research suggests a re-thinking of this history by placing the refugee at the centre of academic inquiry. There are signs, however, that this history is being rediscovered, at least in part through commemorative practices that emerged in the 2000s. In 2015-2016, UNHCR and the families of Quezon and Quirino led various events to commemorate the country’s refugee history, albeit mainly concentrated on the admission of European Jews and the temporary asylum granted to Russians. Refugees became visible to a certain extent, although to a predominantly Manila-based audience.

One of the first commemorative events took place in Israel in 2009. The ‘Open Doors Monument’ was erected in Holocaust Memorial Park in Rishon Lezion, Israel. The Filipino-designed monument commemorates three significant facets of Philippine-Israel relations, the first being the ‘rescue’ of over 1,000 Jews from Nazism. This history remains a strong aspect of events hosted by the Philippine Embassy in Israel, and forms part of Philippine diplomatic visits (See figure 9).



Figure 9 Philippine President Rodrigo Duterte laid a wreath at the 'Open Doors' Monument', September 5, 2018. Source: 'Ending Israel visit, Duterte commemorates his country saving 1,300 Jews in WWII', timesofisrael.com 6 September 2018.

To commemorate the Russians' temporary asylum in Samar, the Quirino Foundation (run by the Quirino family) took the lead. As part of the 125th birthday celebration of Quirino, the Foundation invited former refugees and their families to the Philippines more than 60 years after their asylum.⁶⁶⁹ This was the first time they stepped foot in Manila despite months and years in the country. Dubbed a 'home-coming', the events involved the unveiling of a memorial on the former site of the UN Evacuation Centre in Guiuan. This memorial, however, leaves out the WCC's work.

Meanwhile, the silences in Philippine history are being also exposed by a diverse set of filmmakers, researchers and academics who depicted refugee movements through films and documentaries.⁶⁷⁰

The mainstream media took attention of these events and hailed the Philippines for its "compassion" and "solidarity", others claiming that the rescue of 1,200 German Jews from Nazism was "one of the most beautiful chapters of Philippine history".⁶⁷¹

⁶⁶⁹ Tarra Quismundo, 'White Russian refugees return for 'homecoming'', *Philippine Daily Inquirer*, 16 November 2015.

⁶⁷⁰ *Quezon's Game*, dir. Mathew Rosen, Philippines, Star Cinema, 2018. Documentaries: *The Last Manilans*, dir. Nico Hernandez, Philippines, iWant, 2020. *An Open Door: Jewish Rescue in the Philippines*, dir. Noel Izon, USA, Washington, D.C.: DC Asian Pacific American Film, 2015; *Rescue in the Philippines: Refuge From the Holocaust*, dirs. Russell Hodge and Cynthia Scott-Johnson, USA, 3 Roads Communication, 2013; *Tubabao Odyssey: Refuge in the Philippines*, dir. Malcom Velazco, Philippines, MAV Productions, 2015; *Stateless*, dir. Duc Nguyen, Right Here In My Pocket, 2013. *Bolinao 52*, dir. Duc Nguyen, USA, Right Here in My Pocket, 2008.

⁶⁷¹ 'PH a "paradise" for grateful White Russian refugees', *Rappler*, 20 June 2015, <https://www.rappler.com/nation/96914-philippines-paradise-white-russians> (accessed 16 April 2020); Tarra Quismundo, 'When PH was the only door open to fleeing Jews', *Philippine Daily Inquirer*, 6 March 2016.

These claims had some foundation. These events were important, and the decisions to admit refugees made a powerful statement. They also recast Philippine history in a different light: instead of a nation that fell victim to colonialism or oppression, there were moments when the state was a humanitarian actor. At particular junctures, those in government agreed to rescue those fleeing persecution. Such events or statements, however, do not go far enough: some displaced groups have been overlooked, the politics behind refugee policies have been diluted, and some key actors are missing. The lack of a thorough historical analysis also has the danger of creating oversimplified myths, which do not recognise or resolved lingering citizenship issues of displaced persons in the Philippines. This is what *The Refugee Archipelago* has sought to address, drawing attention to other displaced groups and persons, as well as to the important work of NGOs.

Research into the Philippines' refugee history remains open-ended. There are new avenues of inquiry, hidden dimensions of refugee history that could stem from this thesis: focusing on refugees' experiences, exploring how refugee aid further dispossessed other migrant / minorities, diasporic organisation and memory. Memory here is not limited to how refugees are remembered in Philippine history. Episodes of asylum in the Philippines remain important to the refugees and their families. Their partaking in the events above testifies the extent to which these were not mere episodes in their lives, but part of a continuous series of events of displacement over a number of years, sometimes decades. One of the manifestations of this importance is through the sources of the aid sent to the country in the aftermath of super-typhoon Haiyan in 2013. Russians and Jews were among the plethora of donors; their asylum an impetus for extending assistance to the country that rescued them decades earlier.⁶⁷² The memory of asylum in the Philippines was translated into material assistance as if 'returning the favour'. These events – commemorative or of 'returning the favour' – confronts the way history is written and remembered.

Although my research examined how refugees were the object of statecraft and non-governmental intervention, it should be remembered that displacement also has a social history. Like many Filipinos, refugees lived through pivotal moments that defined Philippine history. In a sense, there is a shared history of everyday realities between the refugee and the 'Filipino'. During the Japanese occupation (1942-1945), the lives of refugees, foreigners and locals were turned upside down. Together, they witnessed the brutality of war: two hundred Jews (a number of whom were refugees) were interned in prison camps; along with dozens of Filipinos, some were tortured as

⁶⁷² 'PH a "paradise" for grateful White Russian refugees'. Historian Sharon Delmendo explained that Jewish assistance in the aftermath of Super typhoon Haiyan was a form of '*tikkun olam*', the Jewish concept which means 'to heal or repair the world', see: 'How the Philippines saved 1,200 Jews during the Holocaust', *CNN*, 3 February 2015, <https://edition.cnn.com/2015/02/02/world/asia/philippines-jews-wwii/index.html> (accessed 16 April 2020); Tarra Quismundo, 'When PH was the only door open to fleeing Jews', *Philippine Daily Inquirer*, 6 March 2016.

prisoners.⁶⁷³ In 1951, two Russian refugees lost their lives from the havoc of Typhoon Amy; they joined more than 700 Filipino victims.⁶⁷⁴

Within this thesis I spoke about the changes and evolutions in the interests, goals, priorities and strategies of different actors. The same can be said about the way history is written and perceived. Through the existence of and access to archives and new sources, historians can renew conversations about national history and belonging. Thus, there is an opportunity to write refugees back into Philippine history. In order to do this, however, political and institutional histories need to be properly understood.

The state was and remains a powerful actor. Its jealous guard of sovereignty meant that the Philippine borders, though porous, only filtered desirable ‘refugees’, and then left them to the mercy of intergovernmental and non-governmental organisations. It is important to understand the different key movers and shakers in the regime, and how refugees found asylum in the Philippines before we move on to explore the lives refugees lived in the country. If the Philippines were built on displacement, then refugees’ lives in the archipelago need to be a part of that history. *The Refugee Archipelago* provides an important starting point to rethink and reframe histories as one shared by refugees and locals who might find themselves – so to speak – in the same boat.

⁶⁷³ Ephraim, *Escape to Manila*, chap. 13.

⁶⁷⁴ “Philippine Typhoon Toll 724,” *New York Times*, December 1951.

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