

ed to infiltrate the movement. Virtually no evidence was presented against Corbett — (the witness who presumably was to be used against him had disappeared) — which Davidson believes may account for his acquittal. After the prosecution concluded its case, the defence rested without calling a single witness, expecting that the Mexican informer's lack of credibility would turn the jury against him and the prosecution. However, Judge Carroll's narrowly restrictive instructions to the jury virtually assured some convictions. (According to Davidson, Corbett expressed astonishment that "decent people" could convict *any* of his fellow defendants.) At the same time, Davidson cites subsequent statements of jurors that reveal considerable reluctance to equate these defendants with *coyotes*. And, when handed out sentences two months later (July 1986), Judge Carroll himself, in suspending prison terms, seemed also to give some credence to the defendants' motives. Judicial appeal of these convictions is still pending in the U.S. Federal Courts.

Corbett's closest associate in the "refugee work", Reverend John Fife, was given five years probation by Judge Carroll. He had been convicted on charges that carried possible sentences of ten years imprisonment and US \$10,000 in fines. Far from abjuring "refugee work", a few months later he led a delegation (that included another of the convicted sanctuary workers) to Holland to meet with European church representatives "interested in expanding the sanctuary concept to their countries". The government's "victory" at Tucson may well prove to have been a pyrrhic one: the sanctuary movement has by no means disappeared and is likely to survive so long as a wide gap between state and non-state concepts of "refugee" and right of asylum persists.

Further, this experience of a direct clash in the judicial arena between state and church reveals several elements that may be pertinent to the Canada of Bill C-84. The provisions of the criminal codes of the two North American countries are now quite closely aligned in this area. In his article on "Canadian Sanctuary" (*Refuge*, December 1988), David Matas has explored the legal dimensions of a conjectured defence of Canadian sanctuary workers. Setting aside the differences of the Canadian and U.S. political and legal systems, the scope for discretionary exercise of state authority looms large on both sides of the border in relation to factors such as the decision of whether or not to

prosecute, the choice of investigatory methods, and the drawing of a line between those with venal and those with altruistic motives, (which the authors of the Canadian statute have "promised" to take into consideration). If the polarization between government and non-government (particularly religious) organization continues, Canada also could face a "Tucson trial" in the 1990s. The experiences of the American sanctuary movement described in this book may have particular relevance to Canadians concerned with refugee affairs.

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Supang Chantayanich and E. Bruce Reynolds, editors

Indochinese Refugees: Asylum and Resettlement Bangkok: Institute of Asian Studies, Chulalongkorn University, 1988

Reviewed by
Noreen Spencer-Nimmons

This edited monograph consists of a collection of papers originally presented in Thailand in May of 1987 at an "International Workshop On Indochinese Refugees: Causes, Resettlement Processes and a Proposed Solution". Supported by a wealth of statistical data, the articles address refugee policy, processing, services, settlement and resettlement programmes. The book is divided into three parts: 1) Refugee in Southeast Asia; 2) Refugee in Asia and the Pacific; and 3) Refugee in the Western World. One may picture from this structure three concentric rings or waves of activity, outbound from the core: the closest border countries; secondary range countries in Asia, Malaysia, Australasia, and tertiary range Western countries in Europe and North America.

Supang Chantavanich's introduction provides three very helpful illustrations: the outflow routes of displaced

Indochinese refugees; a world map indicating resettlement countries and numbers resettled in each country; and a map of Thailand with Indochinese refugee "Service Sites" and an inset map of the Indochinese States. Chantavanich then outlines the history of conflict, the socio-political phenomenon of the mass exodus of people from the Indochinese States in the past decade, agreements between Thailand and International agencies, security issues for this country of first asylum, camp settlements, service provision programmes, and the co-operative agreements both with the international community of voluntary agencies as well as with other states, not all of whom are signatories to the Geneva Convention on refugees.

According to the Pongsapit and Chongwatana UNHCR source statistics, between 1975 and 1986, the number of refugees and displaced persons arriving in Thailand increased from 76,338 to 665,955. They fled from Vietnam, Kampuchea, and Laos (Lowland and Hilltribe populations). Devastation caused by military forces and appropriation of land by new regimes, the levy of new taxes and military conscription (in Laos) and forced expulsion (in Kampuchea) were causal "push" factors of flight. The authors also consider the expansion of processing programmes established by resettlement countries as a "pull" factor contributing to the exodus amongst Laotians; they argue that this has been the "primary motivation for migration".

Two major effects in the global crisis of forced migration and population displacement today, of which the Indochinese refugees and displaced persons form one part, are: 1) the development of management and determination policies by bordering states as well as those countries at greater distances from the area of conflict; and 2) the development of a service programme infrastructure and aid industry within countries of first asylum in Indonesia, (Pongsapit and Chongwatana) and the Philippines (Desbarats), in addition to Thailand. In Part II, further afield in Asia and the Pacific, articles focus on the Indochinese refugee situation in China (Zhu Rong), Japan (Chantavanich) Hong Kong (Davis), Australia (Viviani) and New Zealand (Lyon). In the Western World, other authors relate the themes to the United States, Canada, France, Britain, the Federal Republic of Germany, and Switzerland.

In following the two themes of state policy and state aid through the articles, a controversial theme emerges, gaining strength the further afield the Indochinese refugee situation is addressed. Every country has pitched in to provide humanitarian assistance, but neither the cause of the refugee problem nor the flow of refugees have ceased. Implicit in the argument is that humanitarian assistance is, at best, ineffective in dealing with root causes and stemming the refugee flow and, at worst, an exacerbating factor.

In various ways, the social, political and cultural impact of the refugee exodus is felt in each receiving country. Some of these are described below.

Japan, a "closed society for centuries," a society which opposed Korean immigrants as "undesirable" and even felt threatened by them, now faces "co-existence" with refugees. But Japan also has a "political concern regarding the impact of refugee flows on the stability and peace in ASEAN countries." Hong Kong, directly influenced by British policy, cannot overlook the origin in the mid-1970s of the "refugee problem" or the impact on Hong Kong as that problem "projects its shadows into the 1990s," (implicitly, together with the larger "problem" and longer shadow for Hong Kong residents in 1997). Australia, a country of migration based on exclusionary policies, such as "White Australia Policy", is now confronting its regional role as the "refugee crisis necessitated a change in the Australian domestic attitudes about Asian migration" in general. New Zealand's position is similar, although they have had "a reputation since World War II of taking in refugees rejected for resettlement elsewhere."

The study of the impact of the refugee exodus continues in the Western World, where the United States has "been a place of permanent refugee for people fleeing persecution since the arrival of the pilgrims" — but is now faced with admission policies and refugee processing "mechanisms". Canada also is described as "a nation of immigrants" and its reputation for humanitarianism and refugee determination policies has grown since 1946 (rather late, but an effort to correct its previous inhumanitarian policies toward World War II victims of persecution). Yet we know that today, Canada has become one more country amongst many involved in current policy revisions based on trends in the global refugee crisis. "Although the government in not prepared to admit it, the economic cost of

resettling refugees in Canada is a further factor which may be contributing to the reshaping of its current policy" (Neuwirth and Rogge).

Similarly, we read that in Europe, France boasts a "long-lasting relationship with [its] colonial *Indochine française* countries", but the present situation is one of "solidarity and its limits". Britain has "regularly received those who flee persecution" dating back to the 17th Huguenots from France and 19th century Jews escaping pogroms in Eastern Europe. Although author Hitchcox emphasizes aspects of resettlement, the British government's policies of refusal now eclipse their acceptance policies and programmes of assistance. The Federal Republic of Germany and Switzerland complete the countries cited who opened then closed their doors or, as in the case of Switzerland, "swayed between a certain openness toward the seekers of asylum, and a steady resistance to everything extraneous."

All the articles present research based on the humanitarian expression of assistance to the Indochinese refugees by the countries cited above. China's programme of assistance has been based on providing the "necessary conditions for production and living" in order to fuel the refugees' enthusiasm for mobilizing themselves toward self-sufficiency. Chantavanich's thoroughly researched article on Indochinese refugees in Japan is, in itself, a significant contribution to the literature. Despite Japan's isolation due to geographic characteristics and its centuries-old cultural traditions of closed societies, Government policy is based on humanitarian concern and diplomatic efforts involving interventions and appeals to Vietnam and Kampuchea for a resolution of root causes and long-term solutions. Financial cooperation was delivered through \$100 million in fiscal 1980 and dispersed as follows: UNHCR Indochinese Refugee Relief Programme, US \$60 million; food aid and rice, US \$24 million, World Food Programme (fish) US \$4 million and international organizations, US \$16 million to assist in the construction of "New Villages". Japan's refugee reception programmes include Resettlement, First Asylum, and Orderly Departure. New Zealand's programme focuses on "Family Reunification".

All the countries cited in this volume have established and expanded settlement or resettlement programmes. In March of 1986, the number of "Administered Indochinese Refugees" fleeing from the

above countries into Thailand was 702,772; and of these, 75.6 per cent were resettled (primarily Vietnamese), 4.9 per cent were relocated, 1.7 per cent were voluntarily repatriated, but 17.8 per cent, or 119,471 people remain in camps. The highest percentage of long-stayers in camps are the Laotians (Hilltribe Lao 44.7 per cent and Lowland Lao, 17.4 per cent). Reading the statistics from articles relating to refugee intake and processing in primary and secondary range countries, we learn that in 1986-87, departures of refugees from Indonesia First Asylum Camps was 96 per cent, and 98 per cent from the Refugee Processing Camps; in the Philippines, 95 per cent were "de-processed and resettled" beyond this geographic sphere (again, the largest numbers were Vietnamese and the smallest numbers were Laotians). In the past decade, Japan has achieved a 96 per cent rate of resettlement of refugees, but in 1987 had *no new arrivals*. Hong Kong, on the other hand resettled only 15 per cent of its refugees; thus, according to these statistics, more than 31,530 people remain encamped. Aid has been supplied from local to international levels. New Zealand focuses on Family Reunification, while Canada boasts its unique private sponsorship programme and its Host Family Programme for government-sponsored refugees. The fact remains that all of the countries in these three concentric rings spreading out from the refugee producing centre in Indochina are closing their doors.

Not enough is said in this volume about the impact of flight or the effect of new policy decisions on the refugees themselves. An exception is the article by Leonard Davis who sensitively describes the psychological devastation and hopelessness felt by Indochinese refugees in Hong Kong. Here, refugees share one "basic expectation on arrival: that they will be resettled in one of the 'paradise' countries." The UK has not lived up to its resettlement quota commitment. The horror of the past is relived and the dream of the future shattered as many fragmented extended families find no way out for themselves and no way in for their dispersed relatives. Enforced containment, or structural apartheid is the programme, not family reunification. A second generation is growing up in "closed camps" and here, all refugees now arriving will join them in the overcrowded "closed centres, operated by the Correctional Services Department, the prison service." The

small Vietnamese child who knew only open fields and the seashore, was told by his parents during their flight for life that he was "sailing to freedom". Now growing to adulthood in a closed Hong Kong camp, he stares through the barbed wire fence and asks, "What is freedom?"

The book's concluding "Articles for Solutions" highlight the burden felt by the international community and the enormity of the problem for refugees. For example, in a *Globe and Mail* article published on February 24, 1989, Morton Beiser wrote about his recent field trip to refugee camps in Hong Kong. In this crowded city of 5.5 million people, refugees were placed in about six different open or closed camps. Approximately 3,000 refugees live in the San Yick camp, a concrete building. On the third to tenth floors, 400 to 500 refugees live stacked in three tiers of 4 by 8 foot wooden platforms: the lower tier is for families, the middle tier for single women and the top tier for single men. Security and protection for single women is nonexistent; they keep watch over each other or sleep during the day. On each of the floors of the building the refugees share one toilet, two showers and one large sink which is used for all washing purposes. Proper hygiene is almost impossible to manage; disease, infections and malnutrition are rampant. A four year old girl, an unaccompanied

minor, is alone in this atmosphere. As Dr. Beiser says, "Each refugee has his or her own private nightmare." The camp in Sham Shui Po district is not much better and houses 5,000 refugees. As in other countries today, newly arriving refugees are held in detention centres; in Hong Kong, newcomers wait pending repatriation to Vietnam. "Understandably" Beiser says, "one of the great fears in places such as Hong Kong is that, as Canada and other countries of permanent asylum close their doors, refugees will cease to be a world problem, leaving nations that provide initial sanctuary to their own devices."

Clearly, the problem of "displaced persons" and "economic migrants" needs to be sorted out with respect to a reformulation of the definition of "refugee". Conditions placed on humanitarianism do not help the refugee, and closing borders does not resolve the refugee crisis. In the Neuwirth and Rogge article, the sentiment of Thailand's former Secretary-General of National Security gives pause for thought: "Thailand gives assistance to refugees *on the basis of humanitarian considerations*. Western Countries resettle refugees *on the basis of immigration considerations*."

We know that state policies have changed since this book was published and that the refugee situation has reached global crisis proportions. But the volume

of scholarly articles is a valuable contribution to refugee research, particularly the first-hand positions and situations of refugees in countries closest to the core, and those in the secondary and tertiary spheres of activity. They highlight the fact that all of the countries in these three concentric rings spreading out from the refugee producing centre in Indochina are closing their doors, some with a louder slam than others. Canada, with its unique policy for Designated Class refugees and sponsorship programmes continues to uphold its humanitarian intake. But the overall external pressures, or resistances wash the problem back onto the shores of those countries in closer proximity, or to those directly bordering the refugee producing centre. What we are seeing today then is what may be termed, in the abstract, the "standing wave" effect. In reality, it is the human life of refugees that is caught and crushed between the push and the pull of staying alive. Thus, for government, agencies, academics and refugees, this book presents a collective, staggering reminder that there is much work yet to be done.

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New Publications

- J. Bruce Nichols and Gil Loescher, editors, *The Moral Nation: Humanitarianism and U.S. Foreign Policy* (Notre Dame: University of Notre Dame, 1989). This volume critically examines the role of the U.S. government and private agencies in providing relief aid to human rights victims, refugees, and famine victims. It illustrates the difficulties of reconciling principles and politics in the administration of U.S. humanitarian policy and addresses the controversial topics of asylum and sanctuary for refugees from violence-torn areas such as Central America as well as looks at the actual mechanics of recent U.S. famine and refugee assistance in the Horn of Africa.
- Renée Hirschon, *Heirs of the Greek Catastrophe: The Social Life of Asia*

Minor Refugees in Piraeus (Oxford: Clarendon Press, 1989). This rare ethnographical study of Kokkina, an urban locality, over fifty years after its settlement by refugees following the war between Greece and Turkey which ended in 1922, provides insights into the phenomenon of ethnicity and demonstrates through anthropological analysis the strength of cultural values in transcending material deprivations.

- Gil Loescher and Laila Monahan, editors, *Refugees and International Relations* (Oxford: Clarendon Press, 1989). The essays in this book are by leading experts in refugee protection and assistance, and examine some of the most pressing issues facing the international community today. They cover such topics as military attacks

on refugee camps, voluntary repatriation, and the future of third country settlement, and point towards new directions in policy and practice.

- *1988 Annual Report on the Human Rights Situation in Peru* (Toronto: Inter-Church Committee on Human Rights in Latin America, 1989). A concise but meticulous report on the deteriorating economic and political situation in Peru during 1988, a year which saw a marked increase in human rights violations by guerrilla, military and paramilitary forces. In all likelihood this will result in an increased flow of refugees from Peru. The report ends with a series of recommendations to the Canadian government.