

PLOUGHING OF THE SANDS: THE REFUGEE SYSTEM OF WORLD WAR II AND THE  
MAN THAT TRIED TO HOLD IT TOGETHER

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## Introduction

In the modern era, the problem of refugees and displaced persons is one that simply will not go away. Whether it be people fleeing oppressive regimes, escaping from wars, or simply seeking a better life, it remains a problem for which the global community has no ready answer for. The problem of refugees, what to do with them and who, ultimately, is responsible for caring for them, is not a new one. The world has been trying to address the general question for generations and the question of how refugees should be handled by the international system since the early twentieth century. Indeed, these early dealings with refugees serve as the bedrock of many of the refugee systems that exist today.

Despite its importance, one of the most influential periods of refugee policy formation, the years from roughly 1938 to 1946, has received little direct scholarly attention. In her 2008 study of the place of the refugee in international society, Emma Haddad claims that there have been three main phases in handling refugees during the twentieth century: the inter-war period, the Cold War, and the post-Cold War.<sup>1</sup> One will notice quite quickly that the war period is missing from Haddad's division. This, in and of itself, is not surprising. The periods that she does include are dynamic, involving the rapid movement of large numbers of people, as well as the large reactions from the global community, with laws passed and United Nations committees made to address the plight of refugee groups.

In comparison, the period in and around World War II is disappointing and shameful, as nations and international bodies failed to rescue the countless thousands of political, religious, and ethnic refugees that would be victimized by the Nazis. Oftentimes, this failure occurred either through a conscious choice or poor planning from the Western nations. However, if one

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<sup>1</sup> Emma Haddad, *The Refugee in International Society: Between Sovereigns* (New York: University of Cambridge Press, 2008), 5.

chooses to view the development of refugee systems during this period as one of transition and innovation, as historian Tommie Sjöberg suggests, rather than a period of failure, its importance to the history of refugee systems increases substantially.<sup>2</sup>

Transition and innovation describe this period well. The first international entity to truly begin developing a global system for refugees was the League of Nations, which began its involvement to provide an answer to the emergent Russian refugee crisis following the close of World War I. This resulted in the creation of the League of Nations High Commissioner for Russian Refugees, though the mandate of the High Commissioner would eventually grow to include Armenians and Assyro-Chaldeans, among others. The League's system, by the late 1930s, proved itself to be incapable of answering the refugee question alone, especially as the racial laws of the Nazis forced more and more political refugees and Jews to flock to the nations around Germany. In response, the United States led many Western nations in the creation of the Intergovernmental Committee for Refugees (IGCR) in 1938, a body which was supposed to be responsible for the orderly emigration of those who were being forced from Germany to nations of final settlement.

The League was not completely excised from the refugee system due to its lackluster performance, nor was it supplanted by the IGCR. Rather, it continued to work alongside the IGCR, and its High Commissioner, Sir Herbert Emerson, later served as Director of the IGCR in addition to his League responsibilities. The outbreak of war in 1939 put an end to any thoughts of a quick resolution to the refugee problem, and the IGCR and High Commission, unable to truly intervene on behalf of refugees once the nations they represented turned their minds to war, had to begin considering post-war refugee problems. These considerations often involved things

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<sup>2</sup> Tommie Sjöberg, *The Powers and the Persecuted: The Refugee Problem and the Intergovernmental Committee on Refugees, 1938-1947* (Lund, Sweden: University of Lund Press, 1991), 17.

that the League had been discussing, and in some cases putting into practice, since the 1920s, like the legal rights of refugees and the issuing of a document for identification to those who were made stateless. Thus, the prior actions of the League provided a fertile ground for further development for those in the international refugee system during the war.

As mentioned, however, the IGCR and High Commission were simply not up to the task of saving all of those who needed rescuing over the course of the war, due to their own structural deficiencies, the lack of assistance they received from the governments they represented and, of course, the fact that the world was in the midst of a global conflict. This failure did not mean that these two bodies were discarded as soon as the Allied powers began to create a new international system following the defeat of the Axis in 1945. True, both would essentially be absorbed by the various United Nations organizations that followed them, but the expertise and knowledge represented in these two bodies was used to help develop a new and more effective system. This is most notable in the case of Emerson's appearances before the U.N.'s Social and Economic Council where he detailed the best way to construct a new refugee organization. Many of his suggestions were incorporated into the International Refugee Organization (IRO), the body which ultimately succeeded the IGCR and High Commission.

One can see, then, that the evolution of the international refugee system during World War II warrants historical analysis. Even lessons learned due to the failure of the IGCR and High Commission, like the lack of public funds being spent to support refugees, were incorporated into those bodies which succeeded them. This historical analysis requires three things: an investigation into the influence and impact of the League of Nations, of those intimately involved with the refugee system during the war, most notably Emerson, and of the actions and methods of the IGCR itself.

The inclusion of the League into the historiography of the international refugee system is important, but has been neglected, as the League has been given little attention by modern historians overall. Mostly, the League has either been dismissed as a failure in total, or its actions on behalf of refugees have been broken down into single episodes. Examples of this episodic treatment are best represented by Greg Burgess's *The League of Nations and the Refugees from Nazi Germany: James G. McDonald and Hitler's Victims* and Martyn Housden's two articles on the Russian refugee crisis of the 1920s.<sup>3</sup> Both authors make mention of the League's legacy concerning refugees, but focus mostly on the single instance before them, though Housden is less guilty of this than Burgess. While further research into the League is needed, no matter the scope, the connection of it to the modern international system has been sorely overlooked, aside from the generic coverage of how the U.N. has learned from the League's mistakes.

This new way of looking into the League is best described by the historians Patricia Clavin and Jens-Wilhelm Wessels in their article "Transnationalism and the League of Nations: Understanding the Work of Its Economic and Financial Organization."<sup>4</sup> Clavin and Wessels argue that historians must begin to move past the simple question of whether or not the League was, or could ever have been, successful at handling those issues placed before it, like the prevention of war.<sup>5</sup> Rather, they contend a greater focus should be placed on understanding how the organizations and bodies made by the League worked or its development of an international pool of specialists, as these types of studies would provide a better understanding of the League's

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<sup>3</sup> Greg Burgess, *The League of Nations and the Refugees from Nazi Germany: James G. McDonald and Hitler's Victims* (London: Bloomsbury Academic, 2016); Martyn Housden, "White Russians Crossing the Black Sea: Fridtjof Nansen, Constantinople and the First Modern Repatriation of Refugees Displaced by Civil Conflict, 1923," *The Slavonic and East European Review* 88, no. 3 (2010): 495-524; and Martyn Housden, "When the Baltic Sea was a 'Bridge' for Humanitarian Action: the League of Nations, the Red Cross and the Repatriation of Prisoners of War Between Russia and Central Europe, 1920-22," *Journal of Baltic Studies* 38, no. 1 (2007): 61-83.

<sup>4</sup> Patricia Clavin and Jens-Wilhelm Wessels, "Transnationalism and the League of Nations: Understanding the Work of Its Economic and Financial Organization," *Contemporary European History* 14, no. 4 (2005): 465-524.

<sup>5</sup> *Ibid.*, 466.

impact on the modern era.<sup>6</sup> This focus on the League's continuity into the modern international system, rather than a singular obsession on its failure falls in line with filling a gap in League historiography described in an article by historian Nigel White, who asserts that much more of the League system was brought into the modern day than many believe.<sup>7</sup>

An examination of the individuals involved with the international refugee system ties in with showing the influence of the League as well. As Clavin and Wessels argue, a goal of the League was to create a pool of specialists on a variety of issues from which the global community could draw from to assist with various crises. Sir Herbert Emerson, the previously mentioned head of both the IGCR and the League's High Commission, fits this description, as he provided expertise and administrative guidance to the refugee system of the Allies during the war, and helped to inform the creators of the IRO on the best ways to ensure its effectiveness. There is little research on Emerson in general, and he is oftentimes relegated to be a character of passing mention. There remains, then, a need for a historical spotlight to be shone on Emerson to reveal his impact on the development of the refugee system during World War II, as well as his successes and failures in leading those groups.

The IGCR itself is a body that has been given little notice in the general historiography of international refugee systems and the Allied handling of refugees during the war in general. At times, it is simply used as a means to bludgeon the Western powers with, a tangible example of their failure. More frequently, it is reduced to a background figure. In his examination of the modern refugee system, Phil Orchard gives passing mention to the IGCR, spending what little

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<sup>6</sup> Ibid.

<sup>7</sup> Nigel White, "The Legacy of the League of Nations: Continuity or Change?" *Revista Española de Derecho Internacional* 71, no. 2 (2019): 277-284.

time he gives it on its weaknesses as a body.<sup>8</sup> Timothy Maga does not even mention the body in his analysis of Franco-American actions on behalf of refugees in the 1930s, despite the fact that he discusses the Evian Conference, the very meeting which created the IGCR.<sup>9</sup> Historians by no means need to treat the IGCR with saccharine kindness, but it being treated as little more than a footnote in the history of refugee systems is too reductive.

That is not to say that there are no historians who address the IGCR. There are four works overall which address it with detail: David S. Wyman's *The Abandonment of the Jews: America and the Holocaust, 1941-1945*, Henry Feingold's *The Politics of Rescue: The Roosevelt Administration and the Holocaust, 1938-1945*, Tommie Sjöberg's *The Powers and the Persecuted: the Refugee Problem and the Intergovernmental Committee on Refugees, 1938-1947*, and Malcolm Proudfoot's *European Refugees, 1939-52: A Study in Forced Population Movement*. As can be seen from the title, the period that Wyman covers in his work narrowly misses the beginning years of the IGCR's operation. Rather, the IGCR serves as one character in the larger story of the treatment of Jewish refugees by the United States during the war. Overall, Wyman spends little time examining the body as a whole, focusing mostly on its failure, and how that failure was reflective of the rather lax attitude most in the American government took towards the plight of the Jews.<sup>10</sup> Wyman concludes that the success of the IGCR, rather than being in the further development of refugee policy, can only be found in its service as a smokescreen for Allied governments when asked about their treatment of Jews.<sup>11</sup>

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<sup>8</sup> Phil Orchard, *A Right to Flee: Refugees, States, and the Construction of International Cooperation* (Cambridge, United Kingdom: University of Cambridge Press, 2014), 136.

<sup>9</sup> Timothy Maga, "The United States, France, and the European Refugee Problem, 1933-1940," *The Historian* 46, no. 4 (August 1984): 441-442.

<sup>10</sup> David S. Wyman, *The Abandonment of the Jews: America and the Holocaust, 1941-1945* (New York: Pantheon Books, 1985), 141.

<sup>11</sup> *Ibid.*



Emerson serves as a character in Wyman's work as well, though he is given even less attention than the body he led. Wyman focuses on Emerson's tendency to stress the future of the refugee system and not on the immediate relief of refugees, often implying that Emerson was not as proactive as he should have been.<sup>12</sup> As with the IGCR, Wyman spends little time addressing why Emerson had this tendency, nor does he address the overall influence he had on the post-war refugee systems, though, this is likely because these fall outside the scope of his study.

Feingold is similar to Wyman. Overall, his goal was to examine and explain the response of the Roosevelt administration to the Holocaust.<sup>13</sup> Moving past the reductive end goal of just saying that Roosevelt failed the victims of the Nazis, Feingold tries to find out why Roosevelt responded as he did. He does this by analyzing the refugee crisis from 1938 to early 1945, putting a heavy emphasis on the workings of Roosevelt's State Department and the reasoning behind the policies of states towards refugees. This focus falls in line with a conclusion that Feingold offers, saying that the failure of the Roosevelt administration to help refugees as much as they could have was not the fault of any single individual, or the whole State Department, but due to the very nature of a nation state.<sup>14</sup> Feingold serves as an important source to understand the political reasoning the coincided policy decisions, and the Intergovernmental Committee is an important character to this, appearing much more frequently in Feingold's work than Wyman's.<sup>15</sup>

However, while Feingold is less hostile to many of the historical actors he interacts with in comparison to Wyman, and the IGCR is closer to the center of his focus, his coverage of it is

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<sup>12</sup> Ibid., 111-112, 139.

<sup>13</sup> Henry L. Feingold, *The Politics of Rescue: The Roosevelt Administration and the Holocaust, 1938-1945* (New Brunswick, NJ: Rutgers University Press, 1970), ix.

<sup>14</sup> Ibid., xiii.

<sup>15</sup> Ibid., 61-62.

still lacking. As stated above, Feingold is concerned with explaining the politics that backed government policy, which means that the actions of the IGCR are rarely looked at from the point of view of that body. What was happening in the halls of Roosevelt's Washington, as well as the British Foreign Office, takes the driver's seat, while the IGCR is relegated to being little more than a passenger. The IGCR's influence on later refugee systems is mentioned only once by Feingold and remains untouched afterwards.<sup>16</sup> Feingold's handling of Emerson is also unsatisfactory. While he was not a member of Roosevelt's administration, he served a very important role in relation to it, and his influence on the system that was made after the war is tangible. Feingold, however, treats him one dimensionally, allowing an offhand remark by Emerson that was negative towards Jews as an excuse to paint him as a man who was not really interested in the plight of refugees, and discussion of his influence on the IRO is nonexistent.<sup>17</sup> Similarly, Feingold's coverage of the League system before and during the war, as well as its influence on the system that was made by Roosevelt and his administration, is small in the former's case, and none at all in the latter's.<sup>18</sup>

Sjöberg's work is a more comprehensive handling of the IGCR and refugee concerns during World War II, and he even makes reference to the deficiencies found in both Feingold and Wyman.<sup>19</sup> He takes a more systematic approach to analyzing the political, strategic, and economic factors of refugee policy during the period, traces the discrepancy between official humanitarian rhetoric and the actual refugee policy of Allied governments, and assesses how the

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<sup>16</sup> Ibid., 116.

<sup>17</sup> Ibid., 77, 213. The comment that Feingold often returns to is one Emerson made in October 1939, where he complained about Jews and other "eastern peoples'" obstinacy and scheming after the rejection of a settlement plan concerning British Guiana by the American Jewish community. This one comment that Feingold cites is used to dismiss Emerson throughout his work, see Feingold, *The Politics of Rescue*, 77.

<sup>18</sup> Ibid., 18-20, 25.

<sup>19</sup> Sjöberg, *The Powers and the Persecuted*, 39.

IGCR contributed to the overall development of refugee work.<sup>20</sup> Sjöberg excels at accomplishing his first two goals. He covers in great detail the various political and social factors which led to the United States getting involved in the refugee crisis in late 1930 and also the factors that hampered it from devising actual solutions.<sup>21</sup> He frequently provides the reader with examples of the two leading powers of the IGCR, the United States and Great Britain, choosing not to enact plans placed before them by officers of the IGCR or the global community as a whole that could have actually helped refugees.<sup>22</sup>

It is on his third point that Sjöberg stumbles. He spends so much time seeking to address the question of why the IGCR was created that he neglects the question of what it did, aside from cursory discussions of its failure, like Wyman.<sup>23</sup> He describes its importance by recognizing it as the first intergovernmental refugee body made outside of the League's umbrella, but it can sometimes feel as if he stops there.<sup>24</sup> He often neglects satisfactory coverage of some of the important figures of the IGCR, like Emerson, and, despite the fact that there is an entire chapter dedicated to it, the League's influence on the refugee systems after the war is a hard thread to locate. Overall, Sjöberg's efforts result in a work that is instrumental in placing the IGCR in its cultural and political context but lacks satisfactory coverage of the actions of the body itself and the influence of Emerson and the League fade to the background.

Proudfoot's work is the least dynamic since it tends to avoid much historical interpretation and seeks to provide a faithful recounting of the refugee situation in Europe during

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<sup>20</sup> Ibid., 8, 13, 17.

<sup>21</sup> Ibid., 105, 108. For the most part, Sjöberg argues this falls to two things, a desire from the American public to help, but an equally strong desire from that same public that the United States should not be too involved.

<sup>22</sup> Ibid., 43. Perhaps the best example of this that Sjöberg covers is the hesitancy of the United States to put government funds at the disposal of the IGCR to help the movement and maintenance of refugees. Sjöberg argues that this was a sign that the United States showed a lack of desire to actually improve international refugee assistance in a meaningful way.

<sup>23</sup> Ibid., 144, 155.

<sup>24</sup> Ibid., 13.

the war years; however, it is one of the most insightful. Proudfoot was someone who had worked as a part of the refugee systems, and his work serves as a primer for how refugee problems were handled, in the hope that future generations would learn from past lessons.<sup>25</sup> As such, Proudfoot's work is broad in its coverage, discussing the League, the IGCR, and several wartime refugee bodies, like the United Nations Relief and Rehabilitation Administration and the War Refugee Board. This, of course, filled a gap in scholarship that existed in the 1950s, when the work was written, and no work has truly been created in recent times that matches the ground covered by Proudfoot. Still, more detailed studies are needed in some cases. Regardless, more so than Wyman, Feingold or Sjöberg, Proudfoot helps to incorporate individuals outside of the larger characters of President Franklin D. Roosevelt or Secretary of State Cordell Hull, and the influence of those like Emerson are able to shine through more, possibly because Proudfoot was able to interview Emerson about his experience with refugee efforts.<sup>26</sup>

There exist, then, three major gaps in the historiography of the international refugee system that existed during World War II: the influence of the League, focused research into the IGCR itself and its actions, and the analysis of some of the major individuals involved, like Emerson. This thesis seeks to fill these gaps by detailing the early beginnings of international assistance under the League of Nations, the development of the system that existed during the war, and the influence of these two things on the system that was created in the post-war world. The critical eye of Wyman and Sjöberg will not be abandoned, but some of the more unreasonable critiques of the IGCR will be tempered and replaced by the questions of what was

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<sup>25</sup> Malcolm J. Proudfoot, *European Refugees, 1939-52: A Study in Forced Population Movement* (London: Faber and Faber LTD, 1957), 434, 438. For example, Proudfoot disagreed with a conversation occurring in his day concerning the lack of a need for international agreements for the legal protection of refugees, feeling that the efforts of the IGCR, the League, and the IRO proved such agreements to be necessary.

<sup>26</sup> *Ibid.*, 296.

done, why it was done, and who did it. Failure to save lives should not be excused, but it is the job of the historian to try and understand why this failure occurred, and what influence it has on the modern day. This was a period of transition and development, as Sjöberg notes, from the League system to the war system, and finally to the system as it exists in its modern form, and it is time for these historical threads to be brought together once more.

This thesis is divided into four chapters, each dealing with a relatively short period of time. The first chapter will cover the beginnings of the League's involvement on behalf of refugees in the early 1920s until the creation of the IGCR at the Evian Conference in 1938. This gives the background of the actions taken by the League and provides a reader with an understanding of what international refugee assistance looked like in its earliest form. It will also detail the mounting inadequacies of the League system, which resulted in the United States seeking to bolster it with the IGCR and Emerson's assuming the position of High Commissioner for Refugees.

Chapter two will detail the early years of the IGCR from 1938 to roughly the end of 1942. This includes the early actions of the IGCR, most notably its attempts to negotiate directly on behalf of Jewish emigres with the German government. This period also includes the placement of Emerson as the Director of the IGCR, the deepening relationship between the High Commission and its non-League counterpart, and the abrupt halt to IGCR activities due to the onset of the war.

Chapter three covers 1943 to the end of 1944. This was a period of restructuring and reorganization, as the IGCR was resuscitated with a new mandate that gave it more responsibility in response to a growing public awareness of the horrors being visited on Nazi victims. This chapter also explains the rise of several new refugee bodies which would work alongside the

IGCR in the form of UNRRA and the War Refugee Board, and the lengthy process to define jurisdictions and avoid wasteful overlap. This period was one of preparation for the post-war problems, full of conjecture and planning that, considering the fact that thousands were dying every day at the hands of the Nazis, can often seem callous.

Finally, the fourth chapter examines the period from 1945 to the beginning of the IRO's actual operation in 1947. The chapter will highlight the slow realization of those involved in all levels of the refugee system that the structures that had been made before and during the war were insufficient for the problems that manifested in peacetime. This insufficiency, however, did not mean that the experience of these bodies was tossed aside, but rather was utilized to make a more robust and adaptive system. Emerson's expertise, though rarely commented on by other historians, was sought out by the U.N. in this matter. The goal of these chapters and this thesis is to fill a gap in the historiography of international refugee systems, which dismisses the influence of the League, avoids the topic of the IGCR, and rarely mentions Emerson. This thesis will give them the focus that many historians have withheld and, while their history is filled with disappointment and failure, will show that their influence on the development of international refugee policy is tangible.

## Chapter 1: Pity and Reason Alike

In April of 1946, Sir Herbert Emerson sat before the Social and Economic Council of the United Nations and gave his thoughts on how the U.N.'s future organization to care for refugees from World War II should be organized. Emerson represented the culmination of nearly 25 years of experience in international minority and refugee protection and either ran, or helped to run, many of the refugee organizations which existed during World War II. He was also the last of the League of Nations' High Commissioners for Refugees, an office first created in the aftermath of World War I and resurrected just before the outbreak of World War II.

For those with only passing knowledge of the League of Nations it is, perhaps, surprising to hear that it was so intimately involved with the development and maintenance of refugee systems both before and during World War II. However, the League had a long and storied history of working with refugees which included not just guaranteeing physical relief, but also legal protection and the provision of legal documents like passports. This involvement with refugee care helped lay the groundwork for the organizations, like the Intergovernmental Committee for Refugees and the United Nations Relief and Rehabilitation Administration, which tried to aid the victims of Nazism after Hitler's rise to power and through the end of the war.

The beginning of the League's history of caring for refugees came following World War I. The League of Nations was created from the Treaty of Versailles and was tasked with being a body where the powers of the world could use diplomacy to settle their problems, rather than turning to the battlefield.<sup>27</sup> However, the world was not in a position to allow the new body dedicated to peace and order to simply handle just the philosophical issues of peace, as the Great War had left much of it in shambles. This was most obvious in the East, where Russia had

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<sup>27</sup> Ruth Henig, *The League of Nations* (London: Haus Publishing, 2010), 18-21.

recently been turned into the first communist nation, and Asia Minor, a hotbed of minority strife in the best of times, was staggering following the collapse of the Ottoman Empire.<sup>28</sup>

In February 1920, the Supreme Council of Allied Nations requested the League appoint someone to coordinate the repatriation of the 250,000 prisoners of war in Russia, working in close concert with various voluntary organizations, like the International Red Cross (IRC), and the governments of other nations.<sup>29</sup> To this end, the League appointed Dr. Fridtjof Nansen, famed Norwegian Arctic explorer and diplomat, as its agent to help straighten out the situation of repatriating prisoners of war in April 1920.<sup>30</sup> Thus, by the request of the victorious powers of Europe, the League began its first foray into helping those effected by the political situation following the war, though this did not at first mean refugees.

Nansen proved to be adept at the task assigned to him, and he began to work closely with the governments involved with prisoner transport and various voluntary organizations. Nansen was to be, essentially, a League empowered coordinator, and he focused on meeting with governments involved, like Finland or Poland, to develop new sea routes for transport and constantly pushed the League to use its own machinery to aid the situation.<sup>31</sup> By the end of 1920, Nansen had repatriated some 100,000 prisoners of war, and he had so impressed the League that his responsibilities were extended to prisoners of war in Bulgaria and Greece.<sup>32</sup>

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<sup>28</sup> Peter Gatrell, "War, Refugeedom, Revolution: Understanding Russia's Refugee Crisis, 1914-1918." *Cahiers Du Monde Russe* 58, no. 1/2 (2017): 123-124, and Kevin David Watenpaugh, *Bread from Stones: The Middle East and the Making of Modern Humanitarianism* (Oakland, California: University of California Press, 2015), 164.

<sup>29</sup> League of Nations, "Proces-Verbal of the Fourth Session of the Council of the League of Nations," *League of Nations Official Journal* 1, no. 3 (April-May 1920): 83.

<sup>30</sup> League of Nations, "Proces-Verbal of the Fifth Session of the Council of the League of Nations," *League of Nations Official Journal* 1, no. 4 (June 1920): 123-124.

<sup>31</sup> *Ibid.*, 223; and League of Nations, "Third Budget of the League of Nations," *League of Nations Official Journal* 1, no. 7 (October 1920): 455.

<sup>32</sup> League of Nations, "Proces-Verbal of the Tenth Session of the Council Held in Brussels, 20th to 28th October, 1920," *League of Nations Official Journal* 1, no. 8 (November-December 1920): 10.



However, the problems of the East did not limit themselves just to the large numbers of prisoners of war following World War I. In mid-1921, following years of upheaval caused by civil war and the rise of the Bolsheviks, nearly 1.5 million Russian refugees scattered about Europe and Asia, from Poland to Egypt.<sup>33</sup> Initially, these refugee populations had been cared for by the various voluntary organizations of the world, like the IRC and the American Joint Jewish Distribution Committee. However, it quickly became apparent to them that merely providing material aid for refugees would not bring the building crisis to a close. To this end, the IRC wrote to the League's Council on June 15, 1921, following a previous discussion in February, requesting its help.<sup>34</sup>

The IRC believed that a more uniform process of delivering material aid to refugees needed to be put in place, encouraged the development of education and employment opportunities in countries of refuge, and worked to secure the legal protections for refugees.<sup>35</sup> While the IRC had created a mixed commission with other voluntary bodies to handle material aid, it determined that the League of Nations was the only organization that existed to deal with the other two problems.<sup>36</sup> As such, the IRC requested that the League appoint a High Commissioner to lead a League-backed organization for refugees.<sup>37</sup> Thus, the first insinuation that the League should take charge of refugee affairs came from voluntary organizations, not the League itself.

The League's Council was initially wary of the IRC's request. The representatives of the Council worried that the League had neither the mandate nor the funds to care for refugees and

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<sup>33</sup> Gatrell, "War, Refugeedom, Revolution," 138-139.

<sup>34</sup> League of Nations, *Russian Refugees: Letter from the International Red Cross*, June 18, 1921, 1, [https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-132-M-73-1921\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-132-M-73-1921_EN.pdf).

<sup>35</sup> *Ibid.*, 1.

<sup>36</sup> *Ibid.*, 2-3.

<sup>37</sup> *Ibid.*, 3-4.

that the various governments involved would rather handle the matter themselves.<sup>38</sup> Despite these reservations, the Council decided to hold a conference of concerned member states to discuss the Russian refugee crisis and the League's possible involvement with it on June 27, 1921.<sup>39</sup>

The conference was nothing less than a total refutation of the Council's fears. The various governments in attendance wholeheartedly agreed that the League should be intimately involved in solving the refugee question and backed the IRC's request for a High Commissioner to be appointed.<sup>40</sup> The conference did not decide how deeply the League and its possible High Commissioner would be involved in helping refugees, or what routes of aid it should take. Obviously, it could not just shoulder the entire financial burden. This spurred the Council to release a questionnaire to the members of the League, asking them whether the League should get involved with Russian refugees, how that involvement would look, and for any other suggestions they could make about how to proceed.<sup>41</sup> Resoundingly, the responding governments answered that the League should be intimately involved with the refugee question.

Some governments provided more helpful information and suggestions. France urged the League to select Nansen since he was currently successfully running the League's efforts to repatriate prisoners of war and had worked with many of the governments involved in the situation, including the Russian government.<sup>42</sup> Many other governments mirrored France's support of Nansen. Czechoslovakia's response, written by the future Czech representative to the League Eduard Benes, recommended that any League organization get involved with the rights

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<sup>38</sup> League of Nations, "The Question of the Russian Refugees," *League of Nations Official Journal* 2, no. 2 (March-April, 1921): 226.

<sup>39</sup> League of Nations, "The Question of the Russian Refugees," *League of Nations Official Journal* 2, no. Issues 5 and 6 (July-August 1921): 485.

<sup>40</sup> *Ibid.*, 486.

<sup>41</sup> *Ibid.*, 487.

<sup>42</sup> *Ibid.*

of refugees and the possible creation of a passport for refugees who either did not have one, or had been denaturalized.<sup>43</sup>

The Council voted to create the office of the High Commissioner for Russian Refugees on June 27, 1921 and specified its responsibilities would be to define the legal status of refugees, to organize repatriation or transference efforts, to find employment for refugees, and to coordinate relief with philanthropic institutions.<sup>44</sup> A second conference was held on August 24, 1921 to further highlight the High Commissioner's responsibilities for legal protections and passports, and recognizing that, since many refugees would not want to return to Russia, securing occupations in countries of refuge would be a high priority.<sup>45</sup> The second outcome of the August conference was the nomination of Nansen to the office of High Commissioner, a nomination that he accepted on September 1.<sup>46</sup>

The crisis Nansen inherited was complex and widespread. To begin with, refugees were scattered, with several thousand around Constantinople, another several thousand in Egypt and the Greek islands, some 250,000 in France, and many thousands in Eastern Europe. To compound this difficulty, some of these communities were on the brink of collapse, as was the case of the starving refugees around Constantinople, who would be a point of focus for Nansen throughout 1921-1922.<sup>47</sup> To make matters worse, the Russian refugee crisis, as many called it,

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<sup>43</sup> Ibid., 492.

<sup>44</sup> League of Nations, "The Question of the Russian Refugees: Report by M. Hanotaux, Adopted on June 27th," *League of Nations Official Journal* 2, no. 7 (September 1921): 757.

<sup>45</sup> League of Nations, "Conference on the Question of the Russian Refugees: Resolutions Adopted by the Conference on August 24<sup>th</sup>, 1921," *League of Nations Official Journal* 2, no. 8 (October 1921): 899-901.

<sup>46</sup> League of Nations, "The Question of Russian Refugees: Information Provided by Members of the Conference of Enquiry Held at Geneva, August 22<sup>nd</sup>-24<sup>th</sup>, 1921, and Memoranda Submitted to that Conference," *League of Nations Official Journal* 2, no. 9 (November 1921): 1015.

<sup>47</sup> League of Nations, "Rationing of Russian Refugees at Constantinople: Correspondence Between the High Commissioner for Russian Refugees and the French Government," *League of Nations Official Journal* 2, no. 10-12 (December 1921): 1247.

was not limited solely to Russians by the end of 1921, as reports from Turkey and the rise of Mustafa Kemal foretold of a possible Armenian refugee crisis.<sup>48</sup>

Over the course of the direst period of the Russian refugee crisis, Nansen and the League's work solidified into roughly two main categories: gaining material aid for refugees and securing their legal protection. Aid for physical well-being came in many forms. The most obvious was getting food and goods like medicine or blankets to refugees directly. Oftentimes, Nansen simply coordinated with voluntary organizations to fulfill this task, something that would become a common practice for High Commissioners after him; but he was not beyond using the Commission's own funds to secure foodstuffs when it was desperately needed.<sup>49</sup> He also made use of other League bodies, like the Epidemic Commission, to supply refugees with vaccines.<sup>50</sup>

Material aid came in slightly more abstract ways as well. A driving goal for both the new League refugee organization and the many voluntary bodies that it worked alongside was to get refugees to a point where they could support themselves without needing the charity of others. Not only would this take a burden away from countries of refuge, but it would, hopefully, instill a sense of dignity into refugees. However, in many cases, refugees found themselves in an area of refuge that had a stagnate job market, like Constantinople.<sup>51</sup> To begin to address this problem, Nansen and his Commission partnered with the International Labor Office to take a job census of refugees throughout Europe and Anatolia to determine their skills, so that nations of permanent

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<sup>48</sup> Bedross Der Matossian, "The Armenians of Palestine 1918–48," *Journal of Palestine Studies* 41, no. 1 (2011): 30; and Mark Malkasian, "The Disintegration of the Armenian Cause in the United States, 1918–1927," *International Journal of Middle East Studies* 16, no. 3 (1984): 356–357.

<sup>49</sup> League of Nations, "Refugees from Asia Minor: Reciprocal Exchange of Racial Minorities Between Greece and Turkey," *League of Nations Official Journal* 4, no. 1 (January 1923): 133–134.

<sup>50</sup> *Ibid.*, 137.

<sup>51</sup> League of Nations, "Relief Work in Russia and the Question of the Russian Refugees," *League of Nations Official Journal* 3, no. 4 (April 1922): 342.

settlement could be able to find refugees to suit their job market needs and facilitate emigration.<sup>52</sup>

For this scheme to work, however, refugees would have to be able to be transported to their new homes, and this revealed another dilemma. Many had neither passports nor means to obtain visas and others had been denationalized by their country of origin.<sup>53</sup> Thus, the goal of the High Commission to provide aid through finding work married with the need to provide refugees with legal documents and international standing. Nansen and his Commission took ideas that had first been floated at the August 1921 conference and began to develop a plan for refugee passports. In the end, Nansen developed a template for the League's various member states which, at the High Commission's request, would be issued to any refugee who requested one, free of charge.<sup>54</sup> If this plan was used, the League members would still hold the sovereign right to issue passports, as they would not be issued in the League's name, but the High Commission could control who received them. Nansen, citing the difficulties experienced in Constantinople, also requested that member states provide travel visas when the High Commission requested, free of charge.<sup>55</sup> These passport templates, later called Nansen passports, were approved by most League member states in March 1922, and those states who did not use them promised to view them as valid.<sup>56</sup>

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<sup>52</sup> Ibid.

<sup>53</sup> Karl E. Meyer, "The Curious Life of the Lowly Passport," *World Policy Journal* 26, no. 1 (2009): 74-75, and Isabel Kaprielian-Churchill, "Rejecting "Misfits:" Canada and the Nansen Passport," *The International Migration Review* 28, no. 2 (1994): 283-284.

<sup>54</sup> League of Nations, "Annexe 321a: Russian Refugees, Special Request by the High Commissioner of the League, Requesting the Assistance of the Governments of Members of the League in the Accomplishment of His Work," *League of Nations Official Journal* 3, no. 5 (May 1922): 396-397.

<sup>55</sup> Ibid., 398.

<sup>56</sup> League of Nations, "Russian Refugees: Passport and Transport Facilities for Russian Refugees, Note by the Secretary-General," *League of Nations Official Journal* 4, no. 1 (January 1923): 123-125.

Nansen's efforts did much to secure legal identification documents for refugees, provide them material aid, and identify gainful employment, all of which helped improve the overall refugee situation. Additionally, his work also helped to ingrain the League's High Commission for Refugees into the international system. Over the course of 1921-1922, he set up a series of League Offices from Constantinople to Berlin to deal with the local handling of Commission business as well as appointing representatives to have closer contact with governments involved in the refugee crisis.<sup>57</sup> The Commission so impressed the powers of the world that it was charged with the handling of a population exchange between Turkey and Greece in 1922 that involved almost one million people.<sup>58</sup> Nansen, himself, was invited to the Lausanne Conference of 1922-1923, which saw to the peaceful end of the Turkish War for Independence, to speak on the refugee situation in the East and the possibilities of refugee transfer.<sup>59</sup>

Over the course of the early 1920s, Fridtjof Nansen and the League of Nations worked to create an international organization to address the growing postwar refugee crisis. This system, originally created to simply repatriate prisoners of war, was later expanded to include more groups of displaced people and was relied upon by the officials of the great powers to handle something as great as a population exchange between two nations. The League's Commission provided direct aid to refugees, coordinated the actions of voluntary groups to minimize wasteful overlap, transported refugees to more welcoming areas, sought out job opportunities and training for them, and, perhaps most impressively, provided passports and certificates of identity to those who had none, free of charge. These actions created the foundation for a system that would

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<sup>57</sup> "Relief Work in Russia and the Question of the Russian Refugees," *League of Nations Official Journal* 3, no. 4 (April 1922): 340, 342, 245.

<sup>58</sup> League of Nations, "Ninth Meeting (Public) Twenty-First Session of the Council," *League of Nations Official Journal* 3, no. 11 (November 1922): 1195.

<sup>59</sup> League of Nations, "Annex 471: Refugees in the Near East, Report by Dr. Nansen, High Commissioner of the League for Refugees, Submitted to the Council on February 23, 1923," *League of Nations Official Journal* 4, no. 3 (March 1923): 383.

become a flagship responsibility for the League of Nations. Indeed, one could argue that the actions of these historical actors proved to the global community that refugee crises could not be handled by one state alone but were the concern of the international whole.

However, the work of the High Commission for Refugees did not end following the close of the direst period of the Russian refugee crisis. Over the coming years, there would be many efforts by the more internationally minded members of the League to widen the scope of its concerns. This, of course, began in 1922, when Armenian refugees from Turkey were added to Nansen's responsibilities, but it was an ongoing process through much of the 1920s and 1930s. In 1926, the League's Assembly, the gathered body of all the various member states, voted to extend the protections granted to Russian and Armenian refugees by the High Commission to any refugee in similar conditions or similarly made stateless as a consequence of World War I.<sup>60</sup> By 1928, the International Labor Organization, as well as the Assembly, pushed for the rights and protections extended to those under the High Commissioner to be given to several new groups of refugees, mainly Assyrians, Assyro-Chaldeans, Montenegrins, and Turks.<sup>61</sup> One can see, then, that the League in the 1920s was committed to further the protections it had developed for stateless people and refugees, slowly building the reach of the Commission.

At the turn of the decade, however, things began to change. In September 1930, the League Assembly voted to create the Nansen International Refugee Office, which would take over and discharge all of the functions of the High Commissioner for Refugees.<sup>62</sup> This came as a

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<sup>60</sup> League of Nations, *Extension to Other Analogous Categories of Refugees of the Measures Taken to Assist Russian and Armenian Refugees: Report by M. Benes*, December 9, 1926, 1, [https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-716-1926-VIII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-716-1926-VIII_EN.pdf).

<sup>61</sup> League of Nations, *Extension to Other Categories of Refugees of the Measures Taken to Assist Russian and Armenian Refugees: Report of the High Commission*, June 4, 1928, 1-3, [https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-252-1928-VIII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-252-1928-VIII_EN.pdf).

<sup>62</sup> League of Nations, *Constitution of an International Refugee Office*, December 22, 1930, 1, 7, [https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-29-1931-XIII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilDocs/C-29-1931-XIII_EN.pdf).

result of a number of things, mainly the death of Nansen in 1930, and the desire to place the responsibilities of the High Commissioner in a body that answered to the League but was also its own entity. The Nansen Office would be this entity. Set to begin operation on April 1, 1931 and headed by Max Huber, the Office would be responsible for overseeing the welfare of refugees, assisting in securing employment for them, giving general instructions to voluntary organizations, and dispersing resources.<sup>63</sup> This included funds gained from the new system of Nansen stamps, where people in member states of the League could purchase postage stamps that would help to fund refugee work.<sup>64</sup> In addition, while the Nansen Office was technically under the direction of the League, its officials were responsible for their own actions, and it was distinct from the workings of the Secretariat.<sup>65</sup>

In many ways, the Nansen Office seemed to just be a natural extension of the refugee system, further cementing the work of Nansen into a body that could operate on its own, though with the backing of the international community via the League. However, there was an important distinction that set it apart from the office of the High Commissioner: the Nansen Office had an end date. The position that Nansen held before his death originated as a response to a major crisis, and many of the powers and responsibilities it developed came as a natural outgrowth of working in the midst of that crisis. There was a belief amongst many League representatives that the crisis had since past, and that the Nansen Office could bring about the successful conclusion of the work started by its namesake in the 1920s.<sup>66</sup> To this end, the Nansen

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<sup>63</sup> Ibid., 4.

<sup>64</sup> Ibid., 7.

<sup>65</sup> Ibid., 2.

<sup>66</sup> League of Nations, *Constitution of the Nansen International Refugee Office: Report by the Representative of Venezuela*, January 19, 1931, 2, [https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-77-1931-XIII\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-77-1931-XIII_EN.pdf).



Office's constitution specified that it would cease its operation no more than nine years after it was established, meaning it would liquidate in 1939.<sup>67</sup>

Despite the vocal expressions of the Nansen Office's first president, Max Huber, that the task before the new body was of an almost incomprehensible magnitude, the nine-year time limit of operation does not seem too extreme.<sup>68</sup> Nansen had been slowly working through the process of establishing internationally accepted rights and protections for refugees, had obtained legal documents for them, and had either repatriated or reestablished an impressive number of refugees by his death. If that process could be maintained, then it was not out of the question that the refugee crisis that began in the 1920s could be, at the very least, mostly brought to a close by 1939. As historian Emma Haddad notes, this decision to place a time limit on the Nansen Office reflected a common belief in the nation-state system that refugees were the exception to the norm, meaning that a permanently standing refugee system would not be needed once refugees from one crisis were assisted.<sup>69</sup>

This arrangement, however, would only work if the global refugee situation continued to improve. Unfortunately, events soon conspired against the League. Beginning in 1932, the League began to hear reports of growing antisemitism within Germany, and by 1933 it had several cases before its Council concerning Jews who had lost their jobs as a result.<sup>70</sup> The major case before the Council, that of Franz Bernheim, was not an isolated incident, and the countries bordering Germany soon began to experience a growing number of Jewish and political

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<sup>67</sup> *Constitution of an International Refugee Office*, 3.

<sup>68</sup> *Ibid.*, 3.

<sup>69</sup> Haddad, *The Refugee in International Society*, 31.

<sup>70</sup> League of Nations, "Sixth Meeting (Public)," *League of Nations Official Journal* 14, no. 7 (July 1933), 838-839.

emigrants.<sup>71</sup> Considering the trajectory of new laws being passed under the Nazi party following its ascension to power in March 1933, like the Law for the Restoration of the Professional Civil Service, it seemed like that flow would not be stymied in a quick manner.<sup>72</sup> In addition to this problem, there was the problem of Germany itself. Germany had a representative on the League's Council and was one of the bigger powers represented in the League in general, overshadowed only by France and Britain. It could veto actions it disliked, like bringing the new Jewish refugees under the care of the Nansen Office. To criticize Germany too harshly could cause problems within the League, something most League supporters feared after Japan's announcement that it would leave the League following the Mukden Incident in 1932.<sup>73</sup> In addition, the League had made it a rule to rarely, if ever, address the internal actions of a state's government, which included the Nazi's antisemitic laws.<sup>74</sup>

In an attempt to address both the need to help the Jewish refugees and placate Germany, the League's Assembly resolved on October 11, 1933 to create the office of the High Commissioner for Refugees (Jewish and Other) from Germany, headed by the American James G. McDonald.<sup>75</sup> This Commissioner would be responsible for negotiating and collaborating with nations to try and secure work for German refugees, and, like the Nansen Office, he would be responsible for coordinating funds from voluntary organizations.<sup>76</sup> As McDonald later put it, he

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<sup>71</sup> Arnold A. Offner, *American Appeasement: United States Foreign Policy and Germany, 1933-1938* (New York: W.W. Norton & Company, 1976), 59-61; and Marion A. Kaplan, *Between Dignity and Despair: Jewish Life in Nazi Germany* (New York: Oxford University Press, 1998), 17-21.

<sup>72</sup> Reich Ministry of the Interior, "Law for the Restoration of the Professional Civil Service," April 7, 1933, [https://ghdi.ghi-dc.org/pdf/eng/English29\\_new.pdf](https://ghdi.ghi-dc.org/pdf/eng/English29_new.pdf).

<sup>73</sup> Malcolm D. Kennedy, *The Estrangement of Great Britain and Japan 1917-1935* (Berkeley and Los Angeles: University of California Press, 1969), 292.

<sup>74</sup> League of Nations, "Fifth Meeting (Private, Then Public)," *League of Nations Official Journal* 14, no. 7 (July 1933): 836.

<sup>75</sup> League of Nations, "Third Meeting (Public, Then Private)," *League of Nations Official Journal* 14 (December 1933): 1617.

<sup>76</sup> *Ibid.*

was to negotiate and direct international coordination to “solve the economic, financial, and social problem of the refugees.”<sup>77</sup>

However, the League’s new Commission was separate from the Nansen Office. Unlike the Nansen Office, it was a distinct entity, separate to the League, but technically answerable to it, to avoid any veto attempt by Germany concerning its actions.<sup>78</sup> But, this meant it lacked the established powers of the successor to Nansen’s organization. It also had a liquidation date in 1939. This meant it had neither the contacts of the Office, nor access to the funds gathered through the Nansen stamp program, or the Humanitarian Fund, which was held in trust by the Nansen Office. To make matters worse, soon after its establishment, Germany announced its intention on October 19, 1933 to leave the League of Nations.<sup>79</sup> This was a blow not only to the League as a whole, since it was the second power to leave the organization in less than a year, but also a blow to the effectiveness of new High Commissioner. Since it was no longer a member of the League, Germany did not have to interact with McDonald and could ignore any of his requests to negotiate for the betterment of Jewish emigrants. He could, essentially, only do his work with those who made their way out of Germany.

As the mid-1930s approached, the League found its refugee systems to be in operation, if somewhat scattered. The Nansen Office handled the refugees left from the 1920s and oversaw the maintenance of refugee protections, while the High Commissioner for Refugees (Jewish and

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<sup>77</sup> James G. McDonald, “Letter of Resignation of James G. McDonald, High Commissioner for Refugees (Jewish and Other) Coming from Germany: Addressed to the Secretary-General of the League of Nations,” December 27, 1935, v, [https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-13-M-12-1936-XII\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-13-M-12-1936-XII_EN.pdf).

<sup>78</sup> *Ibid.*, iv.

<sup>79</sup> League of Nations, “Notification by the German Government of Its Intention to Withdraw from the League of Nations,” *League of Nations Official Journal* 15, no. 1 (January 1934): 16; and Elmer Bendiner, *A Time for Angels: The Tragicomic History of the League of Nations* (New York: Alfred A. Knopf, 1975), 290-291. Historian Carole Fink describes how the movement to leave began early on in the 1930s as a result of a series of League missteps, but the ultimate break occurred as a result of Hitler’s aggressive foreign policy, see Carole Fink, “The League of Nations and the Minorities Question,” *World Affairs* 157, no. 4 (1995): 203.

Other) from Germany had a more focused mandate, though it lacked many of the resources of its sister organization. Events seemed to be conspiring against the League and its refugee organizations, however. In 1935, McDonald stepped down from his position as High Commissioner. Writing a lengthy resignation letter, McDonald described his frustration with what he felt was a hamstrung organization, lacking both League and international support.<sup>80</sup> He further explained the effect of many of the laws the Nazis had been passing, which resulted in many Jews who emigrated being forced to do so while essentially being stateless and penniless.<sup>81</sup> As a result, McDonald called on both the League and the states of the world to get more involved in the growing Jewish refugee crisis, which was becoming too much for private organizations alone to handle.<sup>82</sup> He argued that the constant deference to Germany to avoid insulting the Nazi state had to stop and that, eventually, “pity and reason alike must inspire the hope that intercession will meet with response.”<sup>83</sup> McDonald would be replaced by the British Major General Sir Neill Malcolm, though his part in the organization of refugee aid was not yet over.

There was also the matter of the eventual termination of the League’s refugee bodies, something which would affect both refugees from the 1920s and the growing number of Jewish refugees from Germany. This concern was not lost on members of the League. A 1937 report by Michael Hanson, Huber’s successor as the President of the Nansen Office, made the Secretary-General of the League aware that, while the Office was on schedule to liquidate, he was convinced there would still be a significant amount of remaining refugee work.<sup>84</sup> As the

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<sup>80</sup> McDonald, “Letter of Resignation of James G. McDonald, High Commissioner for Refugees (Jewish and Other) Coming from Germany,” December 27, 1935, v.

<sup>81</sup> Ibid., 33.

<sup>82</sup> Ibid., v-vi.

<sup>83</sup> Ibid., ix.

<sup>84</sup> League of Nations, *International Assistance to Refugees: Report by the President of the Governing Body of the Nansen Office, Report by the Representative of Bolivia*, May 24, 1937, 2, [https://biblio-  
archive.unog.ch/Dateien/CouncilDocs/C-241-1937-XII\\_EN.pdf](https://biblio-<br/>archive.unog.ch/Dateien/CouncilDocs/C-241-1937-XII_EN.pdf).

liquidation date for the League's refugee obligations approached, the international body began to take steps to address the concerns of many of its members. This started during the October 1937 meeting of the League's Assembly. At this meeting, the League's main body reaffirmed its intention to have both the Nansen Office and the High Commissioner for Refugees (Jewish and Other) from Germany dissolve on December 31, 1938.<sup>85</sup> That being said, the Assembly also instructed the Council to appoint a committee made up of the representatives from Bolivia, France, and the United Kingdom to consider a future plan for international assistance to refugees.<sup>86</sup>

The Assembly's effort culminated in a convention of seventeen nations, including the United States, in February 1938 which sought to address the status of refugees from Germany, as well as refugees in general. The conference itself covered a significant amount of ground and seemed intent on laying down a standardized way of handling refugees once the League's systems lapsed. For example, one of the objectives was defining who a refugee from Germany was, and the convention delegates defined it as anyone who had possessed German nationality but no longer enjoyed the protection of the German government, or stateless people not covered in a previous convention that were established in Germany, and no longer had the protection of their government.<sup>87</sup> There was also a heavy emphasis on how nations should treat refugees within their borders. This included providing travel documents and visas to assist in transit for little or no cost, protecting refugees from expulsion except for matters of national security,

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<sup>85</sup> League of Nations, *International Assistance to Refugees: Action to be Taken on the Resolution Adopted by the Assembly of the League of Nations on October 5, 1937, Report by the Delegate of Bolivia*, January 28, 1938, 1, [https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-63-1938-XII\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-63-1938-XII_EN.pdf).

<sup>86</sup> *Ibid.*, 2.

<sup>87</sup> League of Nations, *Convention Concerning the Status of Refugees Coming from Germany*, February 10, 1938, 3, [https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-75\(1\)-M-30\(1\)-1938-XII\\_BI.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-75(1)-M-30(1)-1938-XII_BI.pdf).

providing facilities and training for refugees, and defining what legal protections refugees should have.<sup>88</sup>

The convention established some internationally accepted ground rules for how to treat refugees once the Nansen Office and High Commissioner for Refugees from Germany ended. The hope was that, so long as the situation remained the same, these measures would help it reach an acceptable conclusion. While the League could not directly deal with Germany and the steady leak of emigrants from its borders, it could at least try to equip the countries around it. Indeed, while the forward march of Nazi laws had pushed a growing number of Jews from Germany, the problem had, for the most part, been limited to the Jewish population of Germany, and others the Nazis deemed to be undesirables.<sup>89</sup> This changed in March of 1938 when, in an event that has come to be known as the Anschluss, Nazi Germany annexed Austria. Suddenly, the numbers of those who fell under the Nazi racial laws grew, meaning that the number of those who would attempt to flee them would grow as well.<sup>90</sup>

This swell of refugees threw a wrench in the planned winding down of the League's efforts, since any emigrants from Austria did not fit within the accepted categories of their mandates. It came to the point that the Council instructed the High Commissioner of Refugees from Germany, Neill Malcolm, in May 1938 to assume the refugees from the former territory of Austria fell under his purview.<sup>91</sup> Malcolm was also instructed to observe the overall condition of

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<sup>88</sup> Ibid., 4, 5, 6-7.

<sup>89</sup> Kaplan, *Between Dignity and Despair*, 68, 119. As Kaplan notes, this belief that the problem would exist only in Germany was prevalent even in German Jews, as many believed fleeing to Austria would free them from their plight. The Anschluss proved them wrong.

<sup>90</sup> Detlev J.K. Peukert, *Inside Nazi Germany: Conformity, Opposition, and Racism in Everyday Life* (New Haven, Connecticut: Yale University Press, 1987), 61, 149; and Kaplan, *Between Dignity and Despair*, 119, 124.

<sup>91</sup> League of Nations, *International Assistance to Refugees: Desirability of Extending the Powers of the High Commissioner for Refugees Coming from Germany to Cover Refugees Coming from the Territory Which Formerly Constituted Austria*, May 13, 1938, 1, [https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-188-1938-XII\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-188-1938-XII_EN.pdf).

this new group of refugees and to report his findings both to the Council and a few other states, like Brazil and the United States, presumably to pique their interest in possibly accepting some number of these refugees.<sup>92</sup>

Following the annexation of Austria, both the international community and the League itself recognized that its current system was not sufficiently handling the growing Jewish refugee crisis. There was the added pressure that even these ineffectual organizations would soon disappear, leaving states and voluntary organizations on their own. However, the international community and the League had two different responses, though they both belonged in the same vein of attempts to centralize aid for refugees. Over the course of the summer of 1938, both the League and many of the Western powers, headed by the United States, sought to create new organizations more equipped to deal with the worsening situation.

On May 13, 1938, the investigative committee the League's Council had commissioned in January submitted its report for how the League could guarantee competent handling of the ongoing refugee crisis. The committee recognized several facts about the overall situation. First, they estimated the total numbers of refugees in question, some 600,000, and explained that the favored method for taking care of them, emigration, would not be sufficient to solve the problem. Rather, it asserted that the world would have to turn to absorption, or integrating refugee populations within their countries of refuge.<sup>93</sup> The committee also recognized the Assembly's desire to end the Nansen Office and current position of High Commissioner for Refugees. Coming from Germany by the end of the year, though it noted that many member states

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<sup>92</sup> Ibid., 2.

<sup>93</sup> League of Nations, *International Assistance to Refugees: Report of the Council Committee Appointed to Draw Up a Plan for International Assistance to Refugees*, May 13, 1938, 1-2, [https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-189-1938-XII\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilDocs/C-189-1938-XII_EN.pdf).

considered refugee care within the League framework to be indispensable.<sup>94</sup> To this end, the committee recommended the creation of the singular office of the High Commissioner of Refugees to pick up the responsibilities of the two organizations that preceded it once they dissolved.<sup>95</sup>

This proposed new High Commissioner would operate for a limited time as well, but while it existed it would be very reminiscent of the office when Nansen himself had held it. The High Commissioner would oversee the application of refugee protections the League had created, coordinate the distribution of material aid, and would work directly with governments and private organizations, even being able to establish representatives in other countries.<sup>96</sup> Interestingly, the report specifically mentioned that the new High Commissioner would assist governments and private organizations with emigration and permanent settlement.<sup>97</sup> As previously mentioned, emigration had become a common preference for handling refugee populations, moving them from a place unable, or unwilling, to absorb added populations to somewhere more accommodating. However, the rise of restrictive immigration policies had made such measures difficult to implement.

Regardless of method, the League approved of the committee's recommendations, and spent the summer of 1938 refining the duties of the proposed new office of High Commissioner of Refugees. By September 28, the Assembly ratified the new office and defined the scope of its powers.<sup>98</sup> The High Commissioner would take responsibility for those who had formerly been under the care of the Nansen Office and Malcolm's organization, as well as refugees fleeing

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<sup>94</sup> Ibid., 2.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid., 2-3.

<sup>97</sup> Ibid., 2.

<sup>98</sup> League of Nations, *International Assistance to Refugees: Report of the Sixth Committee of the Assembly*, September 28, 1938, 1.



from Austria.<sup>99</sup> The High Commissioner was to be located in London, and he would provide for the protection of refugees, coordinate humanitarian assistance, and work with governments and private organizations.<sup>100</sup> The High Commission could accept funds from governments and private groups or people to fulfill its obligations, and it would gain access to any funds left from the Nansen Office. It would be allowed to disperse these funds to the organizations best suited to use them, but not to directly provide assistance itself.<sup>101</sup> Sir Herbert Emerson, a former British governor in India, was selected to take on the role of the High Commissioner for Refugees.<sup>102</sup>

While the League was creating this new position, others in the international community, led by the United States, had been working on refugee care as well, and the result of their efforts was the Intergovernmental Committee for Refugees (IGCR).<sup>103</sup> Beginning in roughly March 1938, officers of the U.S. State Department had begun to send out telegrams to the foreign offices of various states about the creation of a new refugee committee.<sup>104</sup> This new committee was the brainchild of President Franklin D. Roosevelt, and its purpose was to be a coordinating body, mainly for emigration, that would bolster, not interfere with, the refugee bodies that already were in operation.<sup>105</sup> Secretary of State Cordell Hull, in his efforts to sell the proposed

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<sup>99</sup> Ibid.; and Sjöberg, *The Powers and the Persecuted*, 37. Sjöberg states that Emerson's High Commission was responsible for around 800,000 refugees in total, though how many actually received assistance versus those that just received the benefits from the League's legal provisions is a difficult figure to arrive at with any certainty.

<sup>100</sup> *International Assistance to Refugees: Report of the Sixth Committee of the Assembly*, September 28, 1938, 2.

<sup>101</sup> Ibid., 3. Part of the funds in question included the Nansen Office's Humanitarian Fund, a collective pool of money gathered either through donation or a scheme which involved the sale of stamps in a number of European countries.

<sup>102</sup> Ibid.

<sup>103</sup> Ibid.

<sup>104</sup> Telegram, the Secretary of State to the Ambassador in the United Kingdom (Kennedy), March 23, 1938, *Foreign Relations of the United States [hereafter FRUS], Diplomatic Papers, 1938, General, Volume I*, (Washington: Government Printing Office, 1955), Document 713.

<sup>105</sup> Ibid.; and Robert Dallek, *Franklin D. Roosevelt and American Foreign Policy, 1932-1945* (New York: Oxford University Press, 1995), 158, 167. Sjöberg, like Wyman, argues that this action was also taken, not just because Roosevelt wanted to do good, but because it looked good, see Sjöberg, *The Powers and the Persecuted*, 101. For some of the circumstances that led Roosevelt to this decision, see Feingold, *The Politics of Rescue*, 22.

body to the world, clarified in a conversation with an ambassador from the Soviet Union that Roosevelt's new body would deal only with those suffering from persecution in Germany and Austria, not all refugees.<sup>106</sup> The League accepted the IGCR as, within the resolution for the creation of the High Commissioner for Refugees, it specified that he would work closely with the new organization.<sup>107</sup>

Emigration itself was a tricky subject to address in the late 1930s. Many large states like the United States had curtailed its immigration numbers through the use of quotas, or annual limits on the numbers of immigrants allowed from a certain area, since the 1920s.<sup>108</sup> The growing tide of refugees from Germany stretched this isolationist tendency to its limit, as refugees in countries of refuge found it hard to gain passage to a country of final settlement and languished in their semi-permanent homes. Indeed, one of the traditional outlets for Jewish emigration, Palestine, would essentially be cutoff following a British Royal Commission report in late 1938 and had been purposely slowed since 1936.<sup>109</sup> The goal of the United States to create a new refugee body in addition to those already in operation was to facilitate the emigration of those being forced to leave Germany while working with nations of final settlement to respect and navigate varying immigration laws.<sup>110</sup> Uniquely, the proposed new body was to be able to

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<sup>106</sup> Memorandum by the Secretary of State of a Conversation with the Ambassador of the Soviet Union (Trojanovsky), March 23, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 715; and Sjöberg, *The Powers and the Persecuted*, 51. Sjöberg further narrows the focus of the IGCR by arguing that it was created mainly to handle the Jewish question.

<sup>107</sup> *International Assistance to Refugees: Report of the Sixth Committee of the Assembly*, September 28, 1938, 3.

<sup>108</sup> Irving Abella and Harold Troper, *None is Too Many: Canada and the Jews of Europe, 1933-1948* (Buffalo, New York: University of Toronto Press, 2012), 5-7, and Orchard, *A Right to Flee*, 121-122. Abella and Troper highlight how even McDonald, in his capacity with the League, struggled to persuade Canada into giving refugees more leeway in their immigration system.

<sup>109</sup> League of Nations, *Mandates, Palestine: Letters from the United Kingdom Government to the Secretary-General, dated November 9 and November 19, 1938, Transmitting the Report of the Palestine Partition Commission and the Statement on Palestine Issued by the United Kingdom Government on November 9<sup>th</sup>, 1938*, December 5, 1938, 3-4, [https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-492-M-334-1938-VI\\_EN.pdf](https://biblio-archiv.unog.ch/Dateien/CouncilMSD/C-492-M-334-1938-VI_EN.pdf).

<sup>110</sup> Telegram, the Secretary of State to the Ambassador in the United Kingdom (Kennedy), June 14, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 725.

consider long-term issues of the refugee problem, rather than just handling the immediate symptoms of it, and be equipped to negotiate with Germany, something the League's organizations could not technically do.<sup>111</sup>

On July 6, 1938, in Evian, France, representatives from 32 countries, ranging from the United States and Great Britain to the Latin American republics, met to discuss the creation of Roosevelt's proposed Intergovernmental Committee for Refugees. By the end of the conference, on July 15, what Roosevelt and Hull had spent much of the spring and early summer trying to sell to the world came into being, and the IGCR was born. The responsibilities and governing principles of the new organization reflected many of the points found in U.S. State Department telegrams to other nations. The purpose of the IGCR was to oversee orderly emigration and to relieve overwhelmed nations of their burden of refugees.<sup>112</sup> The mandate of the IGCR extended only to those left in Germany and Austria who still needed to emigrate due to political, religious, or racial reasons, as well as those outside of Greater Germany who had yet to be established.<sup>113</sup> Of course, there was overlap with the League's refugee efforts with this second category. Interestingly, however, written into the constitution of the IGCR was the stipulation that the members of the Committee would assume no obligation to finance involuntary emigration, meaning that member governments were not expected to pay any money in their efforts and that costs would be borne by private organizations.<sup>114</sup>

The development of an international system for caring for refugees was not a quick process. Begun in the 1920s by Dr. Fridtjof Nansen, a common theme for such a system was

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<sup>111</sup> Ibid.

<sup>112</sup> Telegram, the Chairman of the American Delegation (Taylor) to the Secretary of State, July 14, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 736.

<sup>113</sup> Ibid.; and Sjöberg, *The Powers and the Persecuted*, 51, 53.

<sup>114</sup> Ibid.

hammered out. Most of the global community decided that the best way to oversee the solving of refugee crises was to place the power of coordination in the hands of an internationally empowered individual, who would see that the needs of refugees were being met by voluntary organizations or governments involved, in addition to defining the legal protection of refugees. This individual became, following Nansen's efforts with Russian and Armenian refugees, a facet of the League of Nations, and much of the 1920s were spent increasing the number of those who fell under the purview of the first High Commissioner for Refugees. One of the founding tenants of this system, however, was that the crisis that had caused an outpouring of refugees was temporary, and, once the refugees were cared for, things would return to normal. It was assumed, therefore, that any refugee organizations need only be temporary as well, and the succeeding organization of the first High Commission, the Nansen Office, would dissolve after only nine years.

Ultimately, future events disproved the assumption of the global community, and, in the face of increased numbers of refugees from Germany, the League was forced to make a new refugee organization, the High Commissioner for Refugees (Jewish and Other) from Germany. However, this organization had an expiration date as well and was so underequipped for the growing problem that its first High Commissioner, James G. McDonald, was forced to retire in frustration. The problems of Jewish refugees emigrating from Germany, willingly or not, did not follow McDonald into retirement, and by 1938 things had reached a boiling point, leading to the creation of the Intergovernmental Committee for Refugees, a new refugee body developed outside the League of Nations by the United States.

## Chapter 2: Palliatives and Cures

In response to a growing refugee crisis in the 1930s, the global community began to develop new bodies for lessening the plight of refugees. The League of Nations, the authoritative international body in regard to refugee assistance since the 1920s, created the office of the High Commissioner for Refugees in 1938 and placed the British Sir Herbert Emerson in charge of its refugee efforts. The League, however, was past its prime regarding its effectiveness as an institution, as its poor handling of crises earlier in the decade, combined with the slow loss of member states, hindered its ability to address the German refugee crisis by itself. To this end, the United States began to push for the creation of a new refugee body tailored to handle the orderly movement of refugees from Germany to states of final settlement, as well as some other long-term concerns. The result was the Intergovernmental Committee for Refugees.

The efforts of the League's High Commission and the IGCR from 1938-1942 were a strange mix of innovation, idealism, pragmatism, and synthesis. Grand schemes for saving thousands of refugees were entertained, the relationship of governments with the funding of refugee aid was challenged, the distinction between the IGCR and the League's Commission became murky and plans of purely humanitarian concerns clashed with government officials with more complex mindsets and motives. Regardless of anything the world's two refugee bodies did at the close of the 1930s, the outbreak of World War II effectively ground most efforts to a halt and forced those in the international refugee system to reconsider their relationship to the refugee question as a whole.

The IGCR had its first official meeting on August 3, 1938 in London and would spend the rest of 1938 solidifying both its executive make up and how it would go about fulfilling its goals. Unlike the League's High Commission, which had a single executive head with a small

number of officials under him, the IGCR was made up of two parts. The first were a set of executive officers - a chairman, four vice-chairmen, and a director - that would see to the actual execution of the IGCR's goals, and the second was the collective body of the representatives of the member nations.<sup>115</sup> At the first meeting, Edward Turnour, hereafter Lord Winterton, a British member of Parliament and Earl of Winterton, was elected as Chairman, while the American lawyer George Rublee was selected as the Director.<sup>116</sup> The purposes of the IGCR were simplified to be twofold: to have the Director negotiate with Germany to make emigration for Jews easier by permitting them to emigrate with more of their personal wealth and to have the Director work with the primary states of final settlement, usually Latin American countries, to facilitate emigration there.<sup>117</sup> This heavy focus on final settlement became a feature of the early work of the IGCR, so much so that it would even refuse membership to Czechoslovakia since it was felt that states of temporary refuge, which the Czech state was, were not of the same level of import as those of final settlement.<sup>118</sup>

As one might expect from an infant organization that burst onto the scene of an incredibly complex international problem, the IGCR had a rather fitful start in its first few months. Things started off relatively well, as on August 12, representatives from the Dominican Republic sent a secret message to Winterton offering to take anywhere from 50,000 to 100,000 involuntary emigrants in a short amount of time and to provide them with facilities for a

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<sup>115</sup> Telegram, the Chairman of the American Delegation (Taylor) to the Secretary of State, August 3, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 738. Member states included: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, Switzerland, the United States, the United Kingdom, Uruguay, and Venezuela.

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, August 16, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 744.

permanent settlement.<sup>119</sup> This offer would only cover a part of the some 600,000 refugees that the League of Nations estimated were currently in Europe, not to mention those still having to leave Germany, but it was a promising start, even if the area of settlement would have to be investigated and large-scale emigration funded before the Dominican Republic's offer could be accepted. Yet the IGCR was frustrated on other fronts, namely in making itself a fully accepted member of the international refugee regime and in its attempt to negotiate directly with Germany, the major thing that set it apart from the League's efforts.

Throughout the remainder of 1938, there would be a constant tug-of-war between the American elements of the IGCR and the British and French elements about the overall place of their new Committee. The European powers feared that the IGCR's efforts would interfere with those of the League of Nations, and the British even went so far as to recommend the IGCR become an advisory body for the League's refugee organizations.<sup>120</sup> Hull felt strongly that the IGCR and the League complimented one another, whereas Rublee felt that the U.S.'s ability to push Latin American countries to accept emigrants made it indispensable.<sup>121</sup> The IGCR could also address the major gap in the League's care for refugees: its inability to deal with Germany.<sup>122</sup> In the American Secretary of State's mind, the IGCR and its director would handle Germany and those within that territory, while the League could focus on refugees that fell under

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<sup>119</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, August 12, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 742. For more on the resettlement plan to the Dominican Republic, refer to Feingold, *The Politics of Rescue*, 112-113.

<sup>120</sup> Telegrams, the Chargé in the United Kingdom (Johnson) to the Secretary of State, August 12, 1938, and the Chargé in the United Kingdom (Johnson) to the Secretary of State, August 23, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Documents 741, 747; and Feingold, *The Politics of Rescue*, 29-36. Sjöberg notes how the United States worked to keep the IGCR from becoming too enmeshed in the League system, see Sjöberg, *The Powers and the Persecuted*, 110.

<sup>121</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, August 25, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 749; and Sjöberg, *The Powers and the Persecuted*, 109.

<sup>122</sup> Telegram, the Secretary of State to the Chargé in the United Kingdom (Johnson), August 16, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 746.

the Nansen Office, arranging documentation for emigrants and doing long-term planning.<sup>123</sup>

Interestingly, this is somewhat of a change from what was described at the Evian Conference, where the IGCR was to have some part to play in planning long-term refugee care.

This effort to show how the League, as it worked through 1938 to develop what would become the High Commission for Refugees, and the IGCR complimented one another also highlighted their divergent roles. This meant that, despite Hull's best efforts to dissuade member nations that it was not the sole function of the Committee, increased importance began to be placed on negotiation with Germany.<sup>124</sup> Germany, however, proved to be decidedly noncommittal. Things had gotten so bad that by October 1938, Rublee wrote to Hull requesting that he begin pushing for German officials to meet with him, saying "either the German authorities will receive me, or they will not", but he needed to know where he stood so the IGCR could move forward.<sup>125</sup> Rublee went so far as to guess that the Germans were not actually hesitant to meet with him at all, but that the British foreign service was holding his negotiation efforts back.<sup>126</sup>

Events in the world placed an increasing importance on the IGCR finding some sort of agreement with Germany concerning emigration. As a result of the Munich Agreement of September 30, 1938, on October 10, the area of Czechoslovakia known as the Sudetenland was annexed by Germany, meaning that all Czech Jews and other groups affected by Nazi racial

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<sup>123</sup> Ibid.

<sup>124</sup> Telegram, the Secretary of State to the Chargé in the United Kingdom (Johnson), August 26, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 751.

<sup>125</sup> Telegram, the Ambassador in the United Kingdom (Kennedy) to the Secretary of State, October 12, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 774. For more on the difficulties Rublee faced with arranging negotiations, as well as a snapshot of the German government at the time, see Feingold, *The Politics of Rescue*, 37-44.

<sup>126</sup> Ibid.



laws, fell under the care of the IGCR.<sup>127</sup> A few weeks later, on November 9 and 10, the events of what would later be called Kristallnacht, where German police and citizens perpetrated violence against Jews still in Germany, impressed upon Rublee the importance of his meeting with German officials.<sup>128</sup>

Rublee had two main goals for meetings with Germany, if and when they came. First, he wished to establish a system for orderly emigration, meaning there would be less illegal border crossings into countries already overrun with refugees.<sup>129</sup> Second, he wished to find a way to get the German government to allow emigrants to leave with more of their personal wealth than was currently allowed.<sup>130</sup> The current German emigration laws took a significant amount of material and liquid wealth from Jews who planned to leave, making them almost destitute.<sup>131</sup> This meant that many Jews arrived in countries of refuge with little to no money or goods of their own. Not only did this put a strain on the refugee system, as it meant that both voluntary organizations and, once private support dried up, governments had to support refugees, but it lowered a refugee's chances to be able to emigrate to a nation of final settlement. From the United States to the Dominican Republic, states that already had rather stringent immigration policies, few states were truly willing to admit thousands of destitute victims of Nazism when they would, through

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<sup>127</sup> Telegram, the Secretary of State to the Ambassador in the United Kingdom (Kennedy), October 26, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 783. For more on Munich and its results, refer to Gerhard Weinberg, *A World at Arms: A Global History of World War II* (New York: Cambridge University Press, 1994), 27-28, 38, 45-46.

<sup>128</sup> Telegram, the Ambassador in the United Kingdom (Kennedy) to the Secretary of State, November 14, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 795.

<sup>129</sup> Telegram, the Secretary of State to the Ambassador in the United Kingdom (Kennedy), November 9, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 792.

<sup>130</sup> *Ibid.*

<sup>131</sup> Kaplan, *Between Dignity and Despair*, 70-73, 143-146. For those seeking an in depth understanding of Jewish hardship under increasing Nazi restrictions, Kaplan's work holds a wealth of insight.

no fault of their own, likely become strains on the relief systems of the countries where they emigrated.<sup>132</sup>

As the end of 1938 approached, things began to look up for the beleaguered IGCR. On December 13, Rublee met with Herbert Emerson, the recently empowered League of Nations High Commissioner for Refugees, to discuss the jurisdictional confusion that had plagued their organizations.<sup>133</sup> Emerson agreed with Hull and other members of the U.S. State Department in his belief that Rublee, as Director of the IGCR, had the responsibility to negotiate with Germany, especially since Emerson was essentially barred from doing so.<sup>134</sup> On the other hand, Emerson believed that his position as High Commissioner held jurisdiction over working with countries of refuge and transmigration between those states, though he was more than willing to have Rublee advise him on such topics.<sup>135</sup> However, Emerson was adamant that both the High Commission and the IGCR had equal rights to negotiate with countries of final settlement on behalf of refugees, though he welcomed Rublee to continue pursuing the IGCR's schemes of long-term settlements, like the proposed ones in the Dominican Republic and the Philippines.<sup>136</sup> For the most part, both the British and the American elements of the IGCR were willing to accept Emerson's idea about the division of labor, though Sumner Welles, the American undersecretary of state for Europe, wanted to ensure Rublee's responsibilities would not be reduced.<sup>137</sup>

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<sup>132</sup> Dallek, *Franklin D. Roosevelt and American Foreign Policy*, 167, 445; and Orchard, *A Right to Flee*, 134.

<sup>133</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, December 13, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 842.

<sup>134</sup> *Ibid.*

<sup>135</sup> *Ibid.*

<sup>136</sup> *Ibid.* For more on the proposed refugee settlement in Mindanao, refer to Feingold, *The Politics of Rescue*, 98-99.

<sup>137</sup> Telegram, the Acting Secretary of State to the Chargé in the United Kingdom (Johnson), December 14, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 845.

The second piece of good news was that the IGCR had finally received confirmation of a chance for Rublee to meet with German officials regarding emigration, though it would have to happen after the New Year in Berlin, not during the waning hours of 1938.<sup>138</sup> However, this coincided with German immigration officials sharing their ideas as to what a conjoined IGCR-German emigration system would look like. In simple terms, Germany recognized some 500,000-600,000 people that qualified as Jews under the Nuremburg Laws and was willing to institute a system that would see 150,000 of them emigrate at a rate of 50,000 per year for three years.<sup>139</sup> Recognizing that one of the main goals of the IGCR was to ensure that emigrating Jews were not left destitute upon their departure, the German government offered to allow them to leave with a portion of their assets, but required that Jews and private organizations outside of Germany would have to raise 1.5 million in German reichsmarks to fund emigration, though some 75% of the Jewish assets would be used in Germany to care for Jews while waiting to emigrate.<sup>140</sup> Additionally, Hjalmar Schacht, the German official who shared the plan with Rublee, “said that as a condition of the plan persecution of Jews would cease.”<sup>141</sup>

There was some displeasure with the Schacht plan, both from government and private individuals. One of the parts of the plan called for the creation of a committee of prominent Jews from around the world to oversee collecting the funds needed for the plan.<sup>142</sup> However, to Rublee’s surprise, he found that many in the Jewish community in the United Kingdom were

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<sup>138</sup> Telegram, the Acting Secretary of State to the Ambassador in Italy (Phillips), December 30, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 857.

<sup>139</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, December 15, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 848; and Orchard, *A Right to Flee*, 136-137; and Sjöberg, *The Powers and the Persecuted*, 54.

<sup>140</sup> Ibid. For a more thorough description of the Schacht plan, as well as a description of Schacht himself, refer to Feingold, *The Politics of Rescue*, 47-53, 66-68.

<sup>141</sup> Ibid.

<sup>142</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, December 16, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 849.

unwilling to create such a body, since it might lend credence to the parts of Nazi propaganda that harped on the existence of “world Jewry.”<sup>143</sup> The U.S. State and Treasury Departments were also unconvinced that the private organizations so far involved in helping refugees could raise the requested amount while also fulfilling their current duties.<sup>144</sup> Undersecretary of State Welles was himself displeased with the tone of the entire proposed plan, saying it “is generally considered as asking the world to pay a ransom for the release of hostages in Germany and to barter human misery for increased exports.”<sup>145</sup> This last quote was in reference to the German stipulation that Jewish capital be released only when German exports were at a sizeable profit. Regardless of the quality of the Schacht plan, it was a step in the right direction, and Rublee met with German officials to discuss it in January 1939.<sup>146</sup>

However, Rublee’s success in finally being able to meet and negotiate a possible way forward with the Germans, while a victory for the IGCR, provided it with another potential problem. Rublee had made it clear early on that he viewed his appointment as Director of the Committee to be temporary and announced his plans to step down upon the completion of his meeting in Berlin.<sup>147</sup> This left the IGCR in somewhat of a bind. On the one hand, it had successfully met with the Nazi government to begin the process of developing a system for direct emigration from Germany to countries of final settlement and had been recognized by the League of Nation’s top refugee official as a legitimate part of the system of refugee care. On the

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<sup>143</sup> Telegram, the Chargé in the United Kingdom (Johnson) to the Secretary of State, December 18, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 851.

<sup>144</sup> Telegram, the Acting Secretary of State to the Chargé in the United Kingdom (Johnson), December 18, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 852; and Sjöberg, *The Powers and the Persecuted*, 56.

<sup>145</sup> *Ibid.*

<sup>146</sup> *Cabinet Committee on the Refugee Problem, Interim Report*, The British Cabinet, the National Archives, July 7, 1939, 3.

<sup>147</sup> Telegram, the Acting Secretary of State to the Chargé in the United Kingdom, December 21, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 853; and Sjöberg, *The Powers and the Persecuted*, 54-55.

other hand, its top executive officer was stepping down, taking with him all of his expertise and connections. Finding a suitable replacement would be an important, yet exceedingly difficult, task.

This problem was considered even before Rublee set foot in Germany by Myron Taylor, the American representative on the IGCR. In a telegram to Secretary of State Hull in late December 1938, Taylor addressed the need to begin considering Rublee's eventual replacement. Somewhat surprisingly for a man who belonged to a state that was not a member of the League of Nations, Taylor recommended Herbert Emerson for consideration.<sup>148</sup> He had been suitably impressed by the former British governor, recognizing him as an able administrator. On top of all of this, Emerson, as the League's High Commissioner for Refugees, was intimately familiar with the global refugee crisis and would not need time to get caught up. Nor did Taylor feel that Emerson's current position with the League to be a problem. Rather, he felt that combining the positions of IGCR Director and League High Commissioner in the person of Emerson could be done while keeping the activities and responsibilities of both positions distinct.<sup>149</sup> Taylor argued that "this solution would...contribute to greater efficiency, would avoid overlapping and duplication of authority and would preserve the independent and interdependent relationship of the Intergovernmental Committee for Refugees and the League."<sup>150</sup> So long as the IGCR was not subordinated to the High Commission, Roosevelt and Welles supported the selection of Emerson to replace Rublee.<sup>151</sup> After the conclusion of Rublee's discussions with German officials, Herbert

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<sup>148</sup> Ibid.

<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Telegram, the Acting Secretary of State to the Chargé in the United Kingdom (Johnson), December 30, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 856. Sjöberg argues that the appointment of Emerson, an Englishman and a League official, can be viewed as a sign that the United States was attempting to pull away from the IGCR. However, Emerson's qualifications, as well as the praise he received like that mentioned above from those like Taylor and Robert Pell, put such a conclusion in doubt, see Sjöberg, *The Powers and the Persecuted*, 62.

Emerson was recognized as both the Director of the IGCR and the High Commissioner for Refugees.

By early 1939, the situation facing refugees had changed, and some semblance of order had been imposed, but it still remained uncertain. The IGCR and the High Commissioner for Refugees had both been instituted as organizations to assist in refugee care and the organization of emigration, and by 1939 the authority of both of these bodies were vested into one man, Herbert Emerson. In January 1939, the beginnings of a plan for direct emigration from Germany was proposed, if not completely settled upon. To coincide with this, plans for long-term settlement had begun to be developed for the Dominican Republic and the Philippines, as well as a few portions of British colonial territory.<sup>152</sup>

However, these were long-term promises, and the immediate situation had grown dire. Both Austria and swathes of Czechoslovakia had fallen under German control, swelling the number of those under the sway of Nazi racial laws and, subsequently, the number of people fleeing to neighboring countries to escape persecution. To make matters worse, the stringent immigration laws common in the 1930s had not changed in any meaningful way.<sup>153</sup> It is true that some states, like the United States, accepted large numbers of emigrants from Germany, upwards of 27,000 annually for America, but this was insufficient to match the hundreds of thousands of refugees present in Europe.<sup>154</sup> In addition, avenues for emigration had been steadily growing smaller, as with the now infamous British White Paper of 1939 which essentially cut off any

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<sup>152</sup> Telegram, the Acting Secretary of State to the Chargé in the Dominican Republic (Hinkle), December 1, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 823; and the Acting Secretary of State to the Chargé in the United Kingdom (Johnson), December 13, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 843.

<sup>153</sup> Orchard, *A Right to Flee*, 120-122; and Dallek, *Franklin D. Roosevelt and American Foreign Policy*, 445. Orchard's in-depth coverage of American immigration policy in the 1930s also touches on the political motivations behind the system.

<sup>154</sup> Telegram, the Acting Secretary of State to the Chargé in the United Kingdom (Johnson), August 16, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 746.

further Jewish emigration to Palestine, removing one of the most popular destination for Jews to immigrate.<sup>155</sup>

The problem facing the refugee organizations of the world by 1939, both government supported and those of a private and voluntary nature, was threefold. First, the ongoing fight to bring order and efficiency to emigration had to be brought to a close, if such a thing was possible. Second, the need for more outlets for immigration needed to be addressed, either by convincing states to relax their immigration requirements or by developing sites of permanent settlement, like those in the Dominican Republic or the Philippines. Finally, the immediate needs of the refugees for food, clothing, and shelter needed to be filled.

Since the days of Nansen and the original High Commission for Refugees, the realm of providing direct material aid to refugees had belonged to voluntary organizations. In fact, both resolutions creating the IGCR and the new office of the High Commissioner for Refugees had charged that they would not provide direct aid, and the IGCR assured member states that it would not ask them to provide financial assistance towards its efforts past what was required to run the administration. In Emerson and the League's case, he had the funds of the Nansen Office and the Humanitarian Fund at his disposal, but, as said before, they could only be doled out to the appropriate voluntary organizations, not used by the Commission itself.

For much of the 1930s, and on into the next decade, voluntary agencies both large and small admirably looked after the physical needs of refugees. The American Joint Distribution Committee itself paid nearly \$500,000 for supporting Jewish emigrants and networks in Latin

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<sup>155</sup> See *British White Paper*, [https://avalon.law.yale.edu/20th\\_century/brwh1939.asp](https://avalon.law.yale.edu/20th_century/brwh1939.asp). Orchard provides good background to the circumstances of the White Paper's passage, see Orchard, *A Right to Flee*, 134 and Feingold, *The Politics of Rescue*, 75.

America alone in 1939, with further payments of \$300,000 expected for the first half of 1940.<sup>156</sup> However, by the summer of 1939, they were beginning to reach their limits. The British Cabinet, whose country itself had taken in some 40,000 refugees that awaited emigration to final settlements, had received reports that private organizations lacked the funds to support refugees should they remain in the country for much longer.<sup>157</sup> Such was the case in other countries, and nations like Belgium had begun to make overtures to the British government for some sort of solution that would care for refugees without overburdening the government of the state where they had taken refuge.<sup>158</sup>

To this end, the Cabinet consulted with Jewish leaders, like Lionel Rothschild, to develop a plan that allow private organizations to still be able to help refugees despite their dwindling funds. The plan itself was simple. It proposed a 50/50 split of costs between the British government and private organizations when it came to support of refugees domestically, and it was decided that Lord Winterton would present the proposal at the IGCR's July meeting.<sup>159</sup> The members of the Cabinet recognized that any plan involving governments being required to finance refugee support would be unpopular, especially considering that these governments had been told that they would not have to make such contributions.<sup>160</sup> There was also the fact that any decision to provide funds would have to pass through the legislative bodies of member states, like Parliament or the U.S. Congress. However, the alternative was the possibility of having the system as it existed, with private organizations providing an infrastructure that freed

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<sup>156</sup> *Status of 1939 Payments at December 19<sup>th</sup>, 1939 and Estimates of Requirements for First Half of 1940*, 1, Jewish Joint Distribution Committee, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>157</sup> *Interim Report*, July 7, 1939, British Cabinet, 3.

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*, 6.

<sup>160</sup> *Ibid.*, 9. Sjöberg views this as one of the greatest weaknesses of the IGCR, see Sjöberg, *The Powers and the Persecuted*, 41.



up governments to focus on other concerns, fall apart. Considering the financial state of other member states in the IGCR, the Cabinet admitted that the only state that it truly needed to convince to join in on its plan was the United States.<sup>161</sup>

This plan would be a sizeable restructuring of the global understanding of how refugee care was carried out. Since Nansen's time, it was assumed that the purpose of intergovernmental refugee organizations was to coordinate the efforts of voluntary organizations, meaning that the governments involved would not be expected to spend their own funds to support refugees. The British suggestion to amend this practice would be first publicly broached by both Emerson and Winterton at the IGCR's meeting in London on July 19-20, 1939. However, the July meeting would also serve as an opportunity for the Committee to reevaluate its current operations and future plans. As he would do at every other Committee meeting he attended, Emerson opened his first meeting as IGCR Director by providing a report of the Committee's activities from 1938-1939. Emerson informed the gathered representatives that in 1938, some 120,000-140,000 unwilling emigrants had left from Germany, and it seemed likely that 1939 would have similar numbers.<sup>162</sup> Of the tens of thousands of refugees from Germany currently in Europe, Emerson estimated that around 60,000 were completely dependent on support from private organizations to survive.<sup>163</sup> The overall solution for such a problem was finding permanent homes for all refugees, but immigration into many nations had been purposely slowed or reduced to an increasingly small annual number by the governments in charge.<sup>164</sup>

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<sup>161</sup> Ibid., 10.

<sup>162</sup> *Stenographic Notes of the Seventh and Eighth Meetings of the Committee, Held in the Locarno Room of the Foreign Office on July 19-20, 1939*, July 19-20, 1939, 4, July Meeting – London, 1939, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>163</sup> Ibid.

<sup>164</sup> Ibid.

To try and address this problem, Emerson explained three ways forward for the IGCR. First was a proposal for the Committee to begin supporting the creation of training camps for refugees.<sup>165</sup> These camps would train refugees in a variety of useful fields in the hope that it would make them more attractive for potential final refuge nations as skilled workers, covering what weaknesses existed in their own job force.<sup>166</sup> This was a natural progression from the common strategy used by both the League and the IGCR to survey refugee populations to determine the various occupations among them and to connect them with interested nations.

The second was the seeming favorite of many member states, the development of permanent settlements in relatively unsettled land. Emerson reported on possible settlements in the Dominican Republic, British Guiana, the Philippines, and Northern Rhodesia.<sup>167</sup> All of them seemed to be promising sites, and some were in the process of being surveyed, with each one able to hold hundreds, or even thousands, of refugee families.<sup>168</sup> However, many of the locations, were not able to receive thousands of refugees all at once, meaning the settlements could only be grown over period of several years. Further, each one came with a sizeable price tag, so they could not be seen as quick solutions for an increasingly dire situation.<sup>169</sup>

Finally, Emerson broached the topic of the British idea for member states to begin bearing some of the costs of supporting refugees, as well as the result of his and Winterton's meetings with the German official Helmuth Wohlthat on June 6, as a sort of continuation of the talks begun under Rublee.<sup>170</sup> Emerson explained the situation of voluntary organizations very

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<sup>165</sup> Ibid.

<sup>166</sup> Ibid.

<sup>167</sup> Ibid., 5.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid., 5-6. The plan for British Guiana itself would cost upwards of £600,000.

<sup>170</sup> Ibid., 9. Schacht had been relieved of his position due to his stance on inflating Germany's currency. Emerson's negotiations with Wohlthat were a touchy subject at first, as his position at the League led Wohlthat to instruct Emerson to stay out of Berlin lest he jeopardize talks, forcing Pell to bear the early brunt of renewed negotiations, see Feingold, *The Politics of Rescue*, 56, 62.

clearly to the gathered representatives of the IGCR, saying simply that “private charity cannot continue to meet existing commitments”, further recommending that government and private funds be combined to help support refugees.<sup>171</sup>

The IGCR’s meetings with Wohlthat led to further expansion of the plan Rublee had developed with Schacht. It consisted of the proposition that two groups would exist to facilitate emigration, one inside of Germany and one on the outside.<sup>172</sup> The Internal Trust group, the one in Germany, would gather Jews for emigration and oversee them within the bounds of Greater Germany, while the Coordinating Foundation, the group outside of Germany, would organize emigration and permanent settlement.<sup>173</sup> Of course, the former conditions of the Rublee-Schacht plan concerning Jewish capital and how much they would keep upon emigration remained. While the plan itself sounded more fleshed out and seemed to have a good deal of German backing, Emerson admitted that he was unsure as to how proactive the German state would actually be with assistance.<sup>174</sup>

Winterton followed Emerson’s report on the efforts of the IGCR by formally putting before the Committee’s representatives the British plan of beginning government funding to support voluntary organizations. He proposed that the principle set down at the Evian Conference be somewhat altered, and that governments represented on the Committee pay into a collective fund that would go towards funding emigration.<sup>175</sup> If this was removed from the responsibilities of voluntary and private organizations, they would be able to use more of their funds to support the needs of refugees, thus keeping them from becoming a strain on a country of

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<sup>171</sup> Ibid., 7.

<sup>172</sup> Ibid., 9.

<sup>173</sup> Ibid., 10.

<sup>174</sup> Ibid., 9.

<sup>175</sup> Ibid., 12-13.

refugee's system of social support, like the U.S.'s Social Security system, which was meant to be used only for citizens.

Unsurprisingly, the response to the British proposal was somewhat mixed. Myron Taylor, the American representative, and Henry Bérenger, the French representative, both said that they would be more than willing to discuss the plan, but that any agreements concerning money would have to go through their countries' legislative bodies.<sup>176</sup> Belgium was soundly in support of the idea, as it not only had a larger percentage of refugees per its own population than other nations, but its government was already beginning to give aid directly to destitute refugees.<sup>177</sup> Switzerland agreed with Belgium, as it was in a similar position and was a common destination for those trying to escape Nazi persecution.<sup>178</sup>

The possible beginning of governments assuming part of the cost of emigration was not the only change to the IGCR recommended at the July meeting. Taylor proposed that it was time to begin to readjust the IGCR for the period of permanent emigration machinery that, following Emerson and Winterton's continued meetings with Germany, seemed to be just on the horizon.<sup>179</sup> In Taylor's mind, this would involve a reduction of staff to just the executive officers, those being the Chairman, Vice-chairmen, Director, and a few others, to streamline the operation of the Committee to be more effective.<sup>180</sup> This would reflect that the IGCR had completed its primary goal expressed in its mandate and would take a supervisory and consultative role should its negotiations with Germany reach fruition. However, Taylor made no mention of the purpose

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<sup>176</sup> Ibid., 13-14; and Sjöberg, *The Powers and the Persecuted*, 43. Sjöberg views the lax attitude the United States showed towards putting public funds at the disposal of the IGCR, which he feels was a necessary development in refugee policy, to be an example of their desire to use the IGCR as a publicity boost rather than an agent of change.

<sup>177</sup> Ibid., 23.

<sup>178</sup> Ibid., 25.

<sup>179</sup> Ibid., 26-27.

<sup>180</sup> Ibid., 27.

of the IGCR should the plans with Germany fall apart. Regardless, the gathered delegates agreed to a resolution to see to this proposed streamlining of the operation of the IGCR at the end of the July 20 meeting.<sup>181</sup> They would not discuss the British proposal concerning government funds until the next meeting of the IGCR in October, where the Committee members would meet in Washington, D.C. at the request of President Roosevelt.<sup>182</sup>

The intervening months between the July meeting in London and the October meeting in Washington were not kind to the situation that refugees faced. Aside from the usual steady stream of nations lowering the number of emigrants they would be willing to take, the tensions that had been building over the course of the 1930s finally burst into open war. By September 3, 1939, Great Britain and France had declared war on Germany due to the latter's invasion of Poland, meaning that two of the most powerful members of both the League of Nations and the IGCR, as well as the states that had the largest population of refugees, were belligerents.<sup>183</sup>

These were the circumstances that surrounded the Intergovernmental Committee when it gathered in Washington for several days of meeting, beginning on October 17, 1939. Two things were different from the July meeting, with the exception of the outbreak of hostilities, of course. First, the IGCR was joined in its meeting by representatives from the President's Advisory Committee on Political Refugees, a body whose purpose was rather straight forward, chaired by James G. McDonald, the former High Commissioner for Refugees Coming from Germany for the League of Nations.<sup>184</sup> Second, the Committee was hosted by President Roosevelt himself,

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<sup>181</sup> Ibid., 28. Wyman notes that public opinion in the United States was against any expansive plans to assist refugees, especially if they threatened the quota system. This may be a reason for Taylor's proposed streamlining, see Wyman, *The Abandonment of the Jews*, 8.

<sup>182</sup> Ibid., 16.

<sup>183</sup> Weinberg, *A World at Arms*, 42-43, 64-65.

<sup>184</sup> For more on the President's Advisory Committee, see Feingold, *The Politics of Rescue*, 25-26.

and he opened the meeting with a luncheon speech in which he hoped to impress upon the other member states the vision the United States had concerning the IGCR.

Roosevelt began by giving a very brief history of why the Committee had come about, citing the realization in 1938 that private organizations alone could not handle the masses of refugees flooding the world, and that the purpose of Evian was to find a long-range solution for this problem.<sup>185</sup> While Roosevelt was still confident of the possibility of permanent settlements in places like the Dominican Republic and the Philippines, he told the gathered IGCR officers that the outbreak of war had changed things in two major ways. First, the fact that Germany had gone to war likely brought to an end the Committee's ability to help get Jews directly from Germany to countries of settlement, and Roosevelt recommended that the IGCR redirect its efforts to help those in countries of refuge reach final settlements.<sup>186</sup> Roosevelt was adamant that the refugees from Germany's pre-war actions, which he estimated to be between 200,000-300,000, not get mixed in with those the war would create, which he believed could be anywhere from 10-20 million.<sup>187</sup> Second, Roosevelt recommended that the Committee begin to develop long-term plans for the settlement of millions of refugees in the coming years, believing that the current plans before the Committee to be too small.<sup>188</sup>

After the president's speech, the IGCR officers gathered for their meeting. Following opening pleasantries from Hull and Winterton where both commended the IGCR's ongoing efforts, Taylor pushed the gathered delegates to consider the points that Roosevelt had brought

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<sup>185</sup> *Report of the Proceedings of the Conference of Officers of the Inter-Governmental Committee on Political Refugees*, October 26, 1939, 58-59, Report of Proceedings of Conference of Officers of the Inter - Governmental Committee on Political Refugees, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>186</sup> *Ibid.*, 60.

<sup>187</sup> *Ibid.*, 62.

<sup>188</sup> *Ibid.* Many delegates were taken aback by the long-term view Roosevelt emphasized, see Feingold, *The Politics of Rescue*, 86. Emerson, however, would later focus almost completely on long-term planning in both of his positions.

up in his speech, mainly the increased focus on the creation of colonies of final settlement, and the expansion of the IGCR's activities to include long-term planning.<sup>189</sup> The French representative, Ambassador Count de Saitn-Quentin, informed Taylor and the Committee that France had within its borders some 500,000 refugees, a number that included a large number of Nansen refugees, and he understood the desire to have a plan for their final placement.<sup>190</sup> However, France and Britain were now at war, and war tended to absorb all of the focus of the nations involved in it, though Saint-Quentin assured Taylor that France would try its hardest to assist refugees as it could.<sup>191</sup> Following this, Winterton suggested the Committee deal with Roosevelt's recommendations following the completion of its original meeting agenda.

As before, Emerson presented his report as the IGCR's Director since the previous meeting in July. Unsurprisingly, he reported that communications with the German government had essentially halted in July, bringing to an end the plans that Rublee had worked to develop.<sup>192</sup> Emerson also reported on the growing number of refugees in Europe, and of the likely possibility of the Jewish populations of Poland, Roumania, Hungary, Bulgaria, and the former areas of Czechoslovakia soon joining them.<sup>193</sup> Of course, the war severely hampered any efforts to move refugees to more permanent homes, and the reality that most of the refugees who were left in Europe were poor put many of them in an untenable position. Emerson himself suggested that charitable organizations would soon need to be bolstered by government funds, as was already happening in the Netherlands and Belgium.<sup>194</sup>

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<sup>189</sup> Ibid., 7-9.

<sup>190</sup> Ibid., 11; and Timothy Maga, "Closing the Door: The French Government and Refugee Policy, 1933-1939," *French Historical Studies* 12, no. 3 (1982): 440. Maga notes that aside from having a large number of refugees in its borders, the overall French refugee policy was "a picture of confusion."

<sup>191</sup> Ibid., 14.

<sup>192</sup> Ibid., 23, 29-31.

<sup>193</sup> Ibid., 27-28.

<sup>194</sup> Ibid., 27.

Emerson also informed the Committee that Britain and, he assumed, France would no longer be able to accept refugees due to the war.<sup>195</sup> He knew that the British government, which had some 40,000 refugees in its jurisdiction, was currently going through the process of sorting friendly aliens from those with possible nefarious intentions so that those who were deemed safe could begin to work for the war effort.<sup>196</sup> Saint-Quentin later informed the gathered officers that French policy was similar to the British policy for aliens from an enemy power.<sup>197</sup> He concluded his report by saying that, while the IGCR could no longer help those Jews and other persecuted groups in Germany, it was not unable to act. It could deal with the immediate problems of maintaining and supporting refugees in countries of refuge and reduce pressure on these countries by aiding emigration when possible.<sup>198</sup> Nazism, Emerson assured the representatives of the Committee, was the reason for the refugee crisis, and once it was destroyed during the war, Jews would have no problem settling back in Germany.<sup>199</sup> As such, Emerson painted the problem as something that, while difficult to address, was ultimately a temporary and a straightforward task for the global community once Nazism was defeated.

Following Emerson's report, McDonald, as the head of the President's Advisory Committee, presented a report on one of its favorite subjects: settlement projects. The two projects he discussed, one in Mindanao in the Philippines and the other in the Dominican Republic, sounded incredibly promising, being able to become the home of tens of thousands of refugee families combined. However, each one would require a trial settlement of only a few

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<sup>195</sup> Ibid. 32.

<sup>196</sup> Ibid., 34.

<sup>197</sup> Ibid., 39; and Maga, "Closing the Door," 440-441. The French policy was actually stricter than the British policy, as it interned a large number of refugees with connections to Germany, a step Britain would follow in a year when it was threatened with invasion.

<sup>198</sup> Ibid., 36.

<sup>199</sup> Ibid.



hundred refugees for a few years to test the viability of the location, and each one was incredibly expensive to develop, some \$5 million for the Philippines settlement alone.<sup>200</sup>

The remaining discussions of the October meeting were mixed. The Swiss representative informed the officers that his nation was being overburdened with refugees, and due to the strain on private organizations the Swiss government had 3,000 refugees under its care.<sup>201</sup> This prompted Winterton to once again broach the topic of joint government funding by Committee members that he had brought up in July. Once again, Taylor was uncertain as to whether or not he could give any sort of definitive support to the plan, but both the Dutch and French representatives agreed with the British idea of a 50/50 split of costs with private organizations.<sup>202</sup> Winterton also received support from McDonald, saying that his extensive contacts in the realm of private organizations could no longer bear the full burden of emigration and settlement, stating succinctly, “they just cannot.”<sup>203</sup>

On the other hand, there was an increased fervor behind the discussion of permanent settlement colonies, perhaps because it seemed like the only feasible vein of work left open to the IGCR during wartime.<sup>204</sup> Emerson expressed great interest in McDonald’s plans, and the two arranged to meet informally with heads of American voluntary organizations in New York in the coming months.<sup>205</sup> This renewed confidence in settlements carried through to the end of the

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<sup>200</sup> Ibid., 53.

<sup>201</sup> Ibid., 66.

<sup>202</sup> Ibid., 93-94.

<sup>203</sup> Ibid., 102-103.

<sup>204</sup> Emerson initially expressed doubt at many of these plans, going so far as to confront Taylor over the utopian flavor many had, though he would eventually begin to sway towards larger resettlement plans as the war continued, see Feingold, 106.

<sup>205</sup> *Report of the Proceedings of the Conference of Officers of the Inter-Governmental Committee on Political Refugees*, October 26, 1939, 81. This eagerness of Emerson to meet with voluntary leaders, many of whom were Jewish, followed his outburst at the meeting in which he bemoaned the trouble “Jews and other eastern people” had with rejecting plans already being worked on for “some other scheme in the background”, see Feingold, *The Politics of Rescue*, 77. Feingold uses this obviously inexcusable antisemitic comment from Emerson to paint him as some sort of roadblock for Jewish aid and resettlement. However, his willingness to work with Jewish organizations

meeting, with the officers resolving to consider expanding the Committee's responsibilities to include settling millions of refugees, as Roosevelt had suggested, and many were coming around to the idea of governments funding refugee support more directly.<sup>206</sup>

As 1939 came to a close and the war continued, the landscape of international refugee care changed. Due to the difficulties incurred by the outbreak of hostilities in Europe, many of those intimately involved with the refugee system had to turn increasingly to the domestic concerns of refugees. Such was the case with Herbert Emerson. While he still held the position of both IGCR Director and League of Nations High Commissioner for Refugees, he was called upon by the British government to help organize the support of refugees following the implementation of the 50/50 plan. This decision followed the American Jewish Joint Distribution Committee's choice to pull support of refugees in England in favor of those in Eastern Europe, who they felt needed its support more.<sup>207</sup>

The British government's response to the JJDC's withdrawal was the placement of Emerson as chair of something called the Central Committee for Refugees, joined by Neill Malcolm, the former High Commissioner for Refugees Coming from Germany. Essentially, Emerson, and those under his direction, would work directly with the representatives of voluntary organizations to distribute government funds to offset the costs the organizations incurred while providing refugees with either assistance emigrating or with physical aid.<sup>208</sup> The hope was that, while the government would now be bearing some of the cost for aiding refugees,

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alongside McDonald, his eventual favor of group resettlement for refugees, and his reporting of mistreatment towards Jews by Nazis in his High Commissioner reports all throw Feingold's portrayal of him in doubt.

<sup>206</sup> Ibid., 143, 157.

<sup>207</sup> Telegram, Hershel V. Johnson to the Secretary of State, February 5, 1940, 3, Jewish Joint Distribution Com. n.d. MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>208</sup> Ibid., 5.

it would still be able to make use of the experts and administrative framework of voluntary organizations to do the day-to-day work.

This Central Committee served as a sort of go between for the British government and voluntary organizations, where groups would make claims for what they were owed from the government, and Emerson and his fellow members examining these claims and confirming them.<sup>209</sup> Emerson was also involved with how the internment system of aliens in Britain was to work, creating lists of activities internees should be allowed to take care of themselves and allowing internees to work for the war effort and their own betterment.<sup>210</sup> Emerson's work with the League did not end with his assumption of domestic responsibilities, however. In 1939 and early 1940 he travelled to various European countries to gain a better understanding of the situation faced by Nansen refugees, ensuring that they were not forgotten since the outbreak of war.<sup>211</sup> The war was cutting into his ability to operate as High Commissioner, however, as the spread of the war to other countries in Europe was slashing access to funding.<sup>212</sup> Regardless, Emerson still involved himself in looking after refugees from Germany as well, making sure that they were treated properly in camps while they were being examined for trustworthiness, and trying to stay abreast of internees movements out of camps.<sup>213</sup> Emerson had focused the Commission on arranging for travel visas for refugees moving around Europe, securing safe passage for refugees on neutral ships, and intervening on behalf of refugees in legal matters.<sup>214</sup>

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<sup>209</sup> Telegram, R. Clare Martin to W.R. Greenshields, March 9, 1940, 2, the Central Committee for Refugees (Minutes and Miscellaneous Correspondence), C1600-496-200-1-1, United Nations Archives Geneva.

<sup>210</sup> Refugee Joint Consultative Committee: Unconfirmed Minutes of Meeting Held at Bloomsbury House on Thursday, 23<sup>rd</sup> May, 1940, 3-4, the Central Committee for Refugees (Minutes and Miscellaneous Correspondence), C1600-496-200-1-1, United Nations Archives Geneva.

<sup>211</sup> League of Nations, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, April 26, 1940, 1-3, [https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-63-M-56-1940-XII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-63-M-56-1940-XII_EN.pdf).

<sup>212</sup> *Ibid.*, 3.

<sup>213</sup> *Ibid.*, 4.

<sup>214</sup> *Ibid.*, 5.

Despite the earnest efforts of Emerson and others, the German advance on Europe made what had been a tenuous situation in peacetime seem almost hopeless. From May 10 to June 25, 1940, a brutal onslaught by the German forces saw the conquest of the Netherlands, Belgium, and France, all three of which had been havens for large numbers of refugees. Emerson himself had been present in Belgium just days before it fell.<sup>215</sup> Needless to say, this terrible defeat of the Allied forces impacted the fate of refugees tremendously. Soon after the fall of France, the British government instituted more stringent internment rules to guarantee national security while doing the least amount of harm to refugees who, by and large, were just as opposed to the Nazis as the British.<sup>216</sup> Emerson's Central Committee was responsible for helping volunteer organizations evacuate refugees from now off limits areas, usually near the coast, to safe zones and camps.<sup>217</sup> Emerson was recommended by members of the War Cabinet to be the Vice-Chairman for a special committee to handle the separating of aliens and working with voluntary organizations to care for internees, as well as finding them work.<sup>218</sup> Both Malcolm and Winterton would similarly be placed on this committee, and Malcolm and Emerson would also be placed on an advisory committee to the Home Secretary on the application of interment rules.<sup>219</sup>

Emerson was also affected by the fall of France. In his High Commissioner report for 1941, he discussed the slow loss of contact with many of his representatives in other countries, though he was still in contact with his representative in France, Marcel Paon, who had wisely

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<sup>215</sup> League of Nations, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, January, 1941, 1, [https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-7-M-7-1941-XII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-7-M-7-1941-XII_EN.pdf).

<sup>216</sup> The British Cabinet, *War Cabinet: Aliens, Memorandum by the Lord Privy Seal*, the British National Archives, July 16, 1940, 1.

<sup>217</sup> Telegram, Herbert Emerson to Clare Martin, April 10, 1941, 6, the Central Committee for Refugees (Minutes and Miscellaneous Correspondence), C1600-496-200-1-2, United Nations Archives Geneva.

<sup>218</sup> *Ibid.*, 2.

<sup>219</sup> The British Cabinet, *War Cabinet: Aliens, Revised Memorandum by the Lord Privy Seal*, the British National Archives, July 20, 1940, 2-3.

moved to Pau from Paris before its fall.<sup>220</sup> From the information he gathered, he concluded that “military events have closed this chapter of refugee history in the Netherlands, Belgium, and France.”<sup>221</sup> Emerson also reported on the introduction of a new class of refugees, those caused directly by the war, some 25,000 who fled to Britain from the Low Countries.<sup>222</sup> While these were among the first reported, they would not be the last.

The IGCR was moving forward with its plans for settlement colonies, and Emerson was involved in the selection of 400 refugees for the settlement at San Domingo in the Dominican Republic, which was already under way by 1941, although he realized that it would take several years to develop the promise of just one of the settlement colonies.<sup>223</sup> McDonald’s efforts to expand this program were continually frustrated, however, as he would periodically receive reports from Undersecretary of State Welles that certain plans, like one in Brazil, were being rejected.<sup>224</sup>

By 1942, the situation was truly dire. Emerson had been receiving disturbing reports on the treatment of Russian and Jewish refugees in occupied countries, and he reported on the existence of camps with appalling conditions.<sup>225</sup> Of course, he and his subordinates helped as they could, and his Deputy Commissioner, Dr. Gustav Kuhlman, facilitated the flight of 70 Russian Jews through Portugal.<sup>226</sup> Indeed, the Commission was still trying to aid the travel of any who could escape the reach of the Nazis, and Emerson pulled what strings he could as Director of the IGCR to facilitate emigration for those in the United Kingdom who wished to

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<sup>220</sup> *Report Submitted by Sir Herbert Emerson, High Commissioner for Refugees*, January, 1941, 2-3.

<sup>221</sup> *Ibid.*, 4.

<sup>222</sup> *Ibid.*, 7

<sup>223</sup> *Ibid.*

<sup>224</sup> Telegram, Sumner Welles to James G. McDonald, April 21, 1941, Franklin D. Roosevelt Library, Sumner Welles Papers, Office Correspondence McDonald, James G., 1941, Box 71, Folder 3.

<sup>225</sup> League of Nations, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, February, 1942, 4. URL

<sup>226</sup> *Ibid.*, 2.

travel to the United States.<sup>227</sup> For the most part, Emerson could do little more than gather information and report it to those who would listen. In his 1942 report as High Commissioner he gave special notice to information he had received regarding the movement of Jews from Austria and Germany to conquered territories in Poland and France, stating that he believed total deportation was the goal.<sup>228</sup> Peter Fritzsche details the growing intensity and terror of Nazi forced movements of Jews in 1941-1942, and Marion Kaplan gives keen insight into the increasing pressures Jews still in Germany faced.<sup>229</sup> Emerson would still be one of the leading figures of refugee care when he learned the truth. Perhaps due to this attention to gathering information of the situation in Europe, as well as his connection to almost every major refugee program, he was asked by Allied leaders to participate in talks concerning the post-war world with the Allied Post-War Requirements Bureau.<sup>230</sup>

To this end, both the League of Nations and the Western powers, led by the United States, created new bodies to deal with the new refugee crisis. The League's new High Commissioner for Refugees, Sir Herbert Emerson, had the combined responsibilities of those under the care of the Nansen Office as well as the coordination of care for those now outside of Germany, while providing no direct aid. The result of the Evian Conference had a similar limitation, though a different mandate. The Intergovernmental Committee for Refugees was a way to connect countries of refuge with countries of final settlement and facilitate emigration from one to the other. It was also to bridge one of the major gaps of the League's abilities to help refugees and deal directly with Germany to set up a system of direct emigration.

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<sup>227</sup> Ibid., 10.

<sup>228</sup> Ibid., 4.

<sup>229</sup> Peter Fritzsche, *Life and Death in the Third Reich* (Cambridge, Massachusetts: The Belknap Press, 2008), 143-147, and Kaplan, *Between Dignity and Despair*, 150-154, 173-180. The entirety of these works help to provide key insight into the Jewish plight within Germany and are recommended sources for any seeking to learn more about the subject.

<sup>230</sup> *Report Submitted by Sir Herbert Emerson*, February, 1942, 13.

Despite the diligent efforts of the Committee's first Director, George Rublee, the best thing to come from its negotiations with Germany was a plan that was unsatisfactory for all involved, though its plans to develop settlement colonies in Latin America and the Philippines showed some promise. In the end, the powers of the two refugee bodies were married in the person of Emerson, though ostensibly the actual bodies were kept separate. This was in an effort to increase the efficiency of interactions between the League and the IGCR, but it must also be admitted that, as a former governor in India, Emerson had more administrative experience than Rublee.

Regardless of Emerson's abilities, he could do little to improve the deteriorating situation on his own, as the state of immigration laws in 1939 made it impossible to move large groups of refugees anywhere at all. The system of quotas did ensure that some Jews and other refugees were able to emigrate from Europe, which would eventually save their lives, but it was not enough to solve the problem. 25,000 a year, to use an American quota number as an example, plus small numbers of thousands or hundreds from other nations saved lives, but the reality remains that many thousands were left behind.<sup>231</sup> Those left were soon languishing in poor conditions, as the funds of private organizations began to wane. This led Emerson and the British government to broach the sensitive topic of governments directly funding, in some way, refugee care, whether it be emigration or aid. It had become a necessary action for countries like the Netherlands and Belgium, and as voluntary organizations like the JJDC turned to refugee populations not under competent governments, it seemed the only way forward. By the end of 1942, it was clear to most that the refugee system that had been made before the war was insufficient to meet the task before it, but the question of how to fix it remained unanswered.

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<sup>231</sup> The Acting Sec. of State to the Chargé in the United Kingdom, August 16, 1938, *FRUS, Diplomatic Papers, 1938, General, Volume I*, Document 746; and Orchard, *A Right to Flee*, 131.

### Chapter 3: Emergent Necessity

In the face of the ascension of the Nazi party to power in Germany in the 1930s, and the swelling of Jewish and political refugees who fled in the face of increased persecution, the nations of the West gathered to create order out of chaos. The League of Nations, withering due to a series of missteps in its handling of crises, married two of its organizations, the Nansen Office and the High Commission for Refugees (Jewish or other) from Germany, to create the office of the High Commissioner of Refugees, a restoration of a body created to handle refugees in the 1920s. However, there were limits in how far the League's new High Commissioner, Sir Herbert Emerson, could go for refugees from Germany, namely, his inability to actually negotiate with Germany once it left the League. To fill this gap, all the sizeable nations of temporary refuge that were contiguous with Germany, and many nations of final refuge, gathered at the behest of the United States at Evian, France in 1938.

The result of what would later be called the Evian Conference was the creation of the Intergovernmental Committee on Refugees, or the IGCR, a body tailor-made to negotiate with Germany to create an orderly system of emigration between Germany and nations of final refuge. Despite its youth, the IGCR was quickly incorporated into the international refugee system, aided by the naming of Herbert Emerson as its director in 1939, meaning both the major intergovernmental refugee organizations were headed by the same man. As the troubled year of 1939 progressed, it seemed like the IGCR would find some success as negotiations with Germany started and several countries of final refuge, namely the Dominican Republic, promised to take in thousands of refugees if only a system was made.

Despite this slow progress, the hopes of the IGCR were dashed with the outbreak of war in September 1939. All of the IGCR's efforts ground to a halt, and it faded largely to the



background as the Second World War engulfed Europe. The various heads of refugee work remained dedicated to their efforts, as voluntary organizations struggled to save and support refugees, and Emerson, head of two refugee bodies, used his resources to gather information, help where he could, and organize domestic refugee work in his home of Britain.

However, as the war progressed, and the efforts of the Allies began to show that victory, while still distant, could be secured, the Western powers turned once again to the question of refugees in Europe. This concern was spurred by growing reports of atrocities committed by the Germans against those they deemed to be “others”.<sup>232</sup> This renewed interest led the Allies back to the mostly dormant IGCR, as well as a number of new ideas on how to care for refugees. 1943 and 1944 proved to be years of key development for the Allies’ refugee programs, as organizations were reshaped and new ones created not just to obtain immediate results, but to address the looming difficulties of an influx of post-war refugees.

In early January of 1943, Emerson, the man who could be considered the foremost leader of intergovernmental refugee work, penned an article for *Foreign Affairs*, titled “Post-War Problems of Refugees”. The article serves as a sort of memorandum of how Emerson viewed the refugee situation which the Allied powers faced in 1943. He gave a generous definition of what a refugee was, saying that it included any people who had to leave their homes because of military operations or because of political, racial, and religious persecution.<sup>233</sup> This included not just those displaced by the war, but also those displaced before hostilities even began. Emerson predicted that, by the end of the war, these refugees would number more than ten million, using a

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<sup>232</sup> “Slain Polish Jews Put at a Million: One-Third of Number in Whole Country Said to Have Been Put to Death by Nazis Abattoir for Deportees Mass Executions, Killing by Injection of Air Bubbles Described in Reports,” *New York Times (1923-Current File)*, November 26, 1942, 16; and “Poland Called Vast Center for Killing Jews,” *The Washington Post (1923-1954)*, December 20, 1942, 8.

<sup>233</sup> Herbert Emerson, “Postwar Problems of Refugees,” *Foreign Affairs* 21, no. 2 (1943): 211.

figure he first heard from President Franklin D. Roosevelt at a meeting of the IGCR in Washington.<sup>234</sup>

In Emerson's mind, this refugee crisis could be divided into two relatively easy to understand sections: the short-term and the long-term. The actual period of the short-term was left undefined by Emerson, as he felt unable to guess as to the actual end date of the war, but he qualified that it included time during the war, as well as anything five years after the end of hostilities.<sup>235</sup> Short-term work mostly involved physical relief, but also involved the coordination of voluntary refugee organizations and repatriation of all of those refugees who would desire to return to their homes.<sup>236</sup> Emerson felt, and was largely correct in this belief, that both refugee organizations and Allied military forces would work in tandem concerning immediate relief and repatriation.<sup>237</sup>

The long-term refugee problem involved those displaced who did not wish to return to their homes following the close of hostilities, either due to wrongs done on them by their people or changes in their home country.<sup>238</sup> Emerson felt that this number of "true refugees" would be small in comparison to the larger body which would simply seek repatriation, but that even this small number would prove troublesome to single governments and would exceed the abilities of private organizations, meaning it would be an issue for all of the Allies.<sup>239</sup> To this end, Emerson recommended the development of an intergovernmental Allied body that would be responsible for the group of non-repatriables, with the express goal of making stateless persons cease to be stateless, which he referred to as an International Refugee Authority.<sup>240</sup> While Emerson spoke on

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<sup>234</sup> Ibid, 211-212.

<sup>235</sup> Ibid., 212.

<sup>236</sup> Ibid., 212-213.

<sup>237</sup> Ibid., 213.

<sup>238</sup> Ibid., 214.

<sup>239</sup> Ibid., 215.

<sup>240</sup> Ibid., 216-217.

this possible future entity as a separate and new thing, he acknowledged that either of the organizations he led, the League's High Commission and the IGCR, could be reorganized to fit this need.<sup>241</sup> Whatever path was chosen, either reorganization or creation, the body to help long-term refugees had to help them in four ways: assist in returning those who eventually changed their minds about wanting to go home; work for the absorption of refugees into their countries of refuge; oversee normal immigration to countries of final settlement; and, all other options being exhausted, resettle them to a new area.<sup>242</sup>

While it is difficult to ascertain the impact of Emerson's article in the realm of refugee work that existed in 1943, his understanding of what the future of the refugee system looked like proved to be sound. Similarly, his four methods of handling non-repatriables would be something he would tout into the post-war world. However, while Emerson wrote most of his article about creating an organization for refugees, reorganization was the strategy that the two largest powers on the IGCR sought.

In January 1943, the same month that Emerson had his article published, the United States and Britain found themselves under immense public pressure to respond to a growing knowledge of Nazi atrocities, as well as a declaration concerning the extermination of Jews released in late 1942.<sup>243</sup> This pressure followed the increase of news reports on Nazi mass killings in mass media, and with a growing, if murky, public understanding of Nazi atrocities, protests and demonstrations on behalf of victims followed.<sup>244</sup> Churches and individuals alike began to appear in newspapers pushing for more government and public support for Jews.<sup>245</sup>

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<sup>241</sup> Ibid., 216.

<sup>242</sup> Ibid., 218.

<sup>243</sup> Sjöberg, *The Powers and the Persecuted*, 128.

<sup>244</sup> Abella and Troper, *None is Too Many*, 59; and Wyman, *The Abandonment of the Jews*, 24, 35-36;

<sup>245</sup> "Churches Urge Aid for Refugees Jews: Federal Council Proposes that United States and Britain Give Financial Help," *New York Times (1923-Current File)*, March 17, 1943, 8.; and "Rescue and Sanctuary for Jews: Dr. Temple's Appeal for Immediate and Generous Efforts," *The Manchester Guardian (1901-1959)*, March 24, 1943, 6.

That is not to say that there were not those who were less than willing to assist the victims of Nazi persecution, many wished to cut off immigration in total, and there was a minor uproar in Canada when just 200 families were brought to Canada for temporary refuge to lessen the amount of refugees in Spain.<sup>246</sup> In the face of this complex pressure, the British began to reach out to the United States concerning the landscape of refugee work. The British government suggested a private conference on the general problem of refugees, to avoid media attention and giving the public false hope concerning what could be done for Jews, and expanding the scope of concerns to all refugees, not just Jewish ones.<sup>247</sup> According to Sjöberg, the British feared that the dormancy of the IGCR during the first few years of the war made it anathema to the public and were more inclined towards creating a new body rather than restructuring an old one.<sup>248</sup>

The United States, however, had no such inclinations. When the State Department finally responded to the British, several weeks after the message had been sent, Secretary of State Cordell Hull informed his counterparts that further efforts to support refugees were better left to a body which already existed, like the IGCR.<sup>249</sup> To this end, the Americans recommended the convening of an Anglo-American conference to discuss new ways to address the refugee crisis during the war, especially regarding the IGCR.<sup>250</sup> The initial location for the conference was

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<sup>246</sup> Abella and Troper, *None is Too Many*, 157-159; and Wyman, *The Abandonment of the Jews*, 6-8. Abella, Troper, and Wyman all give extensive coverage of the complex situations governments faced with public pressure to either increase or lessen support to refugees and Nazi victims, and their works are recommended for those who wish to study the subject further.

<sup>247</sup> Aide-Memoire, British Embassy to the Department of State, January 20, 1943, *Foreign Relations of the United States [hereafter FRUS], Diplomatic Papers, 1943, General, Volume 1* (Washington: Government Printing Office, 1955), Document 103.

<sup>248</sup> Sjöberg, *The Powers and the Persecuted*, 138.

<sup>249</sup> Telegram, The Secretary of State to the British Ambassador (Halifax), February 25, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 105. For more on this desire to keep the IGCR alive, refer to Feingold, *The Politics of Rescue*, 115, 199-201.

<sup>250</sup> *Ibid.*

Ottawa which, after a minor diplomatic crisis due to the Canadian government not being consulted beforehand, was changed to Bermuda, and set to gather between April 19-30, 1943.<sup>251</sup>

The conference occurred in Bermuda in late April, away from the prying eyes of the media, as well as an increasingly volatile public, which had earlier gathered in crowds approaching 50,000 at Madison Square Garden in protest of German atrocities.<sup>252</sup> Both the United States and Britain were represented by a small group of four per side, headed by Congressmen R. Borden Reams for the Americans, and Foreign Office officials led by A.W.G. Randall, leader of the Foreign Office Refugee Department, for the British.<sup>253</sup> It should be noted that there were no members of the Executive Committee of the IGCR present. Nor were there some of the more familiar people with the situation of refugees, like officials of the JJDC, with the notable exception of George Warren as an advisor for the American delegation, the State Department's specialist on refugee affairs and a member of McDonald's Advisory Committee. This was, for the most part, purely a meeting between statesmen. Emerson, however, did write several memorandums to educate the conference members on the general situation the world faced in 1943.<sup>254</sup>

The agreed upon basis of discussion for the conference fell into four categories: solidifying the understanding that more minorities than just the Jews were suffering under the Nazis, exploring how the United Allied Nations could use their resources to transport and

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<sup>251</sup> Abella and Troper, *None is Too Many*, 130-131; and Telegram, the Secretary of State to President Roosevelt, March 23, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 108.

<sup>252</sup> Abella and Troper, *None is Too Many*, 132; and "Save Doomed Jews, Huge Rally Pleads: United Nations Must Halt Nazi Murders Now, Leaders Tell 21,000 at the Garden Huge Rally Demands Rescue of Doomed Jews," *New York Times (1923-Current File)*, March 2, 1943, 1, 4.

<sup>253</sup> *Report to the Governments of the United States and the United Kingdom from their Delegates to the Conference of the Refugee Problem Held at Bermuda, April 19-29, 1943*, 1, Bermuda Conference Recommendations and Report, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>254</sup> Telegram, Reams to Long, May 21, 1943, Bermuda Conference, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, National Archives, Archives Unbound.

support refugees, examining the possibility of temporary asylum for refugees outside of Europe, and finding precise ways to organize actions and executive machinery for refugees.<sup>255</sup> These baseline concerns led the gathered delegates to topics like simply trying to define the scope of the refugee crisis, to the specific situation of refugees in Spain, the Balkans, to overall Anglo-American recommendations for the entire situation.<sup>256</sup>

The several days of discussions in Bermuda resulted in several agreements, chief amongst these was the desired reorganization of the IGCR. The delegates of the conference recognized that the original mandate of the IGCR was no longer suitable for the current refugee problem, as its scope of concern was limited to German, Austrian, and Sudeten refugees, and its main stated goal was negotiating with Germany for a system of emigration.<sup>257</sup> The delegates at Bermuda recommended that the IGCR revise its mandate to encompass all of Europe and wherever refugees found refuge, and that its purpose and powers were to preserve, maintain, and transport refugees, as well as negotiating with Allied and neutral countries on behalf of refugees.<sup>258</sup> The scope of those the IGCR was responsible for was expanded to be those who had to “escape from areas where their lives and liberty are in danger on account of their race, religion or political beliefs,” which was a sizeable number of those displaced both during and before the war.<sup>259</sup> It was also recommended that the Executive Committee of the IGCR be empowered to handle and distribute both public and private funds, a power which had been a subject of intense debate amongst the members of the Executive Committee prior to the war.<sup>260</sup>

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<sup>255</sup> *Report to the Governments of the United States and the United Kingdom from...the Conference of the Refugee Problem Held at Bermuda*, 2.

<sup>256</sup> *Ibid.*, 3.

<sup>257</sup> *Ibid.*, 31.

<sup>258</sup> *Ibid.*

<sup>259</sup> *Ibid.*

<sup>260</sup> *Ibid.*

Recommendations did not just stop at those concerning the Committee's scope and powers. The American and British delegates also recommended that the membership of the IGCR be increased from just those contiguous countries of immediate refuge and countries of final settlement, but all those concerned with the refugee question.<sup>261</sup> There was also a recommendation that the IGCR expand its staff to deal with its increased powers and scope, and several specific matters, like finding new refuge for Poles in Persia, were referred specifically to the Committee. Perhaps as a result of the British fear that the image of the IGCR had been tainted, Randall and Richard Law floated the ideas that it may have been time for Emerson and Lord Winterton, the Chairman of the Committee, to be replaced by younger men.<sup>262</sup> While complaints against Winterton had been previously levied, removing Emerson seemed unlikely, since he was the man most familiar with the refugee problem and intergovernmental organizations, and he would still be a factor to be dealt with even if he was replaced considering his position as League High Commissioner for Refugees. Indeed, little came from these suggestions of administrative replacement. Despite the impressive sounding changes made to the IGCR at the conference in Bermuda, most everything was kept hidden from the public, likely in an attempt to not get hopes up or back the Allies into a corner, and media releases from the conference simply explained that agreements were made to help refugees.<sup>263</sup>

Two things were needed for the changes recommended in Bermuda to be placed into effect. First, there was a concern held by Myron Taylor, the head of the American delegation to the Committee, that just changing the mandate of the IGCR and its ability to handle public funds

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<sup>261</sup> Ibid., 34. The USSR, Poland, Yugoslavia and Greece were the first mentioned by the conference members, but that list would grow as 1943 progressed.

<sup>262</sup> Telegram, the Consul-General at Hamilton (Beck) to the Secretary of State, April 19, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 117; and Sjöberg, *The Powers and the Persecuted*, 138.

<sup>263</sup> Telegram, Consul-General at Hamilton (Beck) to the Secretary of State, April 28, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 137; and Abella and Troper, *None is Too Many*, 147-148.

would not be enough to guarantee that member states would let it practice this power. To this end, he requested that Hull petition Roosevelt to allow the United States to share the operational costs of the IGCR equally with Britain for its plans to help refugees to a certain, reasonable point.<sup>264</sup> Roosevelt, trusting the advice of two of his favorite diplomats, approved Taylor's suggestion.<sup>265</sup> This guarantee of funds promised that the IGCR would have something to draw from when it finally decided on operations to fulfill its mandate, but, as Sjöberg points out, this promise of Anglo-American operational funds also threatened to turn the IGCR into an instrument solely of those two nations.<sup>266</sup>

The second step that was required to have the Bermuda recommendations take effect was to actually have the IGCR agree to them. This was no small feat, since the Executive Committee had not gathered for a meeting since October 1939, and there was the question of whether or not a full session of all the members of the Committee would be needed to confirm any changes to the mandate. The concern over what size of meeting would be required was sorted in a meeting between Taylor and British Ambassador Edward Wood, Earl of Halifax, in June 1943, where it was confirmed that only a meeting of the Executive Committee was required.<sup>267</sup> Whether this was a decision made due to the correct interpretation of Committee procedure, or just convenience, is up to debate. Finally, the date for the first meeting of the IGCR's Executive Committee in nearly four years was set for August 4, 1943, in London.

A preliminary agenda for the meeting, compiled by Winterton, Emerson, and Randall, set a sizeable list of tasks for the Executive Committee to address. Of course, there was the expected

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<sup>264</sup> Telegram, Secretary of State to President Roosevelt, May 7, *FRUS, Diplomatic Papers, 1943, General, Volume I*, Document 141.

<sup>265</sup> Memorandum by President Roosevelt to the Secretary of State, May 14, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume I*, Document 143.

<sup>266</sup> Sjöberg, *The Powers and the Persecuted*, 148.

<sup>267</sup> The Secretary of State to the Ambassador in the United Kingdom (Winant), June 25, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume I*, Document 155.



necessity of approving the changes of Bermuda, as well as confirming the states in which invitations for membership would be sent.<sup>268</sup> However, there were new additions to address as well. First was a slight amendment to the expanded mandate from Bermuda which qualified the IGCR's mission to helping "as many as practical" who had fled their homes due to race, religion, or political beliefs.<sup>269</sup> This slight change still allowed the Committee to assist in an expanded way but gave it an out should an unrealistic scheme be presented before it. Next was the need to fill several new positions following the recommendation of an expanded staff from Bermuda, namely a full-time Vice-Director and Secretary.<sup>270</sup> The Executive Committee also had to be made aware of the Anglo-American offer to cover funds for actionable projects, though with the explained caveat that all plans would have to pass through Anglo-American scrutiny, meaning both members would have to agree on the practicality of the plan, before being enacted.<sup>271</sup> This, in the mind of Sjöberg, represented another shackle placed on the Committee by the United States and Britain.<sup>272</sup>

Coupled within the preliminary agenda that Emerson developed was also a point stating that the IGCR needed to define its relationship with an organization that Emerson called the "United Nations Relief Administration".<sup>273</sup> What Emerson was referring to was a body that would come to be known as the United Nations Relief and Rehabilitation Administration, or UNRRA, which was in the process of being formed over the course of 1943. The body was a

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<sup>268</sup> Telegram, the Ambassador in the United Kingdom (Winant) to the Secretary of State, July 23, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 158. New members to be invited included: South Africa, Poland, Greece, Costa Rica, the Soviet Union, Yugoslavia, Spain, Portugal, and Czechoslovakia. Guatemala and Panama, former members that withdrew in 1940, were also invited to rejoin.

<sup>269</sup> *Ibid.*

<sup>270</sup> *Ibid.*

<sup>271</sup> *Ibid.*, and Telegram, the Secretary of State to the Ambassador in the United Kingdom (Winant), July 30, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 163.

<sup>272</sup> Sjöberg, *The Powers and the Persecuted*, 143.

<sup>273</sup> The Secretary of State to the Ambassador in the United Kingdom, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 163.

progression of several Allied agencies, like the Office of Foreign Relief and Rehabilitation, or OFFRA, and the Allied Post-War Requirements Board, and was to be a non-political organization to provide relief for the victims of war.<sup>274</sup> Though the body would not be formally created until November 1943, those involved in the maintenance and development of international refugee systems were well aware of its future existence, and if it was to help with refugees, its relationship with the IGCR would have to be defined. One of the first times the two bodies and the finer workings of their relationship were first referred to together was during the conversation between Taylor and Halifax in June. Taylor felt that UNRRA would be far more focused on the immediate relief of refugees and victims of war, what Emerson might describe as short-term concerns, before they could be moved, either back home or to places of new settlement, which would be an action of the Committee.<sup>275</sup> Earlier, in a memorandum from May, Borden Reams, the same man from Bermuda, explained another quirk to the two refugee bodies' relationship. Since UNRRA was a body of the United Nations, another name for the Allied powers during war time, it was a real possibility that neutral states, like Spain or Switzerland, would object to having them on their soil, whereas the IGCR, a body from peacetime, had no such restrictions.<sup>276</sup>

Regardless of these finer points, the agenda was accepted, and the first Executive Committee meeting of the IGCR since 1939 was successfully completed on August 4, 1943. Emerson was reconfirmed as Director of the Executive Committee, Patrick Malin, an American, was selected for the position of Vice-Director, the revised mandate was ratified, and the IGCR's

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<sup>274</sup> Grace Fox, "The Origins of UNRRA," *Political Science Quarterly* 65, no. 4 (1950): 573, 583.

<sup>275</sup> The Secretary of State to the Ambassador in the United Kingdom, June 25, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 155.

<sup>276</sup> Memorandum to Myron Taylor, May 18, 1943, Intergovernmental Committee, Folder 2 of 2, 1943. MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

working relationship with the League's High Commission, through Emerson, was reconfirmed.<sup>277</sup> From the conclusion of the August 4 meeting until the end of 1943, Emerson and the Executive Committee's main concern became defining how this new mandate affected the IGCR, and how it would work both during and after the war. It was, one could say, a period of redefinition.

One of the groups that the IGCR had to redefine, or at the very least reassert, its relationship with were the various voluntary organizations it had been working with since 1938, since its mandate of just organizing emigration had changed. Previously, it had been very much like a version of the League's High Commission, but with American representation, in the fact that it simply coordinated the efforts of voluntary bodies. By mid-1943, however, the IGCR was technically responsible for the care or transport of refugees in neutral territory, or soon would be at the conclusion of hostilities. However, this responsibility came upon the Committee rather suddenly, meaning that it lacked the boots on the ground to really do anything for refugees, pushing it to turn to its relationship with voluntary organizations once again. In Sjöberg's mind, this reliance on voluntary organizations to serve as the Committee's agents to refugees was a failure to fulfill one of the recommendations of Bermuda, that being to expand the personnel and staff of the Committee as a whole.<sup>278</sup> However, this view is a short-sighted as this was simply the way the refugee work had been done up until this point. For example, the first intergovernmental attempt at handling refugees, the League's High Commission for Russian Refugees, established using voluntary organizations as the hands of relief as a matter of course. Indeed, Emerson never

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<sup>277</sup> Telegram, the Ambassador in the United Kingdom (Winant) to the Secretary of State, August 4, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 164.

<sup>278</sup> Sjöberg, *The Powers and the Persecuted*, 142.

seemed to entertain the idea that the Committee would fully handle all relief operations in areas under its mandate.<sup>279</sup>

Emerson divided the IGCR's new relationship with voluntary organizations into two parts: how they would interact with it and it with them. Emerson wanted to open more channels of communication with refugee organizations, which meant sharing more information with them in the hopes to receive some in return, being more accessible to deputations from organizations, and perhaps inviting individuals with special knowledge from these organizations to future IGCR sub-committees.<sup>280</sup> However, Emerson stressed that the IGCR would have to be cautious in how it interacted with the voluntary organizations it would get to carry out its duties on the ground. Many of them were politically motivated, which was outside the bounds of the IGCR's aims. Emerson stated that, "the merits or otherwise of a free Austria after the war are not their (the IGCR's) concern, nor should they get involved in the political side of the Palestine question."<sup>281</sup> The IGCR and its agents were free to urge governments towards more liberal policies concerning refugees, but in a reasonable way.<sup>282</sup> For the most part, Emerson's efforts to refine the Committee's relationship with voluntary organizations was accepted, though Hull cautioned against allowing any personnel from a voluntary organization to sit on a sub-committee, advising that they be called as witnesses when needed instead.<sup>283</sup>

Emerson was also behind the creation of a press release on October 26, 1943, which explained to the American and British public for the first time the results of the Bermuda

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<sup>279</sup> "Report by M. Hanotaux, Adopted on June 27th," *League of Nations Official Journal* 2, no. 7 (September 1921): 757; and Telegram, the Ambassador in the United Kingdom (Winant) to the Secretary of State, August 20, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 174.

<sup>280</sup> Ibid.

<sup>281</sup> Ibid.

<sup>282</sup> Ibid.

<sup>283</sup> Telegram, the Secretary of State to the Ambassador in the United Kingdom (Winant), August 25, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 176.

Conference in more detail.<sup>284</sup> The details were scant, but for a public that was becoming increasingly more aware of Nazi depredations and more accusatory, it was something.<sup>285</sup> The communique explained the list of countries that were invited to join the efforts of the IGCR, noted the expansion of its mandate, and offered the assurance that the Committee and UNRRA's efforts would not needlessly overlap, but that one would oversee Allied states and liberated territory, and the other would oversee neutral states and the refugees therein. While better than nothing, the communique would prove insufficient to completely head off public and governmental concern regarding the fate of Jewish and other refugees, as Assistant Secretary of State Breckinridge Long's appearances before Congress in the late fall to explain the refugee situation attests to.<sup>286</sup> Long had been called before the House Foreign Affairs Committee in a secret meeting, where he sought to convince Congress that the United States and the reformed IGCR was doing all that could be done to help Jews in Europe. His comments, which were eventually made public, impressed Congress, but actually caused backlash from those both for and against more refugee aid, as some felt not enough was being done, while other envisioned an impending flood of refugees.<sup>287</sup>

Emerson and the other Executive Committee members' understanding of how the new mandate of the IGCR affected its operation was not just limited to redefining old relationships but also the development of new functions of the Committee. One of the most concrete examples

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<sup>284</sup> Telegram, the Ambassador in the United Kingdom (Winant) to the Secretary of State, October 14, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 179.

<sup>285</sup> Dorothy Moulton Mayer, "While We do Nothing: Nazis Proceed with the Ruthless Extermination of Victims," *New York Times (1923-Current File)*, March 7, 1943, 1.; and "The Nature of the Enemy," *New York Times (1923-Current File)*, August 28, 1943, 10.

<sup>286</sup> Telegram, the Ambassador in the United Kingdom to the Secretary of State, October 14, 1943, Document 179.

<sup>287</sup> Wyman, *The Abandonment of the Jews*, 195-198. As Wyman notes, Long was guilty of more than just accidental injury to the cause of refugees, as he often used his position in the State Department to strangle larger rescue or aid projects. For more on Long, his appearance before Congress, and the impact of his statements, some of which were untrue, see Feingold, *The Politics of Rescue*, 131-137, 223-224, 231-236.

of this was the efforts to establish representatives of the IGCR in the countries of its operation beginning in late 1943. Emerson proposed the appointment of representatives in Lisbon, Madrid, Algiers, Naples, and Ankara to assist with refugees.<sup>288</sup> These representatives would vary from country to country, but overall, they would oversee local IGCR activities and be directly responsible to the Director and the Executive Committee.<sup>289</sup> The countries themselves were chosen due to the high level of refugee activity they saw, from the refugee camp at Fedhala in North Africa, or the large amount of refugee transit in Portugal and Spain. By the end of 1944, the IGCR would have representatives in Rome, North Africa, Washington, and Italy, though it would never be able to secure representatives in perhaps the most crucial nations of Spain and Portugal.<sup>290</sup>

While 1943 proved to be a year of reinvention, if rather muted in its overall effect, for the IGCR, it proved to be a somewhat strange year for the League's High Commission for Refugees. Like the IGCR, the High Commission was forced into relative dormancy due to the war, relegated to gathering what information it could concerning the situation in Europe. Unsurprisingly, especially considering the fact that the Commission was also headed by Emerson, much of its time was also spent in trying to plan for post-war refugee action, as a sizeable portion of Emerson's 1943 High Commissioner report is dedicated to this topic.<sup>291</sup> Even as details were given of ominous movements of refugees to the East or loss of communication, Emerson continued to plan for the end of the war.

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<sup>288</sup> Memorandum on the Appointment of Representatives in Certain Countries, December 29, 1943, 1, Box 3, Ira Hirschman Papers, Franklin D. Roosevelt Library.

<sup>289</sup> Ibid.

<sup>290</sup> Wyman, *The Abandonment of the Jews*, 140-141. For more on the establishment of UNRRA havens, as they were called, see Feingold, *The Politics of Rescue*, 262-263.

<sup>291</sup> Herbert Emerson, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, August 1943, 11-13. [https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-19-M-19-1943-XII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-19-M-19-1943-XII_EN.pdf).

However, 1943 proved to be a rather remarkable year for the Commission in two ways. Firstly, it was becoming more integrated into the IGCR itself. Despite the early assurances that the authority of the Director of the Committee and the High Commission could be separate despite being endowed to the same man, it was only natural that the two began to merge somewhat. Emerson often reported that the staff of the offices of both positions, which were housed in the same location, worked almost interchangeably between the two organizations.<sup>292</sup> Not only this, but by November 1943, Dr. Gustav Kullman, the Deputy High Commissioner for Refugees, was appointed as Honorary Assistant Director of the IGCR.<sup>293</sup> Kullman was a natural choice because he was well acquainted with international law and, as a Swiss citizen, had well placed contacts within the neutral state that the IGCR was having increased relations with.<sup>294</sup> Kullman's appointment made even more sense considering he was already visiting Switzerland for the Commission, and his status as Deputy Commissioner assured that he was well acquainted with the refugee situation in general.<sup>295</sup>

The Commission's efforts extended beyond its incorporation into the increasingly American led refugee systems of the IGCR. In September 1943, Emerson wrote to the United Nations, as they existed during the war, through the American ambassador in London. Humbly, Emerson admitted that he was unsure as to the proper way to make representations to the United Nations, and he hoped that the American ambassador would send his request forward

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<sup>292</sup> Intergovernmental Committee on Refugees: Summary of Activities Since the Executive Committee Meeting of August 4, 1943 by Herbert Emerson, 82, November 23, 1943, Intergovernmental Committee, Folder 1 of 2, 1943, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>293</sup> Ibid.

<sup>294</sup> Telegram, Winant to the Secretary of State, October 6, 1943, 2, Intergovernmental Committee, Folder 1 of 2, 1943, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>295</sup> Ibid.

properly.<sup>296</sup> Emerson wrote as the League's High Commissioner for Refugees, and he sought to address the possible expansion of U.N. action. On January 5, 1943, the United Nations and the French National Committee issued a statement declaring that property belonging to those residents in conquered territory would be subject to restitution, though the declaration did not extend to those in enemy lands or property lost due to actions before the war.<sup>297</sup> Emerson petitioned the United Nations to expand this declaration to include those persecuted by the enemy governments in their own territory, areas under their occupation, or indirect control.<sup>298</sup> In his mind, it would be unfair to provide restitution for those who were able to escape in the face of the enemy but not those who could not.<sup>299</sup>

Of course, as with so many of Emerson's plans, his concerns were not limited to moral rightness, but also post-war planning. In his mind, providing restitution for those in German territory who had lost property due to Nazi laws would push more refugees to repatriate following the close of hostilities.<sup>300</sup> While nothing resulted from Emerson's appeal, it is important to note that he attempted to use his League office for the betterment of the future of refugees, and that he petitioned the United Nations as the League's High Commissioner, rather than the Director of the IGCR.

If 1943 was a year for the Intergovernmental Committee on Refugees to work towards defining its new existence with the revisions of Bermuda, 1944 would prove to be more of the same. As previously mentioned, UNRRA was created by a resolution of the wartime United Nations in Washington in November 1943, though it would be mostly embryonic until the late

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<sup>296</sup> Telegram, Emerson to Winant, September 7, 1943, 1, Intergovernmental Committee, Folder 1 of 2, 1943, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>297</sup> *Ibid.*, 2.

<sup>298</sup> *Ibid.*

<sup>299</sup> *Ibid.*

<sup>300</sup> *Ibid.*



spring and summer of 1944.<sup>301</sup> In addition to this U.N. body, the IGCR also had to contend with the American War Refugee Board, created by Executive Order 9417 on January 22, 1944, ostensibly to assist with the rescue of victims of oppression who were in danger of death.<sup>302</sup> This meant that there were two organizations that the Committee had to set clear boundaries of responsibility, mandate, and jurisdiction. Since UNRRA was the more long lasting and consequential of the two organizations, the relationship building between it and the IGCR will be covered first.

Since late 1943, Emerson and others on the Committee had sought to define definitively the relationship between the IGCR and UNRRA. Emerson recognized that the mandates of the two bodies overlapped somewhat, as the Committee's concern for anyone who had been persecuted and displaced due to religion, race, or politics would surely include the nationals of Allied nations, which was UNRRA's concern.<sup>303</sup> However, he believed they covered one another's weaknesses. UNRRA was responsible for the maintenance of refugees and displaced persons within an area it operated in, even those that were technically the responsibility of the IGCR.<sup>304</sup> However, this maintenance, which included the provision of food and clothing, the establishment of refugee camps, and repatriation, did not include the long-term problem of placing those who did not wish for repatriation.<sup>305</sup> In other words, UNRRA could care for refugees, but it had no ability to place them anywhere other than their countries of origin, a gap

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<sup>301</sup> Fox, "The Origins of UNRRA", 561.

<sup>302</sup> Memorandum by Herbert Emerson to John Pehle, April 14, 1944, 3, Board, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>303</sup> Draft of Memorandum on the Relations between the Intergovernmental Committee and UNRRA by Herbert Emerson, September 17, 1943, 2, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>304</sup> Ibid.

<sup>305</sup> Ibid., 2-3.

the Committee filled. The IGCR also complemented UNRRA in its more pronounced abilities to negotiate directly with governments on behalf of refugees concerning employment or legal rights and its capacity to gather information on individual refugees, a function that the League's High Commission had utilized since the 1920s.<sup>306</sup> Of course, it is hard to quantify as to whether or not these specific aspects of the IGCR and UNRRA's complementary relationship were ever brought to bear. Regardless, the basic principle of cooperation was confirmed at the Atlantic City Conference in November 1943, where the finer points of how UNRRA would operate were confirmed.<sup>307</sup>

An example of how the IGCR and UNRRA could work together took form, on paper, concerning the Fedhala refugee camp in North Africa. The camp itself had been first established in 1943 as a result of discussions at the Bermuda Conference with its purpose to gather refugees in North Africa and to provide an outlet for refugees from Spain. UNRRA took control of the camp in 1944.<sup>308</sup> UNRRA was in charge of the maintenance and running of the camp, though not the educational rehabilitation of those therein, no doubt a consequence of its stated apolitical nature.<sup>309</sup> Emerson and the IGCR felt that their relationship with Fedhala, while residuary, was still very real. The IGCR representative in the area of Fedhala, Algiers in this case, would be responsible for gathering information on the refugees in the camp, communicating with refugee

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<sup>306</sup> *Ibid.*, 4.

<sup>307</sup> Paragraphs from the Report of the Sub-Committee on Policies with Respect to Assistance to Displaced Persons at the Atlantic City Conference, November 1943, 2, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>308</sup> Telegram, Dean Acheson and Edward Stettinius to Winant, February 23, 1944, 3, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>309</sup> *Ibid.*, 3-4.

organizations since it had a longer relationship with them than UNRRA, and working on the emigration or employment of those in the camp who did not wish to repatriate home.<sup>310</sup>

UNRRA also had the difference of being more closely related to the Allied military forces. As Emerson surmised in his article from early 1943, the first steps of repatriation would be largely handled by military forces, and UNRRA was tailor made to work alongside the Allied military by using its supply systems and resources.<sup>311</sup> Of course, the actual time for this transition from military to civilian authority in refugee maintenance was never officially established, something that would become a point of contention at the end of the war. UNRRA's relationship with the Allied military also ran the risk of it not being a favored mechanism of neutral countries, a concern of some that has been mentioned earlier, meaning the existence of the IGCR provided assurance for refugees in places like Switzerland. Regardless of how clear cut these distinctions between the two bodies seem, it was a continued topic of discussion throughout 1944, covered at meetings of UNRRA and during Emerson and Malin's visit to the United States in the early spring and summer.<sup>312</sup>

The other new refugee body the IGCR had to work with was the War Refugee Board, created in January 1944. On the Board sat Secretary of State Cordell Hull, Secretary of War Henry L. Stimson, Secretary of the Treasury Henry Morgenthau, with John Pehle as Director.<sup>313</sup>

The Board was broadly responsible for the rescue and maintenance of persecuted people from

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<sup>310</sup> Telegram, John Gilbert Winant to Cordell Hull, December 30, 1943, 2-3, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>311</sup> Emerson, "Post-War Problems of Refugees", 213; and Fox, "Origins of UNRRA", 568-570.

<sup>312</sup> Telegram, Winant to Acheson, February 17, 1944, 1, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>313</sup> Sjöberg, *The Powers and the Persecuted*, 152.

enemy territory.<sup>314</sup> For the most part, however, this boiled down to facilitating the movement of refugees to the rear of Allied forces.<sup>315</sup> However, there were some rather unique powers afforded to the Board. It controlled the issuing of licenses to American organizations for the transferring of funds abroad, usually for relief work.<sup>316</sup> The Board also held the ability to practice psychological warfare, usually in the form of threatening charges of war crimes on those who committed atrocities against refugees.<sup>317</sup> There were also certain areas of refugee work where the Board was active that the IGCR chose not to be, like the Balkans.<sup>318</sup>

There were some questions amongst the higher ups in the U.S. State Department, such as Assistant Secretary of State Edward Stettinius, as to why the IGCR existed if the Board had been established and was helmed by the three of the most powerful and influential men in Roosevelt's Cabinet.<sup>319</sup> As with the IGCR and UNRRA, there was a fear of wasteful redundancy. But it was generally understood that the Board was a short-term body made to deal with emergent refugee problems as they came about, not long-term concerns like resettlement or legal rights for stateless people.<sup>320</sup> The effort to gain this clarity was not easy, and Emerson and Malin, on a trip

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<sup>314</sup> Memorandum on the Purposes of the Intergovernmental Committee on Refugees and the War Refugee Board, April 13, 1944, 1, I. G. C. - War Refugee Board, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>315</sup> Acheson and Stettinius to Winant, February 23, 1944, 2, Intergovernmental Committee Relations with UNRRA, Records of the Intergovernmental Committee on Refugees, National Archives (United States), Archives Unbound.

<sup>316</sup> Memorandum by Emerson to Pehle, April 14, 1944, 3, Board, Records of the Intergovernmental Committee on Refugees, National Archives (United States), Archives Unbound.

<sup>317</sup> Memorandum on the Purposes of the IGCR and the WRB, April 13, 1944, 1, I. G. C. - War Refugee Board, Records of the Intergovernmental Committee on Refugees, National Archives (United States), Archives Unbound.

<sup>318</sup> *Ibid.*, 2.

<sup>319</sup> Telegram, Howard Travers to Edward Stettinius, February 1, 1944, 1, Intergovernmental Committee, Folder 1 of 2, 1943, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>320</sup> Herbert Emerson, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, June 26, 1944, 4, [https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-23-M-23-1944-XII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-23-M-23-1944-XII_EN.pdf).

to Washington in April to secure the beginnings of their promised operational fund, met with Board officials a number of times to clarify relations.<sup>321</sup>

The IGCR's efforts during 1944 were not solely limited to defining its relationship with new refugee bodies. As already mentioned, it had begun to send a number of representatives of the Committee into regions that were intimately connected to the refugee question. While these representatives would do some good, their overall impact was not as significant as what could have been.<sup>322</sup> However, the Committee's most effective action in 1944 was the development of what would later be called the "Credit Scheme". This plan was first brought to the IGCR during one of Kullman's visits to Switzerland, in which he became aware of private efforts to protect and rescue those who were being victimized by the Nazis.<sup>323</sup> This discovery prompted a meeting between Emerson, Winterton, and Dr. Joseph Schwartz of the American Jewish Joint Distribution Committee. Schwartz informed the two IGCR officers of a scheme it had developed in which organizations and individuals would use their funds to extend credit to the JJDC, which would use the credit to support or rescue what Jews and other refugees it could.<sup>324</sup>

Emerson immediately saw promise in the idea, and petitioned the British and American governments for the dispersal of funds from the operational budget, which they controlled, to be used as credit for the JJDC.<sup>325</sup> Not only did he believe that the Committee could spare the funds considering it had no major on-going operations, but he believed IGCR involvement would

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<sup>321</sup> Memorandum for the President, May 25, 1944, 1, I. G. C. - War Refugee Board, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>322</sup> Wyman, *The Abandonment of the Jews*, 140.

<sup>323</sup> Memorandum from Herbert Emerson to John Pehle, April 18, 1944, 1, Board, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>324</sup> *Ibid.*, 2.

<sup>325</sup> *Ibid.*, 3.

stimulate, rather than replace, the involvement of more private individuals and organizations.<sup>326</sup> This request of joint action by the JJDC matched a request from the International Committee of the Red Cross in December 1943 for the IGCR to provide 300,000 in Swiss francs for the relief of those in concentration camps like Theresienstadt.<sup>327</sup>

Emerson's petition was accepted by the Americans and British, and funds were authorized for use in the JJDC's "credit scheme", though, as a sign of the tight hold the Anglo-American bloc had on the organization, member states of the Committee, even those on the Executive Committee, were not told of the extension of funds until November 1944, for fear they would view it as weakening the blockade of Axis controlled Europe.<sup>328</sup> In total, the IGCR funneled \$1.28 million to the JJDC for projects in France, Rumania, Hungary, and Italy, which included anything from material aid, assisting groups hiding Jews, and paying ransoms for Nazi prisoners.<sup>329</sup> Sjöberg and Wyman are somewhat dismissive of this action by the IGCR, feeling that, considering the promised scope of its new mandate, this was a weak return on investment. However, this plan certainly contributed to the saving of lives, however small the number, and is significant in the fact that it was discovered and investigated by members of the IGCR, acting on their own behalf.<sup>330</sup> Considering the lack of action on the Committee's part for most of the war,

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<sup>326</sup> Ibid., 4.

<sup>327</sup> Ronald W. Zweig, "Feeding the Camps: Allied Blockade Policy and the Relief of Concentration Camps in Germany, 1944-1945," *The Historical Journal* 41, no. 3 (1998): 833.

<sup>328</sup> Sjöberg, *The Powers and the Persecuted*, 155.

<sup>329</sup> Ibid.; and Wyman, *The Abandonment of the Jews*, 141.

<sup>330</sup> Numbers saved by the efforts of the JJDC are hard to quantify, as there are some instances of official counts of those rescued, like 1,684 rescued from Bergen-Belsen via ransom delivered by Saly Mayer, a JJDC agent, but most estimates are vaguer, Stanley A. Goldman, *Left to the Mercy of a Rude Stream: The Bargain That Broke Adolf Hitler and Saved My Mother* (Lincoln, Nebraska: University of Nebraska Press, 2018), 4-5. For further research into the actions of the ICRC, War Refugee Board, and the IGCR with the JJDC, refer to *Unlikely Heroes: The Place of Holocaust Rescuers in Research and Teaching* edited by Ari Kohen and Gerald J. Steinacher, and *Saving One's Own: Jewish Rescuers during the Holocaust* by Mordecai Paldiel.

this delivering of funds is somewhat of a wonder. It was also a way for the United States to directly fund rescue operations without having to petition Congress for additional money.

The final large action of the Intergovernmental Committee in 1944 was the convening of a full Plenary Session of the Committee in mid-August. This gathering of 30 member states of the IGCR would serve as a way for the various states involved to be caught up on the developments that had occurred over the course of 1943-1944.<sup>331</sup> Emerson, as Director of the Executive Committee, informed the gathered delegates of the revised mandate that had come about as a result of Bermuda and detailed the actions of several officers of the IGCR during the past few months, such as Malin's visit to several countries overseas and the actions of the IGCR representatives who had been appointed.<sup>332</sup> The Plenary Session also served as a time for Emerson and the other members of the Executive Committee to answer the questions plenary delegates had concerning the revised Committee, such as the delegate from India's question as to whether or not the IGCR would be responsible for refugees in China.<sup>333</sup> Emerson also took any opportunity he could to reassure the gathered delegates that the sudden increase of governmental bodies made to handle the refugee crisis, mainly UNRRA and the War Refugee Board, was nothing to worry about. He explained that the increase of those the IGCR had to share the stage with was a result of the fact that during wartime "it is necessary to bring a battery into action

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<sup>331</sup> Intergovernmental Committee on Refugees, Report of the Fourth Plenary Session, August 15-17, 1944, 5, I G C - Fourth Plenary Meeting, 15 Aug. 1944, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound. The countries present included: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, Colombia, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, Ireland, France, Great Britain, Greece, Haiti, Honduras, Iceland, India, Luxemburg, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Sweden, Switzerland, South Africa, the USSR, the United States, and Venezuela.

<sup>332</sup> *Ibid.*, 8-9, 26-28.

<sup>333</sup> Proceedings of the Intergovernmental Committee on Refugees: Minutes of the Fourth Plenary Session of the Intergovernmental Committee, held in London from August 15 to August 17, 1944, 7, I G C - Fourth Plenary Meeting, 15 Aug. 1944, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound. Emerson's response was that, since much of the concerns in China revolved around immediate relief rather than relocation, it would likely fall under UNRRA's concern.

rather than a single gun. This is all to the good, so long as the job is done it does not matter who does it.”<sup>334</sup>

The Plenary Session of August also served as an opportunity for the IGCR to develop more permanence for itself, as well as set an agenda for the upcoming year, which looked promising, since the liberation of France had been moving apace since the successful completion of the D-Day invasion on June 6, 1944. The permanence came in the form of the establishment of a constitution, rather than just a mandate, for the six-year-old organization. This constitution highlighted how the Executive Committee operated, how voting for measures was to be handled, and other particulars of how the IGCR functioned.<sup>335</sup> The passage of the more permanent constitution rather than operating on just a mandate alone is almost ironic, considering within two years the IGCR would essentially cease to function.

The IGCR’s general agenda set by the Plenary Session was twofold. First the Committee resolved to dedicate itself to increased cooperation with the League’s High Commission, UNRRA, the International Labor Organization, and the War Refugee Board, mirroring Emerson’s sentiment that more groups working on the refugee problem bettered the chances of positive results.<sup>336</sup> This resolution included the offer that the organizations mentioned above were free to send observers to watch and participate on sub-committees and meetings the IGCR convened, a privilege that had been extended to Malin and Emerson by UNRRA.<sup>337</sup> The Committee also resolved to begin investigation of the creation of travel documents and passports for refugees who were now stateless. This had been a concern mentioned at the Evian

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<sup>334</sup> Report of the Fourth Plenary Session, August 15-17, 1944, 24, I G C - Fourth Plenary Meeting, 15 August 1944, Records of the Intergovernmental Committee on Refugees, National Archives (United States), Archives Unbound.

<sup>335</sup> Ibid., 31.

<sup>336</sup> Ibid.

<sup>337</sup> Ibid.



Conference in 1938 and had been a system that was experimented with by the League's High Commission under Dr. Fridjof Nansen, though the Committee declared it was never fully realized and could be put into wider application.<sup>338</sup> As such, the Committee gave itself an actionable goal to work towards, though, as had become a trend, it was a post-war concern, rather than one immediately relevant to saving refugees.

The final months of 1944 progressed rather quietly for the IGCR, as it focused on planning and information gathering. Emerson and Kullman, acting in their capacities for both the IGCR and High Commission, took advantage of the tide of liberation in Western Europe and visited nations like France and Switzerland to gather information on their refugee situations and to look into government care of refugee children that was coming into practice in France.<sup>339</sup> UNRRA, on the other hand, began to incorporate itself into the Allied military system and had been operating in the Balkans since May 1, 1944.<sup>340</sup> However, its relationship with Supreme Headquarters Allied Expeditionary Force, or SHAEF, would not be formally recognized until November 25, 1944, which subordinated it to the military body in many ways.<sup>341</sup> As such, UNRRA would not fully become responsible for the immediate relief of refugees until the dissolution of SHAEF which meant that it, like the IGCR with all of its planning and information gathering, was truly waiting for the end of hostilities to come into its own.

1943-1944 proved to be years of revision for the IGCR, though the streak of dormancy that began with the advent of hostilities would, for the most part, continue for the League of Nations' High Commission for Refugees. The IGCR would see its mandate expand, and had

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<sup>338</sup> Ibid., 36-37.

<sup>339</sup> Memorandum on Refugee Children in France, Belgium, and Switzerland by Sir Herbert Emerson, December 11, 1944, Box 3, Ira Hirshman Papers, Franklin D. Roosevelt Library.

<sup>340</sup> Proudfoot, *European Refugees*, 106.

<sup>341</sup> Ibid., 139.

greater powers and responsibilities placed upon it. It would also engage in the most impactful effort it was a part of during the war, its credit scheme with the JJDC. The League's Commission found itself becoming more and more intertwined with the IGCR, as its workers and officers, mainly in the form of Kullman, took up responsibilities with the Committee. Despite this fact, Emerson believed the Commission, rather than the IGCR, was the proper body to petition the wartime United Nations for the expansion of restitution guarantees to those in enemy territory from before the war. Both entities would have to deal with the creation of several new refugee bodies, most notable in the form of the War Refugee Board and UNRRA. With this in mind, intense effort was put into trying to define the relationship and jurisdiction of the various governmental and intergovernmental refugee organizations to avoid wasteful overlap and to ensure that everyone was working towards the ultimate good of refugees.

However, the astute reader may be able to recognize that, despite the large number of meetings, telegrams, and conferences held concerning refugees during this period, few concrete results were actually attained. This is a fact that has not gone unnoticed by those who have studied the refugee situation during World War II. Sjöberg is critical of, in his mind, the failure of the IGCR to fulfill the resolutions of Bermuda by continuing to use voluntary organizations as its boots on the ground.<sup>342</sup> Wyman is even more critical, railing against the Committee's lack of large scale rescue operations, Emerson's focus on post-war concerns, and many other things besides, writing the body off as a failure for refugees, but a successful smokescreen for the Allies to point to whenever asked about their handling of refugees.<sup>343</sup>

While these historians are right to be critical of the actions of those involved in the IGCR, especially those in the State Department like Breckinridge Long, they are somewhat unfair in

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<sup>342</sup> Sjöberg, *The Powers and the Persecuted*, 142.

<sup>343</sup> Wyman, *The Abandonment of the Jews*, 107, 111-112, 139, 141.

their critiques. In Sjöberg's case, there was never any indication on the Committee's part, especially from Emerson, that the IGCR would seek to be a large-scale relief organization like UNRRA. There was an understanding that the organization and stimulation, rather than the replacement, of voluntary work was one of the key goals of the Committee.<sup>344</sup> Nor did the IGCR have access to the sort of funds that would allow itself to work on the scale Sjöberg mentions, as he himself recognizes.<sup>345</sup>

Wyman, while reasonable in his critiques of personnel chosen by the IGCR, also stumbles in his argument in that, at times, he seems to forget that the Committee was operating during wartime. Written into nearly every single charter and mandate of the major refugee organizations was the understanding that their operations would in no way adversely affect the successful execution of the war. If Emerson and the Committee could somehow have been able to get the Nazis to release thousands of Jews to their care, which in itself is a questionable proposition, what was to be done with them? Shipping them elsewhere than Europe would threaten the efficacy of the shipping lanes of the Allies and chartering a significant number of neutral ships would create a serious need for funds. Of course, there would be a public response to such a move as well, and if the Canadian public had balked at the idea of receiving a few hundred refugee families from Spain, what could Emerson and the Committee do in the face of the outcry from delivering tens of thousands of refugees to various Allied nations?<sup>346</sup> If they were kept in Europe, the Allies' military supply lines would be stretched to support the influx of humanity, hampering the eventual push into Germany. General Dwight D. Eisenhower, leader of

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3. <sup>344</sup> Emerson, *Report Submitted by Sir Herbert Emerson, High Commissioner for Refugees*, June 26, 1944,

<sup>345</sup> Sjöberg, *The Powers and the Persecuted*, 20.

<sup>346</sup> Abella and Troper, *None is Too Many*, 157-159.

the Allied military forces, remarked frequently at the end of the war how the state of Allied supply lines negatively affected the refugees and displaced persons under his care.<sup>347</sup>

Nor does Wyman sufficiently address the question of what would have to be given up to get the Nazis to release Jews and other prisoners. Would the Allies have to release POWs, thereby giving the German military more men to extend its war with? Would it have to give copious quantities of money, thereby hamstringing the very blockade the Allies had set up? That is not to say that there were not chances that the Americans and the members of the IGCR in general had to help refugees, but the scale of assistance called for by Wyman was never even in consideration due to the cruel calculations of war. As Feingold notes, “such a miracle was never in the power of Washington.”<sup>348</sup>

Both of these authors also fail to address the fact the Emerson was well acquainted with the failings of the Committee. In a telegram to Myron Taylor, he lamented that “until the Committee can produce concrete results, it will not attain the status which is essential to its future success.”<sup>349</sup> Emerson knew that the public was hungry for results in aiding Jewish and other persecuted groups, but that the results that they wanted to see were hard to produce during wartime.<sup>350</sup> Emerson’s awareness towards the failings of the Committee could be the reason behind his focus on the post-war problems that would be faced concerning refugees since, during the war, there was little he could do. Regardless of his reasons, it was for the post-war world that

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<sup>347</sup> Eisenhower to Harold Rupert Leofric George Alexander, May 18, 1945, in *The Papers of Dwight David Eisenhower* (Baltimore: Johns Hopkins Press, 1970), 54.

<sup>348</sup> Feingold, *The Politics of Rescue*, 307.

<sup>349</sup> Telegram, Sir Herbert Emerson to Myron Taylor, November 23, 1943, 2, Intergovernmental Committee, Folder 1 of 2, 1943, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>350</sup> *Ibid.*; Wyman, *The Abandonment of the Jews*, 146-152, Abella and Troper, *None is Too Many*, 138-139. Wyman describes the growing popularity and sway of the Emergency Committee, a group devoted to publicizing the Jewish problem, as well as investigating solutions, while Abella and Troper describe the swell of Canadian papers demanding their government take a more active role in refugee rescue, a trend that continued for much of 1943 and 1944, though, as always, there remained a number opposed to such a sentiment.

Emerson continued to plan and, as the end of the war inched closer and closer, the true effectiveness of the reformed IGCR and its fellow refugee bodies would soon be tested.

#### Chapter 4: To Be Human Again

The years from 1943-1944 had been a sort of preparatory period for the Allied governments and the refugee organizations they had created in the face of World War II. As the war progressed, the major powers were more focused on winning the war before they tried to set up a definite system for those tossed like flotsam in the war's wake, leading them to work with what they had. Organizations that had existed before the war, like the Intergovernmental Committee for Refugees, were reevaluated and reformed in an attempt to make them more able to both deal with the refugee crisis that existed during the war and plan ahead for the problems that would follow the eventual peace. New entities were also created and incorporated into the international refugee system, most notably the United Nations Relief and Rehabilitation Administration and the War Refugee Board. All three of these bodies, the IGCR, UNRRA, and the War Refugee Board, as well as the diminished League of Nations High Commission for Refugees, operated within the same realm of providing aid to refugees and to assist in reincorporating them into the global community. A significant amount of time was spent, then, in the form of meetings, telegrams, and conferences to explain and define the mandates and jurisdictions of each body, with the hope that wasteful overlap and bureaucratic pettiness could be avoided. The test of the elasticity of this system began in 1945.

The efforts of these various international bodies to handle the staggering number of refugees in the years following the conclusion of hostilities have often gone unnoted. While the entire experience of many of these organizations was one of confusion and overlap, as described by Proudfoot in his seminal study of the problem, it was also one of continuity. Specialists of every stripe were consulted to try and help, in some way, with the immediate problem and, most importantly, to lay the groundwork of handling refugees in the future. A new world order was

created, not to prevent war, but to alleviate its horrible aftereffects. This attempt to solidify the international responsibility of refugee care by people like Sir Herbert Emerson and Earl G. Harrison, or the IGCR and UNRRA, was not just a story of new practices, as described by historians like Daniel Cohen, but one of taking past knowledge and reapplying it.<sup>351</sup> As such, through confusion, adversity, and tremendous effort, a relatively small group of men and women succeeded in creating a new system of refugee care, one which exists to this day.

By January 1945, it seemed clear that the Allies were going to defeat the Axis powers. However, the situation that the Allied powers faced was staggering. The onslaught of the armies of Nazi Germany had forced millions of people from their homes, from Poland to France, and the racial laws of Hitler's party forced thousands of Germans and Austrians from their homes even before a single shot was fired. Nearly 11 million of these people were killed systematically by the Nazis in an attempt at racial purification, including nearly 6 million Jews. The Allies, led by the United States, Great Britain, and the Soviet Union soon found themselves in the position of needing to care for the nearly 10 million refugees left in Europe following the close of the war.<sup>352</sup> Finally, the time had come to begin to set in place, in a more structured way, the order of the world after the war. To this end, Franklin D. Roosevelt, Winston Churchill, and Joseph Stalin, accompanied by their military and foreign policy advisors, gathered at the Yalta Conference in the Crimea from February 4-11, 1945.<sup>353</sup>

The main concerns of the Yalta Conference were threefold: the creation of an organization, what would eventually be the United Nations, to assist in peacekeeping, the

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<sup>351</sup> G. Daniel Cohen, "Between Relief and Politics: Refugee Humanitarianism in Occupied Germany 1945-1946," *Journal of Contemporary History* 43, no. 3 (2008): 442.

<sup>352</sup> Proudfoot, *European Refugees, 1939-52*, 116.

<sup>353</sup> Weinberg, *A World at Arms*, 803-804.

question of what to do with Germany upon its defeat, and the war with Japan.<sup>354</sup> Indeed, the general question of refugees, outside of how it fell under the category of restoring order to Europe, rarely came up. However, considerable time was spent discussing specific classes of refugees and POWs, especially when they were Soviets. Over the course of the Yalta Conference, the three leaders signed reciprocal agreements concerning the return of refugees and POWs.<sup>355</sup> What these agreements guaranteed was that any POWs or refugees belonging to one state that were under the protection of another, like an American POW being in Russian hands after his liberation from a camp, would be returned to their country of origin as soon as possible, overseen by UNRRA or a nation's armed forces.<sup>356</sup>

This push for repatriation, or returning a refugee or displaced person to their country of origin, included those who did not want to return, though this sentiment mostly included Soviet refugees and POWs.<sup>357</sup> However, chiefly because any delay in returning Soviet POWs and refugees would mean that their own POWs would not be returned, and the assumption that the Red Army would be needed to defeat the Japanese, the United States and Great Britain repatriated some 2 million Soviet refugees in the summer of 1945.<sup>358</sup> At the same time, the Western members of the United Nations refused to return any refugees who were not in the

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<sup>354</sup> Tripartite Dinner Meeting, Bohlen Minutes, February 4, 1945, *Foreign Relations of the United States [hereafter FRUS], Diplomatic Papers, Conferences at Malta and Yalta, 1945*, (Washington: Government Printing Office, 1955), Document 331.

<sup>355</sup> Draft Reciprocal Agreement on Prisoners of War as Approved by the Combined Chiefs of Staff, February 8, 1945, *FRUS, Diplomatic Papers, Conferences at Malta and Yalta, 1945*, Document 387; and Agreement Between the United States and the Soviet Union Concerning Liberated Prisoners of War and Civilians, February 11, 1945, *FRUS, Diplomatic Papers, Conferences at Malta and Yalta, 1945*, Document 504.

<sup>356</sup> *Ibid.*; and Sjöberg, *The Powers and the Persecuted*, 153.

<sup>357</sup> Nicholas Bethell, *The Last Secret: The Delivery to Stalin of Over Two Million Russians by Britain and the United States* (New York: Basic Books Inc., 1974), 33.

<sup>358</sup> *Ibid.*, 35, 40.



Soviet Union before the outbreak of hostilities, protecting many Ukrainians and Poles from undesired repatriation.<sup>359</sup>

This trepidation extended even to those who technically should have been repatriated, the best example being the British government's attitude towards the Polish Home Army. This was the democratic government in exile from Poland, and its administration and troops had been close allies with Britain since early in the war. Following the conclusion of the Yalta Conference on February 11, the British government commissioned a study to consider the feasibility of absorbing the Polish armed forces who did not wish to return to their homeland, because of the fear of poor treatment from the new Soviet backed government.<sup>360</sup> A few things can be noted from this British study. First, it is noted that careful consideration was given as to how these Poles fell into the various responsibilities of UNRRA and the IGCR, indeed, Emerson was contacted specifically to be told that the British government were looking into the problem.<sup>361</sup> Second, the British were very unsure as to how to proceed, as they had to consider questions of whether or not their possible granting of nationality to thousands of Polish soldiers and their families was setting a precedent, specifically mentioned is the question of whether or not Jews would see it as something available for them.<sup>362</sup> Finally, it was decided by those conducting the study that Great Britain, including all of its various colonies and territories, could not shoulder the weight of absorbing all the Poles and that the new United Nations would need to assist.<sup>363</sup>

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<sup>359</sup> Ibid., 37. The United States ended this policy of forced repatriation by the winter of 1945, see Sjöberg, *The Powers and the Persecuted*, 174.

<sup>360</sup> The British Cabinet, *War Cabinet: Future Settlement of Poles in the British Empire, Note by the Secretary of State for Foreign Affairs*, the British National Archives, February 24, 1945, 89. For a brief explanation of why the Poles would be hesitant to return, refer to Sjöberg, *The Powers and the Persecuted*, 174-175.

<sup>361</sup> Ibid., 89-90.

<sup>362</sup> Ibid., 90.

<sup>363</sup> Ibid.

Of course, the refugee problem that unfolded in 1945 was larger than just those Poles unwilling to return to their former home, and as Allied forces moved further into Axis territory, the problem only continued to grow. By the time of Germany's surrender in May 1945, the total number of refugees held in various camps and centers by the Allies had swollen to around 10 million, meaning that even if the 2 million Soviets who were quickly repatriated were subtracted, there were still 8 million people who needed to go somewhere.<sup>364</sup> The various refugee organizations made by the Allies helped as they could. UNRRA assisted in moving liberated refugees to the rear of the advancing forces, providing clothing and food, and offering rehabilitation services.<sup>365</sup> Ostensibly, it was also to help with repatriating those who had been displaced by the war, though this was slow until near the end of hostilities.<sup>366</sup>

The actions of the League of Nations High Commission for Refugees and the IGCR, still headed by Emerson, are somewhat more nebulous to pinpoint, though they are still real and assisted the overall effort of aiding refugees. By the spring of 1945, the League had been all but dismantled, with only a few of its offices technically still in operation. Despite this, Emerson dutifully made his yearly report as was required of his position as High Commissioner, and one can see that the League's few resources had turned to information gathering regarding refugees in Europe. Emerson's High Commissioner's report can be broken down into three main parts. First, there is his general description of the refugee situation in Europe, as it pertained to the League. This included the number of refugees currently counted that were under the League's umbrella, some 130,000, the various difficulties these groups might face with repatriation, and how other governments were working to help these refugees, most notably the French, Swiss,

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<sup>364</sup> Proudfoot, *European Refugees*, 116.

<sup>365</sup> *Ibid.*, 133.

<sup>366</sup> *Ibid.*; and Sjöberg, *The Powers and the Persecuted*, 153. UNRRA would become quite proficient at repatriating once the effort gained momentum, but resettlement fell outside its scope of concerns.

and Belgian governments.<sup>367</sup> Second, Emerson demonstrated his full utilization of both the IGCR and UNRRA in obtaining information and support for refugees who fell under the Nansen Office. This came in the form of getting an UNRRA agreement that it would provide material support for Nansen refugees in Greece, or his multiple references to using IGCR representatives in other countries to gather information for refugees under the League's care.<sup>368</sup> Considering how the High Commission and the IGCR had grown closer during the two years before the war ended, this multi-organizational usage of resources by Emerson is not surprising.

Finally, Emerson used his report as an opportunity to begin detailing how the question of the refugees could be answered by the global community in an official capacity. Most of the comments and recommendations Emerson made in his 1945 High Commissioner report mirror comments he made in his 1943 *Foreign Affairs*' article, like the idea of there being two groups of refugees and three different ways to handle them.<sup>369</sup> The most notable difference is the fact that in his *Foreign Affairs* article, Emerson gives a fourth method for helping refugees, mass resettlement, which he omitted here.<sup>370</sup> He noted that there seemed to be two forms of refugees forming, those who simply needed care and support until they could be repatriated, and those, who he called "dissidents", that had no desire to return to the place they were displaced from, and Emerson explained, these dissidents were mostly German Jews.<sup>371</sup>

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<sup>367</sup> League of Nations, *International Assistance to Refugees: Report Submitted by Sir Herbert Emerson, G.C.I.E., K.C.S.I., C.B.E., High Commissioner for Refugees*, June 25, 1945, 2-3, [https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-79-M-79-1945-XII\\_EN.pdf](https://biblio-archive.unog.ch/Dateien/CouncilMSD/C-79-M-79-1945-XII_EN.pdf).

<sup>368</sup> *Ibid.*, 3, 5.

<sup>369</sup> Emerson, "Postwar Problems of Refugees," 212-213, 218. Sjöberg describes a growing British fear in 1945 that if resettlement was talked about too much, refugees may stop being repatriated and Emerson's omission may reflect this, but he gives no indication elsewhere that he shared this fear with his government, see Sjöberg, *The Powers and the Persecuted*, 169.

<sup>370</sup> *Ibid.*, 218.

<sup>371</sup> *Report Submitted by Sir Herbert Emerson, High Commissioner for Refugees*, June 25, 1945, 6.

In Emerson's mind, in June of 1945 at least, there were three ways to address this crisis and get refugees settled: repatriation, absorption, and individual emigration.<sup>372</sup> Repatriation has already been discussed and had been the primary goal of refugee bodies since the first League of Nations High Commission was made to assist refugees from World War I. Absorption was the practice of refugees eventually becoming naturalized by the countries where they had sought sanctuary in, though as the British government's study showed, such a thing was not very likely to happen with large groups of refugees.<sup>373</sup> Individual emigration referred to a single person going to a family member who lived in the United States or some other country, getting established, and then having the rest of his or her family follow.<sup>374</sup>

The IGCR was similarly in the business of information gathering and policy formation concerning refugees. Unlike UNRRA, which was to work more directly with those who had been displaced due to the war, the IGCR existed by the spring of 1945 to fill in the gaps left by the relief agency. These gaps focused heavily on administrative assistance to those on the ground, working with neutral nations, and the consideration of the future of refugee assistance. This could take the form of Emerson and other members of the IGCR staff personally meeting with the governments of liberated nations like France to learn how they could help refugees within the country, and the IGCR had actually signed an agreement to specifically aid several groups in France.<sup>375</sup> Or, sending representatives to Supreme Headquarters Allied Expeditionary Force (SHAEF) to create instructions for field commanders in how to treat displaced persons, advise on the creation of displaced persons centers, or tour those that currently existed.<sup>376</sup> Primarily,

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<sup>372</sup> Ibid., 5.

<sup>373</sup> Ibid.

<sup>374</sup> Ibid.

<sup>375</sup> Report of the Director on the Work of the Intergovernmental Committee, November 20-22, 1945, 14-15, IGC - Fifth Plenary Session. 20 November 1945, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>376</sup> Ibid.

however, the IGCR was most involved with coordinating the efforts of the various volunteer agencies that worked to assist refugees, like the American Joint Jewish Distribution Committee, or the International Red Cross, to ensure there was no wasteful overlap, to consider the question of permanent refugee resettlement, and to help those refugees that did not fall under the jurisdiction of UNRRA.<sup>377</sup>

One can see, then, that during the period following the Yalta Conference, UNRRA and the IGCR tried to operate in the complementary relationship that had been agreed on in the few years before the war's end, with UNRRA being the arms of relief and the IGCR being the mind, considering the best way to proceed in the present, and the future. Indeed, Emerson described, yet again, his opinions on how the refugee crisis could be brought to an end in his 1945 IGCR Director's report, though he included the fourth point from his comments in *Foreign Affairs* to his previous three in his High Commissioner report. Repatriation, absorption, and infiltration, or individual repatriation had remained on his list, but they were followed by a fourth, group settlement.<sup>378</sup> Emerson, having previously noted the reality that many European Jews would not want to return to their former countries following liberation, explained that the best way to address this problem was potentially moving large groups of Jews to their desired destination, usually Palestine.<sup>379</sup> Interestingly, this additional way to assist refugees was being considered by more than just those that were part of the refugee system, as new U.S. President Harry S. Truman, had toyed with the idea of opening Palestine to more Jewish refugees at the Potsdam Conference in July 1945.<sup>380</sup>

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<sup>377</sup> Ibid., 10-11, 27,

<sup>378</sup> Ibid., 29.

<sup>379</sup> Ibid.

<sup>380</sup> Telegram, President Truman to Prime Minister Churchill, July 24, 1945, *Foreign Relations of the United States [hereafter FRUS], The Conference of Berlin (The Potsdam Conference), 1945, Volume II*, (Washington: Government Printing Office, 1960), Document 1344. Orchard notes that Truman felt great empathy with displaced

Of course, the actions of the IGCR tended to be somewhat distant from the actions on the ground. Since even before the cessation of hostilities in May 1945, UNRRA and the Allied armed forces, under the direction of General Dwight D. Eisenhower, had been responsible for the repatriation and care of the various refugees and POWs that they liberated from either hiding or Nazi imprisonment since 1944.<sup>381</sup> According to the decisions of the United Nations and its own executive council, UNRRA was to work hand in hand with SHAEF and the various other Allied forces in their joint mission concerning refugees, as well as directing voluntary organizations on the ground.<sup>382</sup> However, it was limited in how it could operate. Primarily, this resulted from a certain mindset amongst military officers that the concerns of UNRRA were the concerns of peacetime, which would be late in coming.<sup>383</sup> There was also the reality that, while UNRRA was supposed to direct the actions of voluntary agencies, it was the actions and systems of supply organized by the military which really moved these groups.<sup>384</sup>

UNRRA was also handicapped by its own makeup and stated directive. The agency had been made to assist those who had been displaced directly because of the war and to help with the speedy repatriation of these displaced persons, especially after the signing of the Reciprocal Agreements at Yalta.<sup>385</sup> While this was surely needed with the millions flooding the rear of the Allies' lines, it was also limiting. Any refugee that had not been displaced by the war or belonging to a neutral nation like Spain did not fall under UNRRA's net.<sup>386</sup> UNRRA was also not responsible for the resettlement of those, like German and Austrian Jews, who did not wish

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persons, especially those who were Jews, and tried to break the gridlock many in the state department had put around certain refugee questions, like Palestine, see Orchard, *A Right to Flee*, 154.

<sup>381</sup> Weinberg, *A World at Arms*, 743.

<sup>382</sup> Proudfoot, *European Refugees*, 133-134.

<sup>383</sup> *Ibid.*, 135.

<sup>384</sup> *Ibid.*, 186.

<sup>385</sup> *Ibid.*, 157.

<sup>386</sup> *Ibid.*, 246.

to return to their homes, meaning it could only feed and clothe them as they sat in their camps, nothing more.<sup>387</sup> These limitations were to be shored up by the IGCR in the form of long-term resettlement plans and negotiations with nations of final settlement, but there was only so much that the IGCR could do, short as it was on boots on the ground and having to rely on voluntary agencies to fill this role.<sup>388</sup>

Despite their shortcomings, UNRRA and SHAEF repatriated displaced persons at a staggering rate, beginning immediately upon the agreements made at Yalta, but truly picking up speed around March 1945.<sup>389</sup> By the end of March, around 350,000 displaced persons had been repatriated, and by September 30 of the same year, some 6,795,000 had been repatriated, from unwilling Soviets to thankful Frenchmen.<sup>390</sup> The hard work of UNRRA and SHAEF also led to the creation of a guide for the care of displaced persons that was issued to all subordinate military commanders.<sup>391</sup> Despite the herculean efforts of SHAEF, ending in July 1945, and UNRRA, there was a growing reality that the simple repatriation of earlier 1945 was not all that would be needed to answer the refugee question. This had been a reality accepted by some of those in the refugee system, like Emerson or Myron Taylor, for some time, though an exact estimate for how large the group would be was elusive. By the summer months, it had become obvious that there were around 2 to 3 million displaced persons who either did not wish to return or had other complications that prevented easy repatriation.

That is not to say that everyone in the realm of refugee care was pleased with the job being done by SHAEF and UNRRA. From June to August 1945, Earl G. Harrison, the American

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<sup>387</sup> Ibid., 292.; and Sjöberg, *The Powers and the Persecuted*, 153.

<sup>388</sup> Report of the Director on the Work of the Intergovernmental Committee, November 20-22, 1945, 15.

<sup>389</sup> Orchard, *A Right to Flee*, 148-149.

<sup>390</sup> Proudfoot, *European Refugees*, 158.

<sup>391</sup> Ibid., 162, 166. This guide was, however, not required to be followed.

delegate to the IGCR that replaced Myron Taylor and the former Director of Alien Registration and Commissioner of Naturalization and Immigration, was tasked by President Truman to investigate the situation of displaced persons, especially “non-repatriables”, under the military’s care.<sup>392</sup> The report covered the situation of refugees, what immediately needed to be done, and what should be done in the future. Harrison began his report by first noting the success of the military in caring for displaced persons, namely the fact that nearly 4 million people had been repatriated by the time his report was written, and that there had been great improvement in the conditions in displaced persons camps since the beginning of the year.<sup>393</sup> The rest of the report, however, was more negative towards the military officers in charge of the situation.

Harrison described the immediate material situation of many of the non-repatriables, especially German and Austrian Jews, as being somewhat dire, considering they had been under the Allies’ care for several months. Many displaced persons claimed to have been kept in buildings that were unfit for the coming winter; indeed, many were being kept in the very concentration camps they had been imprisoned in months prior to liberation.<sup>394</sup> Food, while noted to be difficult to come across for all of occupied Germany, was unacceptable for displaced persons, and Harrison even claims that the defeated Germans had a more varied diet than those they had previously killed en masse.<sup>395</sup> Harrison viewed the camps he visited so poorly that he warned Truman that the defeated Germans may take the current state of displaced persons as a condoning of Nazi actions by the victorious Allies.<sup>396</sup>

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<sup>392</sup> Report of Earl G. Harrison, August 4, 1945, 1, Harrison Report, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>393</sup> Ibid., 2-4.

<sup>394</sup> Ibid., 4-5.

<sup>395</sup> Ibid., 6.

<sup>396</sup> Ibid., 12.



Harrison expressed frustration not just with the state of refugees, but how their immediate needs were being met. UNRRA, he claimed, was neither organized nor equipped to handle the entire scope of the millions of refugees who seemed to be a long-term problem for the Allies, and even in those faculties that it was competent, it had been neglected by camp commandants.<sup>397</sup> Harrison was right, of course, as UNRRA had not been created for such long-term issues.<sup>398</sup> The preoccupation with mass repatriation, conducted mostly by the military though aided by UNRRA, had relegated the agency to trying to coordinate the efforts of voluntary agencies.<sup>399</sup> As previously mentioned, however, UNRRA was not always successful at controlling the voluntary groups that, technically, answered to it. Regardless of that fact, Harrison claimed that even the voluntary groups, which had decades of experience, were not always used by the military.<sup>400</sup> Suffice it to say, Harrison felt that the military was not as successful as it could have been in refugee care, and that it was not even properly using the resources specifically put at its disposal to fill in the gaps.

However, the purpose of Harrison's report was not just to decry the failings of the military, though there are some historians who tend to stop there, like Orchard, but to offer possible solutions to the budding non-repatriatable situation.<sup>401</sup> These fell generally into three categories. The first was the obvious idea that the military needed to begin handing the reins of refugee care over to those who specialized in it, something that had been understood since the inception of bodies like UNRRA, but a process which had never been fully defined.<sup>402</sup> Harrison

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<sup>397</sup> Ibid., 8.

<sup>398</sup> Draft of Memorandum on the Relations between the Intergovernmental Committee and UNRRA by Herbert Emerson, September 17, 1943, 2, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>399</sup> Report of Earl G. Harrison, August 4, 1945, 8.

<sup>400</sup> Ibid.

<sup>401</sup> Orchard, *A Right to Flee*, 153.

<sup>402</sup> Ibid., 15; and Fox, "The Origins of UNRRA," 568-570.

was appreciative of the military's work, but he described the status of liberation to be liberation in a "military sense".<sup>403</sup> It is obvious to see that Harrison was not surprised by the military's inability to give displaced persons the attention they deserved, as it was also tasked with restoring order and rebuilding occupied Germany.<sup>404</sup> He admits time and again that the military had gone above and beyond its goals of simply moving liberated persons to the rear and then aiding in their repatriation, saying "praise of the highest order is due all military units with respect to this phase of the post-fighting job. In directing attention to existing conditions which unquestionably require remedy, there is no intention or wish to detract one particle from the preceding statements."<sup>405</sup> Regardless, Harrison still felt that it was time for bodies like UNRRA and the IGCR to be given control.<sup>406</sup>

Second, Harrison described actions that could be taken to improve the current physical state of refugees. Aside from better accommodations and improved diets, this included the placing of Jewish displaced persons into their own separate camps.<sup>407</sup> In Harrison's mind, the Jews had suffered a longer and more grueling plight at the hands of the Nazis than any other group of displaced persons and required the kind of special care and aid that could only be administered in a separate camp.<sup>408</sup> Other services, like tracing the whereabouts of family members who were also interned so they could be reunited, could be offered at these camps, and a service of this sort was something that the IGCR had been working on since 1944.<sup>409</sup> All refugees, however, Jewish or not, would benefit from an increase in facilities that would assist

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<sup>403</sup> Report of Earl G. Harrison, August 4, 1945, 15.

<sup>404</sup> Weinberg, *A World at Arms*, 827, 834-835.

<sup>405</sup> Report of Earl G. Harrison, August 4, 1945, 16.

<sup>406</sup> *Ibid.*, 15.

<sup>407</sup> *Ibid.*, 14.

<sup>408</sup> *Ibid.*, 8.

<sup>409</sup> *Ibid.*, 6; and Telegram, John Gilbert Winant to Cordell Hull, December 30, 1943, 2-3, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

them in physically recovering from their ordeal, improved housing, better access to contact with the outside world, and opportunities to be hired for jobs in the camps.<sup>410</sup>

Finally, Harrison described what, in his mind, would be the ultimate solution to the refugee problem: resettlement. He recognized that a small number who could gain admittance to the United States and other parts of the world, but it would not solve the whole problem of the almost 2 million remaining displaced persons.<sup>411</sup> Hoping these people, both those who did not desire to return to their now communist nations and Jewish survivors of the Holocaust, would cave and accept repatriation was also unlikely, considering the ordeal they had survived.<sup>412</sup> Rather, Harrison suggested that the correct move forward was to allow increased amounts of immigration to Palestine, which had been slashed to a minimum by the British government. He requested Truman do what he could to see this through.<sup>413</sup> Improved care and a focus on the resettlement of non-repatriatable Jews to Palestine fell in line with Harrison's belief that "the civilized world owes it to this handful of survivors to provide them with a home where they can again settle down and begin to live as human beings."<sup>414</sup> It is interesting to note that three of the most involved men in the lives of refugees, Emerson, Harrison, and Truman, had in the latter months of 1945 all come around to the idea that resettlement, not full repatriation, may have been the way forward for the United Nations.

There were many in the military who were less than pleased with the conclusions of Harrison's report. Even though he repeatedly mentioned the impressive work of the military in aiding displaced persons, and his acknowledgement that there were exceptions to every case he

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<sup>410</sup> Ibid., 13.

<sup>411</sup> Ibid., 11.

<sup>412</sup> Ibid., 8-9.

<sup>413</sup> Ibid., 11.

<sup>414</sup> Ibid., 18.

mentioned, many, like General Eisenhower, felt that Harrison did not fully appreciate the scope of the situation. A few weeks after the publishing of his report, Harrison wrote to the secretary of state in Washington expressing frustration with the Department of War.<sup>415</sup> Harrison felt that he had already acknowledged that the various exceptions that were brought up to refute his report existed, and that the SHAEF guidelines, which were also used as evidence of the incorrect nature of his report, had never lived up to the lofty goals they prescribed.<sup>416</sup> To his credit, as has already been mentioned, SHAEF guidelines concerning the treatment of refugees were not mandatory rules for military commanders.

Whatever Harrison's best intentions, there were reasons for the military to chafe at his report, though this had little to do with Harrison and his report and more to do with how his findings were transmitted. From the very beginning of the reporting of Harrison's findings, the media oftentimes chose to focus on the most sensational, and negative, remarks of Harrison, and tended to ignore the most important parts of his report, aside from those concerning Palestine.<sup>417</sup> The military bristled at the charges of some papers that it was treating the Jewish refugees under its care as the Nazis did. After all, hundreds of thousands of soldiers had just died to defeat the Nazi regime, and many military leaders took the chance to attack the charges and Harrison's report.

As one could imagine, it was General Eisenhower who seemed to take the greatest offense to the articles printed in the newspapers after the release of Harrison's report. Since the

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<sup>415</sup> Telegram, Harrison to the Secretary of State, August 25, 1945, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>416</sup> Ibid.

<sup>417</sup> Bertram D. Hulen, "President Orders Eisenhower to End New Abuse of Jews: He Acts on Harrison Report, Which Likens Our Treatment to that of the Nazis Makes Plea to Atlee Urges Opening of Palestine-- Conditions for Displaced in Reich Called Shocking Formal Appeal to Attlee Policy Declared Violated President to End Abusing of Jews," *New York Times*, September 30, 1945, 1.

cessation of hostilities in Germany, Eisenhower had been tasked with trying to restore order to the American occupied portion of Germany, keep order amongst his troops, and care for the millions of refugees who had come into the care of the Allied forces.<sup>418</sup> Eisenhower had shown a consciousness for the needs of the countless displaced persons under his care, noting as early as May 1945 that improvements would have to be made for their accommodations in the face of the coming winter.<sup>419</sup> He was also astutely aware of how the stressed state of the Allies' logistics made life harder for displaced persons.<sup>420</sup> Eisenhower was not a heartless military man who had no time for his civilian charges. He was very aware of their needs and had worked in some way to address them.

In a series of letters to Truman, Eisenhower sought to explain and defend his position in Germany. Eisenhower stated that he was beginning a tour of the various camps under his command, something recommended by Harrison, and he acknowledged that some of his subordinates may not have been following his directives.<sup>421</sup> However, he pointed out that neither the rabbi who he had added to his staff to help advise him on Jewish matters nor Jewish relief agencies had complained about his conduct toward Jewish displaced persons.<sup>422</sup> He also defended the concentration of refugees into a relatively small area, explaining that it was to aid with the distribution of resources and to prevent crime.<sup>423</sup> He further rebuffed the accusations of Harrison's report concerning former concentration camps still being used to house refugees and a

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<sup>418</sup> Orchard, *A Right to Flee*, 153-154.

<sup>419</sup> Eisenhower to the Combined Chiefs of Staff, May 16, 1945, in *The Papers of Dwight David Eisenhower*, 54.

<sup>420</sup> Eisenhower to Harold Rupert Leofric George Alexander, May 18, 1945, in *The Papers of Dwight David Eisenhower*, 63; and Weinberg, *A World at Arms*, 835-836; and Sjöberg, *The Powers and the Persecuted*, 205.

<sup>421</sup> Eisenhower to Harry S. Truman, September 14, 1945, in *The Papers of Dwight David Eisenhower*, 353.

<sup>422</sup> *Ibid.*

<sup>423</sup> Eisenhower to Harry S. Truman, October 8, 1945, in *The Papers of Dwight David Eisenhower*, 415. Interestingly, Proudfoot counters this defense of Eisenhower in his own study, stating that the amount of crime committed by displaced persons, though high immediately following liberation, was not high enough to use as a defense, see Proudfoot, *European Refugees*, 249.

lack of employment for refugees by stating that only those medically unable to move were still in concentration camps, and that more and more opportunities for employment were being created.<sup>424</sup> Not all of Eisenhower's complaints and defenses were quite so well worded or diplomatic, as in a letter to General George C. Marshall, where he opined that Harrison was still "shouting from the housetops" about the poor treatment of displaced persons at the hand of the military.<sup>425</sup>

Regardless of whether or not Eisenhower agreed with all of Harrison's complaints, the report caught the attention of the person who had commissioned it, President Truman. Upon the release of Harrison's findings, Truman pushed Eisenhower to address several of the most glaring complaints levied against the military's care of displaced persons, and Eisenhower, perhaps recognizing that the military had gaps in its care, readily complied, despite his protests of unfair treatment. This compliance came in the form of a directive released to all his subordinate commanders, which addressed the need of good sanitation, proper facilities, frequent inspections, and employment opportunities for displaced persons.<sup>426</sup> These reissued guidelines, as opposed to the SHAEF guide created with UNRRA, carried the threat that any personnel not following them would be immediately relieved of duty.<sup>427</sup>

As 1945 neared its conclusion, the United Nations, meaning both the Allied powers and the organization created at the San Francisco Conference in April 1945, was in an interesting position in its relation to refugees. The systems and agencies that had been made during the war to address the problem, like UNRRA, to those that existed before the war, like the League's High

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<sup>424</sup> Ibid., 416.

<sup>425</sup> Eisenhower to George Catlett Marshall, October 27, 1945, in *The Papers of Dwight David Eisenhower*, 483.

<sup>426</sup> Eisenhower to all Subordinate Commanders, September 20, 1945, in *The Papers of Dwight David Eisenhower*, 364-366; and Orchard, *A Right to Flee*, 153-154.

<sup>427</sup> Ibid. Sjöberg also notes that Jews began to receive the proper treatment that Harrison had described following his report, see Sjöberg, *The Powers and the Persecuted*, 199.

Commission and the IGCR, as well as voluntary groups like the American Joint Jewish Distribution Committee, had done tremendous work when combined with the efforts of the military. More than 6 million refugees had been repatriated, and those that had yet to be repatriated were being cared for in camps which stretched from Italy to the eastern edge of Austria.<sup>428</sup> However, this care represented a problem in that the crisis of refugees had not ended, and, according to Harrison, some 2 million refugees remained under the care of the international community. The global community's tried and true method of handling refugee populations, working towards repatriation, would not be sufficient for large swathes of those who had not returned home during the summer.

The question remained, who was to care for these refugees left behind? As has been discussed, there was a delicate dance that was played out by both UNRRA and the IGCR, and the weaknesses of both groups had been made evident over the summer, during the time of mass repatriation. The IGCR lacked feet on the ground or a large staff to truly handle the concerns of population resettlement. UNRRA, meanwhile, was somewhat limited by its own mandate and was seemingly hamstrung in its reliance on military commanders and voluntary agencies. It would be an easy case to make to say that this fractured refugee system was too confused for its own good.

Some of the administrators involved, however, could see through the almost impenetrable web of jurisdiction. In his 1945 report as Director of the IGCR, Emerson tried to explain how the current system of displaced persons care should work. UNRRA and the IGCR complemented one another, with UNRRA holding wide responsibilities to help those displaced because of the war, the largest group of refugees by far, and the IGCR assisting those displaced before the war,

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<sup>428</sup> Weinberg, *A World at Arms*, 835.

or belonging to neutral nations, a sentiment he spent much of 1944 defining.<sup>429</sup> Ultimately, Emerson would argue that UNRRA was nothing more than a temporary organization, lacking both the mandate and authority to deal with the long-term problems of things like resettlement.<sup>430</sup> Presumably, then, the responsibility for refugee care and resettlement would eventually fully go to the IGCR, even though, by Emerson's own admission, it had not been able to fully consider questions like migration by the final months of 1945.<sup>431</sup> If Emerson, who represented the world's authority in population resettlement as the League of Nations High Commissioner for Refugees, had not been able to puzzle out how the various refugee systems could proceed, then the refugee question remained unanswered, and the system made to answer it remained in an eclectic state.<sup>432</sup>

Britain, however, seemed to have reached the conclusion that the fractured refugee system needed to be reexamined. At its Fifth Plenary Session from November 20-22, 1945, the IGCR delegates gathered to discuss not only the actions of their organization during the past year, but also a message from the British government which stated that it would be requesting the United Nations consider making a more comprehensive refugee organization.<sup>433</sup> Emerson himself had toyed with the idea of making a more robust refugee body in 1943, something he called the International Refugee Authority.<sup>434</sup> By the time the British request was made known to

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<sup>429</sup> Report of the Director on the Work of the Intergovernmental Committee, November 20-22, 1945, 14; and Draft of Memorandum on the Relations between the Intergovernmental Committee and UNRRA by Herbert Emerson, September 17, 1943, 2-4, Intergovernmental Committee Relations with UNRRA, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>430</sup> Report of the Director on the Work of the Intergovernmental Committee, November 20-22, 1945, 14.

<sup>431</sup> *Ibid.*, 10.

<sup>432</sup> The League's success at population movement had actually been a point brought up by Churchill at the Yalta Conference, see Fourth Plenary Meeting, Hiss Notes, February 7, 1945, *FRUS, Diplomatic Papers, 1945, Volume III*, Document 375.

<sup>433</sup> Intergovernmental Committee on Refugees Minutes of the Fifth Plenary Session, November 20-22, 1945, 12, IGC - Fifth Plenary Session, 20 November 1945, MS Intergovernmental Committee on Refugees: Records of the Intergovernmental Committee on Refugees, 1938-1947, National Archives (United States), Archives Unbound.

<sup>434</sup> Emerson, "Post-War Problems of Refugees," 216-217.



the IGCR, its responsibilities had swollen to include, not just those who did not fall within the mandate of UNRRA in displaced persons camps, but numerous refugees in France, around 200,000 Spanish refugees, the possible transport plans of 10,000 Jewish refugees in Shanghai, Italians in New York state, and the coordination of voluntary groups, especially from America.<sup>435</sup>

The British proposal acknowledged the tireless efforts of the IGCR and UNRRA, but it noted that neither of them were fully equipped to deal with the number of refugees who could not be returned home because they had none, either through denationalization or choice.<sup>436</sup> As such, the British recommended that the United Nations consider the creation of a body which would permanently oversee the refugees left from the period of mass repatriation, though this new organization would not destroy the IGCR, rather, it would absorb it and rely heavily on its expertise.<sup>437</sup> Reactions to the proposal were generally positive, with the delegates of both France and Switzerland recognizing that the system needed change, and restructuring under the United Nations' direction could possibly bring harmony to the confusion that was reigning. The French delegate did specify that he wished to deal with a United Nations committee, rather than the entire General Assembly, to which Emerson replied that he wished they would interact with the United Nations' Economic and Social Council.<sup>438</sup>

Emerson's own opinions were somewhat more balanced. He first reminded the gathered delegates that the IGCR had been created to deal with the long-term question of refugee settlement, meaning that the Committee could not simply stop its work should the United Nations investigate helping, for if it failed to make progress, they were all that remained.<sup>439</sup> He

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<sup>435</sup> Ibid., 6, 8, 9.

<sup>436</sup> Ibid., 12.

<sup>437</sup> Ibid.

<sup>438</sup> Ibid., 14.

<sup>439</sup> Ibid.

was willing to recognize, however, that the original mandate of the IGCR did not match up with the policy the Committee had undertaken the past few years, or even its current capabilities.<sup>440</sup>

The goal of the IGCR in its discussions with the United Nations, should the delegates accept the British proposal, would be to protect what it had built should it be absorbed. In Emerson's mind, this included the various conventions, agreements, and relief systems which were convened and agreed upon under, or recognized by, the IGCR.<sup>441</sup>

This fell in line with opinions he shared in his Director's Report in September 1946. Emerson highlighted that stateless people had no government to protect them, no foreign office to petition should they need help, and that the main aim of refugee policy over the past quarter of a century had been to find some sort of substitute.<sup>442</sup> He argued that the success in this field by the League of Nations had been among its most outstanding humanitarian achievements, and that the agreements the League had created to guarantee civil protections, travel documents, and systems of aid to stateless people had become a model for the world.<sup>443</sup> Not only had the IGCR recognized the refugee measures created by the League, but it had used them as a model in an October 2, 1945 convention which agreed to create travel documents for displaced persons, modeled on the League's Nansen Passport.<sup>444</sup> It is not hard to imagine that Emerson's determination to protect the system of rights and protections that had been built both over the war and in the years leading up to it stemmed not just from his genuine care for refugees, but also his position as one of the last officials of the dying League.

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<sup>440</sup> Ibid.

<sup>441</sup> Ibid.

<sup>442</sup> Report of the Director on the Work of the Intergovernmental Committee, November 20-22, 1945, 16.

<sup>443</sup> Ibid.

<sup>444</sup> Ibid.

By the middle of 1946, Emerson had gotten his wish, and he participated in several meetings with the United Nation's Economic and Social Council concerning the creation of a new, holistic refugee organization called the International Refugee Organization, or IRO. This relatively fast follow through on the British recommendation followed the decision of the Soviet Union to leave the IGCR due to its belief that there was too much Anglo-American influence on it for it to be trustworthy.<sup>445</sup> The various presentations and reports that Emerson delivered from April to July of 1946 concerning finances, funding, and principles in refugee assistance can be viewed as the culmination of his philosophical thought surrounding the best ways the world could move forward with the displaced persons crisis. Emerson's statements fall into three broad categories: the structure and job of the proposed new organization, how it should absorb the various other existing agencies and committees, and the philosophy it should be guided by.

Emerson argued that the structure of the IRO, as well as its responsibilities, should be a combination of UNRRA and the IGCR. Its administration would consist of a plenary body representing many different nations, with an executive body more involved with the day-to-day administration, similar to the IGCR.<sup>446</sup> Also like the IGCR, Emerson believed the IRO should have representatives working directly with the governments of countries where refugee camps were present, though this program had not reached its full potential under the IGCR.<sup>447</sup> The IRO should be focused on the protection of refugees' interests, emigration and settlement, transporting refugees to their new homes, and providing them with material support, mixing the planning and action mandates which had previously been divided amongst the IGCR and

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<sup>445</sup> Sjöberg, *The Powers and the Persecuted*, 219.

<sup>446</sup> Special Committee for Refugees and Displaced Persons: Statement Made by Sir Herbert Emerson, Director of the Intergovernmental Committee on Refugees, April 29, 1946, 1, United Nations Economic and Social Council, United Nations Digital Library, <https://digitallibrary.un.org/record/845151?ln=en>.

<sup>447</sup> *Ibid.*, 3; and Wyman, *The Abandonment of the Jews*, 140-141.

UNRRA.<sup>448</sup> Finally, Emerson stressed the importance of voluntary organizations in helping refugees, but warned that the IRO should steer well clear of these groups' political beliefs, perhaps highlighting the growing sense of Zionism in some Jewish organizations, or even difficulties faced by UNRRA in its work.<sup>449</sup> Emerson had practiced this same cautiousness toward politically and religiously charged refugee groups at the IGCR as well.<sup>450</sup>

Emerson also helped gage the possible costs of the first year of the IRO's existence, as he gave a thorough breakdown of the monetary experience of his Committee to shed light on what could be expected.<sup>451</sup> He provided descriptions of the actions taken by the League's High Commission, involving numbers of Nansen refugees in various nations, as well as the cost of their upkeep.<sup>452</sup> Indeed, Emerson provided an entire study to describe how the offices and representatives of the IGCR and Nansen Office could be simply slotted into the IRO.<sup>453</sup> This inclusion of the efforts of the League coincided with Emerson's request that the IRO consider making an office in its administration to deal specifically with Nansen refugees, as he had been told by these very refugees that they were concerned about their protection with the advent of a new refugee structure.<sup>454</sup> Of course, this also mirrored his desires, expressed the year before, that continuity be retained in the protections agreed upon for refugees.

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<sup>448</sup> Ibid., 1-2.

<sup>449</sup> Ibid., 3.

<sup>450</sup> Telegram, the Ambassador in the United Kingdom (Winant) to the Secretary of State, August 20, 1943, *FRUS, Diplomatic Papers, 1943, General, Volume 1*, Document 174.

<sup>451</sup> Committee on the Finances of the IRO: Estimates of the First Year of the International Refugee Organization, July 11, 1945, 1-4, United Nations Economic and Social Council, United Nations Digital Library, <https://digitallibrary.un.org/record/1467753?ln=en>.

<sup>452</sup> Special Committee on Refugees and Displaced Persons: Fact Finding Sub-Committee, Information Submitted by Sir Herbert Emerson, Director IGCR, May 1, 1945, 1-6, United Nations Economic and Social Council, United Nations Digital Library, <https://digitallibrary.un.org/record/3844085?ln=en>.

<sup>453</sup> Committee of the IRO: Estimates for the First Year of the International Refugee Organization, Memorandum Concerning Nansen Refugees, 1-4, United Nations Economic and Social Council, United Nations Digital Library, <https://digitallibrary.un.org/record/1467789?ln=en>.

<sup>454</sup> Information Submitted by Sir Herbert Emerson, May 1, 1945, 6.

Emerson's advice on the guiding principles and methods of the IRO are perhaps the most interesting parts of his appearances before the Economic and Social Council. The four methods of solving the refugee crisis, which he had first mentioned in his *Foreign Affairs* article and then officially as a group of three in his 1945 High Commissioner report, returned, consisting of repatriation, absorption, infiltration, and mass settlement.<sup>455</sup> Emerson stressed that the final option of mass settlement was the most difficult, and that all options be explored before it be considered, but that it had become a necessary strategy to be used.<sup>456</sup>

His final recommendations for the IRO reflected Emerson's long experience leading refugee organizations, as he detailed what the IRO needed in order to make any sort of impact. It needed to have a clear and defined mandate, so that the world, and the people involved, knew what its purpose was.<sup>457</sup> It had to have the highest authority bestowed upon it by the United Nations, and one can guess that Emerson recommended this so that there existed a final authority concerning refugees, unlike what he had experience during his time in the refugee system.<sup>458</sup> As one could expect, he also recommended that it have an adequate system of finance, though the amount of accounting detail that was requested of him by the Economic and Social Council leads one to believe this was an obvious concern. Finally, he stressed that the IRO be assured to have the sympathy and good will of all nations involved in its efforts of resettlement.<sup>459</sup> This may have reflected Emerson's belief that he had not always been given the help he needed by the Allied governments where resettlement was concerned.<sup>460</sup>

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<sup>455</sup> Statement Made by Sir Herbert Emerson, April 29, 1946, 5.

<sup>456</sup> *Ibid.*, 7.

<sup>457</sup> *Ibid.*, 9.

<sup>458</sup> *Ibid.*

<sup>459</sup> *Ibid.*

<sup>460</sup> Proudfoot, *European Refugees*, 296.

On December 31, 1946, Emerson stepped down as the League of Nations High Commissioner for Refugees, ending the career of a man who had been dedicated to defending those left defenseless during one of the worst wars in human history and ending the decades long legacy of refugee assistance and protection held by the League of Nations. The legacy had been passed on, and on July 1, 1947, the International Refugee Organization came fully into being, its charter reflecting many of the recommendations made by Emerson.<sup>461</sup>

The IRO's mandate and goals in alleviating the displaced persons and refugee crisis reflected Emerson's own four points. Its charter explained that the IRO would work for the repatriation of refugees, in addition to their absorption, infiltration, or larger-scale resettlement into countries of final settlement.<sup>462</sup> It also reflected some of the powers that Emerson advised the U.N. to grant it, like aiding in the transport of refugees and taking over the guaranteeing of their legal protection.<sup>463</sup> As Emerson had requested, the IRO also took over responsibility of refugees from before the war.<sup>464</sup>

The IGCR itself also served as a foundation for the makeup of the IRO's charter. The overall governance of the IRO matched that of the IGCR, with an Executive Committee to oversee the daily operation of the organization and a General Council to make larger decisions, led by a chairman and Director-General.<sup>465</sup> The ability of the IRO to handle public funds, a development to international refugee assistance that had occurred under the IGCR, was written into its charter, and, perhaps learning from the pitfalls of the IGCR, IRO representatives and

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<sup>461</sup> United Nations, "Constitution of the International Refugee Organization", 1946, 3-5, [https://treaties.un.org/doc/Treaties/1948/08/19480820%2007-01%20AM/Ch\\_V\\_1p.pdf](https://treaties.un.org/doc/Treaties/1948/08/19480820%2007-01%20AM/Ch_V_1p.pdf). Technically, the IRO had existed since April 1946, but did not begin operation until the following year.

<sup>462</sup> Ibid., 4.

<sup>463</sup> Ibid., 3. The ability of the IRO to help transport refugees was such that it even had its own small fleet, see Sjöberg, *The Powers and the Persecuted*, 222.

<sup>464</sup> "Constitution of the International Refugee Organization", 1946, 12.

<sup>465</sup> Ibid., 5-7.

delegates were to act as agents of the U.N. and IRO, not their home governments.<sup>466</sup> It can be tempting to say that the similarity of the recommendations that Emerson made and the makeup of the IRO's charter are coincidental, as many seem to follow in line with common sense. However, the fact that the U.N. took time to specifically interview Emerson on his opinions and experience make the explanation of coincidence unsatisfactory, and the reality that it took nearly 25 years for developments that had been needed since the 1920s put common sense alone very much in doubt.

There are several things that should be noted from the study of the final years of the IGCR and High Commission for Refugees, as well as how they operated in the months following the conclusion of World War II. First, groups like UNRRA and the IGCR, which had been created to assist refugees both before and during the war, continued their operation in the post-war world. However, the scale of the refugee crisis that was left at the end of the war confounded the Allied forces, though it had been anticipated by those like Emerson, and it showed the weaknesses in their system. These weaknesses included the mandates of organizations that, while initially designed to complement one another, made it difficult to offer very effective aid. Aid was given, however, both at a scale and speed never before seen. Millions were repatriated in the span of mere months, and the military and UNRRA, despite their limitations, were able to prevent the refugee crisis from devolving into a disaster.

These weaknesses were apparent in the face of the reality that not all the displaced persons could be repatriated, and further weaknesses were pointed out and debated by Harrison and Eisenhower. It was eventually agreed that a better, more centralized system was needed to help displaced persons and, so long as the protections and rights developed by the League over

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<sup>466</sup> Ibid., 4, 8.

several decades were assured, specialists like Emerson were willing to provide their expertise. This led to the creation of the IRO which, while not ending the refugee crisis in a manner any would call speedy, was an impressive endpoint of centrality and agreement for a system that had seemed so fractured and ineffective a mere year beforehand and seemed to have come to grips with the possibility of mass settlement.

Despite the work that had gone into preparing it, from conventions to closed door conversations and telegrams, the refugee system that existed when the war ended was simply unable to cope with the task before it. The fractured nature of the system, with the League's High Commissioner, the IGCR, and even UNRRA all operating in the same realm, but with a twisted panoply of mandates and jurisdictions, made for a disparate and bloated system with little in the way of a chain of command, outside of not getting in the military's way. The refugee organizations, whether through choice or necessity, differed to military leaders and supply chains, awaiting the day when military control of the refugee problem would transfer to civilian intergovernmental groups. How and when that transition would occur was unclear, but failings of the military in long-term care pointed out by those like Earl Harrison in the summer of 1945, despite its successes in quick repatriation of large groups of displaced persons, led many to conclude that it had to happen soon.

Eventually, the military would step aside, and the future of civilian refugee organizations for the post-war world began to be constructed. It was not a future that the League's High Commissioner or the IGCR would see. Due to their own structural problems, the criticism both had gained from their handling of refugees over the course of the war, and the pure desire for a new world order, they would not survive the ascension of the United Nations' new refugee body, the International Refugee Organization. This did not mean, however, that the years of experience



with refugees that the High Commissioner represented, nor the post-war planning of the IGCR went to waste and was simply passed over. Sir Herbert Emerson, as both the Director of the IGCR and the High Commissioner for Refugees, detailed to the U.N. the design of the IRO, including methods it could use in order to address the issue of displaced persons. By and large, his recommendations were put to use, and the lessons and expertise from the IGCR and High Commission helped form a bedrock for the U.N. refugee system that still exists to this day.

## Conclusion

Emma Haddad notes that, oftentimes, the global community assumed that refugee problems were temporary things and, once properly addressed, they would fade into memory.<sup>467</sup> This was perhaps the thought process of the League of Nations when it involved itself in the Russian refugee crisis following the end of World War I. It created a High Commission under the dynamic Dr. Fridtjof Nansen, and agreements concerning the legal status of refugees were made and signed, with passports and travel documents for stateless refugees following a few years later. Outside of the physical relief of refugees, which could be handled mostly by voluntary organizations, it seemed like there was little else the League needed to do, so much so that the successor to Nansen's Commission, the Nansen Office, was scheduled to liquidate nine years after its creation, in 1939.

History seemed determined to prove the League wrong. The number of refugees that fell under the League's mandate had expanded to include numerous groups of refugees, but the growth of Jewish emigration from Germany in 1933 proved too much for the League. By 1938, both the League and the United States had come to the understanding that there needed to be a reformation to the refugee system, which resulted in the League's new High Commissioner for Refugees, a mantle taken up by Sir Herbert Emerson, and the Intergovernmental Committee for Refugees, the creation of the Evian Conference.

The bodies were supposed to be complimentary, with the IGCR filling in the gaps left by the League's system, to ensure the orderly emigration of those fleeing Nazi persecution, as well as coordinating voluntary relief. Early on, it seemed as if headway was being made, as the IGCR under George Rublee was able to negotiate the Schacht plan with Germany, showing that a way

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<sup>467</sup> Haddad, *The Refugee in International Society: Between Sovereigns*, 31.

to streamline the messy process of emigration was possible. Once the more administratively minded Emerson took the mantle of Director of the IGCR in 1939, the Schacht plan continued to be investigated, and the possibility of the resettlement of countless refugees, like some 50,000 being sent to the Dominican Republic, was explored. While the process was difficult, and governments at times seemed loath to help despite their stated willingness to do so, it seemed as if the restructured refugee system would be able to survive the actions of the Nazis during the 1930s.

The outbreak of war cut short any belief in a quick solution, and the efforts of both the High Commission and the IGCR slowed as transport lanes dried up and the seas became unsafe. Some global leaders, like President Franklin D. Roosevelt, urged the IGCR to become involved in long term planning for refugee settlement. In the meantime, Emerson accrued more connections to refugee care, as he became heavily involved with the domestic refugee systems in Britain, though from his connections he was able to trace the development of the situation on the continent. It was not promising, and, with the fall of the Low Countries, he reported one of first movements of a group President Roosevelt had foretold at the IGCR's October 1939 meeting: war refugees. Such was his involvement in the refugee crisis as World War II raged around him that Emerson was approached by the Allied powers to discuss post-war refugee concerns.

There was an understanding that there were dangers for the Jews and other refugees left on the continent, indeed, Emerson himself referred to reports he received concerning Nazi conduct. There will, perhaps, always be the question of whether or not the international community had a full understanding of the terrors that awaited those they could not, or would not, save. However, it is unlikely that, even if the full number of leaders of the international refugee system, from Emerson to McDonald, knew what was to come, they could do anything to

change the outcome by the early 1940s. The full swing of total war had begun, and many of the belligerent powers were too fearful for their own survival to place funds towards anything other than stopping the onslaught of the Nazi forces. That is not to excuse the, at times, callous actions and inactions of the Western powers, but to merely place context behind their choices. Many of the countries involved in the IGCR and the League could truly not absorb the number of refugees before them without hurting their own economies and labor forces. Further, by the end of the summer of 1940 it was virtually impossible to remove refugees out of Europe in large numbers due to the war. Regardless, by 1942, it was understood that restructuring was needed in the realm of refugee systems, and changes in the war effort would make it so such a task was possible.

This restructuring took place from 1943 to 1944. The mandate of the IGCR was expanded in the stated hopes that it would be more able to assist refugees both during and after the war. This was also a period during which other bodies, like UNRRA and the War Refugee Board, were created to deal with emergent refugee problems, as well as assist during the immediate aftermath of the war, in the case of UNRRA. The IGCR did little of any real substance during this period, with the notable exception of its involvement in the credit scheme of the American Joint Jewish Distribution Committee, though Emerson dedicated himself to considering and anticipating post-war refugee concerns. This period also saw the further growth of relations between the High Commission and the IGCR as Dr. Gustav Kullman, the Deputy High Commissioner for Refugees, was named the Assistant Director of the IGCR.

When peace finally arrived in 1945, two things were made abundantly clear: Emerson, and many others, had been right in their predictions that a number of refugees would refuse to repatriate, and that the refugee system from the war years was not up to the task of addressing the question of those that came to be called displaced persons. UNRRA, working in concert with

Allied military forces, repatriated millions of refugees in a short period of time, but it could do little more, as it was a temporary organization that only was able to relieve and repatriate, not resettle. This task was supposed to fall to the IGCR, but its structural deficiencies, lack of funds, and lack of manpower meant it could do little more than consider the question of refugees. Consider it did, as Emerson developed his four points of handling displaced persons: repatriation, absorption, infiltration, and resettlement.

Consideration, however, was not good enough to solve the problem. The deficient care refugees and displaced persons received from the Allied forces, exaggerated or not, prompted the Allied powers to consider another restructuring of the refugee system. This resulted in the development of the U.N.'s International Refugee Organization, a body created to absorb the responsibilities and mandates of the IGCR, UNRRA, and the League of Nations. The IRO was not something brand new, as Emerson was intimately involved in the considerations of what the body would look like and how it would operate. When the IRO finally began operation in 1947, the 25-year long legacy of the League of Nations concerning refugees remained intact, though the torch had been passed to a new body.

Historian Hugh Trevor-Roper once said that “the comfortable after-wisdom of the historian is a luxury: he has no responsibility: he can afford to be wrong. Therefore he can only state the facts and, like the tragedian, present rather than solve moral dilemmas.”<sup>468</sup> Though this research focuses on Sir Herbert Emerson as a main character, if a historical study can have such a thing, and has General Eisenhower and others as supporting characters, it is not about them. Nor is it a study of the trials and travails of the refugees they tried to help, though, more studies of the displaced persons are sorely needed. Nor is it an attempt to blame leaders and nations for

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<sup>468</sup> Bethell, *The Last Secret*, ix.

things that could have, or should have, been done better for, as Feingold notes, historians must go beyond just delivering sermons on man's inhumanity to man.<sup>469</sup>

Rather, it is a study of the systems of refugee care that were created by the League, nurtured through the war by Emerson, the IGCR, and UNRRA, made practical in an occupied land by Eisenhower, and made modern and centralized by the United Nations. It is an examination of influences, some from something so universally panned as a failure like the League, and others from the hearts and minds of men and women of both realist and idealist stripes. But, more importantly, it is a history that makes things that have not been widely studied known and seeks to pass no moral judgment in the process. It seeks to provide insight on the systems, influences, and treatment of refugees which existed after World War II, and to provide a reasoning for the actions taken by those involved.

In the introduction to his work, Feingold argues that “the accusation that the Roosevelt administration did not do enough has no meaning until we determine how much might have been done.”<sup>470</sup> Determining what was done has yet to truly been investigated beyond the work of a few historians and is of equal importance. The creation of the IGCR was instigated by the Roosevelt administration, and as such it is usually relegated to the list of failures of Roosevelt in the realm of refugee rescue and care. This passage of judgment is reductive and avoids the key end goal of any historical study: understanding. The IGCR was a body that was replete with the influence of the League of Nations' past experience with refugees, and it serves as a “missing link” between the systems that existed before the war and those that existed after it. Similarly, the influence of those who were intimately involved with the IGCR, namely Herbert Emerson, is a key factor of the development of refugee systems, as his experience with the League and the

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<sup>469</sup> Feingold, *The Politics of Rescue*, xi.

<sup>470</sup> Feingold, *The Politics of Rescue*, x.

expertise he gained leading the IGCR was tapped for the IRO system. Wyman and Feingold allow the IGCR to take a backseat in their examination of the refugee crisis of World War II, while Sjöberg spends so much time contextualizing it that the actual actions and experience of the body can be lost. All three give short shrift to Emerson, and the sheer scope of Proudfoot's work makes it difficult to follow at times. This thesis shows the influence and impact of the IGCR, the League of Nations, and Herbert Emerson in the international refugee systems of the twentieth century, even if this influence was often delayed in its implementation.

To be sure, the modern world has not recently come out of a cataclysmic war, nor is there a current attempt to create a new world order in the style of Yalta. Thus, it seems that many of the issues that this research touches on remain in the past, where they can be studied and picked apart by historians in a sterile environment. However, problems exist now as they did then, even the problem of refugees and how they should be cared for by the world. History can provide new avenues of learning to see if the structures of the past, with their multitudes of successes and failures, may point a way forward for those who live now. As Malcolm Proudfoot ended his 1957 study of the efforts of UNRRA and the IGCR, "it may be true that history never repeats itself, but it is equally true that to refuse to learn anything from it can be, at best, a tremendous waste of time and, at worst, a tragic error."<sup>471</sup>

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<sup>471</sup> Proudfoot, *European Refugees*, 434.

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