Social Justice Theories and Refugee Resettlement in New Zealand: A Content Analysis of Political Party Positions 2001-2017

Mohamud Hassan Mohamed

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Abstract

With the increase in the number of refugees displaced over the past few years, so has there has been an increase in debate over whether liberal countries should do more to resettle refugees. This thesis conducts a qualitative content analysis of the policy debate in New Zealand over the last 16 years from 2001-2017 by looking at the stances that different political parties have taken in relation to the debate of resettling refugees. In particular, the debates are analysed in order to assess the extent to which theories of social justice might be reflected across the different policy positions of the parties studied in the research.

In order to address the research question the perspectives and policies of four major political parties are examined: Labour, National, the Greens, and New Zealand First. Furthermore, to help answer the research question the study examines the policy positions of the parties through the lens of three significant events or 'flash points' which sparked political debate about New Zealand's refugee resettlement policies between 2001 and 2017. The first event was the 2001 Tampa refugee crisis, followed by the case of Algerian political refugee Ahmed Zaoui who came to New Zealand in 2002. The continuing Syrian refugee crisis which came as a result of the Syrian civil war since 2011 is the final flash point examined in the thesis.

In addition, to help answer the research question the views of four different theories are analysed carefully. Firstly the arguments made by liberal philosophers who state that a liberal human rights perspective needs to be taken when considering refugees for resettlement are examined in detail. Moreover, the perspectives of the libertarian, cosmopolitan and communitarian schools of thought are analysed. It is important to note, however, that this thesis gives particular weight to the arguments made from a liberal human rights viewpoint. The reason for this is that liberal human rights perspectives often

guide the way that political parties in New Zealand and members of the international community react to each other and how they respond to global emergencies like the present refugee crisis. The study finds that most parties in New Zealand adopted policies that reflected arguments made from a liberal human rights perspective. Nevertheless, all parties at times changed their policies depending on the flash point for various reasons and consequently the policies they adopted mirrored different and sometimes contrasting social justice theories.

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Abbreviations

Armed Islamic Group: **GIA**

First Past the Post: **FFP**

Immigration New Zealand: **INZ**

International Committee of the Red Cross: **ICRC**

International Organisation of Migration: **IOM**

International Refugee Organisation: **IRO**

Islamic State of Iraq and the Levant: **ISIL**

Member of Parliament: **MP**

Mixed Member Proportional: **MMP**

New Zealand Labour Party: **NZLP**

New Zealand National Party: **NZNP**

Non-governmental organisation: **NGO**

Refugee Family Support Category: **RFSC**

Security Intelligence Service: **SIS**

The Office of the United Nations High Commission for Human Rights: **OHCHR**

United Nations: **UN**

United Nations Development Programme: **UNDP**

United Nations High Commissioner for Refugees: **UNHCR**

United States of America: **USA**

Union of Soviet Socialist Republics: **USSR**

Attestation of authorship

I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person (except where explicitly defined in the acknowledgements), nor material which to a substantial extent has been submitted for the award of any other degree or diploma of a university or other institution of higher learning.

Signed:

Date: 02/02/2018

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Chapter One: Introduction

To be called a refugee is the opposite of an insult; it is a badge of strength, courage, and victory (Tennessee Office for Refugees)

Overview

The number of refugees that liberal countries resettle has been in the spotlight in recent times. It has been fiercely debated as different states around the globe have taken steps to reduce the number of refugees they resettle annually for various reasons, including national security. For example, there was both applause from supporters and uproar from opponents after President Donald J. Trump signed an executive order in 2017 banning all refugees from entering the United States of America (USA) for four months, and halting all immigration from Libya, Iran, Somalia, Sudan, and Yemen for 90 days (BBC News, 2017). In Europe, countries such as Austria have adopted strict policies such as closing borders to asylum seekers in order to curtail illegal immigration (Huggler, 2016). Yet in New Zealand, prominent organisations and individuals as well as opposition political parties have called for increasing the current quota New Zealand takes annually of 750 refugees ("Government urged to boost refugee quota", 2015). Although the New Zealand government was initially reluctant, it responded by raising the annual refugee quota from 750 to 1000 from 2018 onwards (Radio New Zealand, 2016).

Firstly, it is vital to distinguish the difference between a refugee and a normal migrant. According to the United Nations High Commissioner for Refugees (UNHCR), migrants often make an informed and conscious choice to relocate in order to better their lives for many reasons including economic ones (UNHCR, 2016a). They often have knowledge of where they are moving to, as they have planned for the move, and if they choose to return home they have the protection of the government of their country (UNHCR, 2016a). On the other hand, a refugee is termed as a person who

> owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country (Kunz 1973, p. 130).

Currently the UNHCR estimates that there are 65.6 million people who are displaced globally (UNHCR, 2017a). Of these people, 22.5 million are refugees, and a further 10 million people are stateless (UNHCR, 2017a). Article one of the 1954 Convention Relating to the Status of Stateless Persons states that a stateless individual is "a person who is not considered as a national by any State under the operation of its law" (UNHCR, 2014a, p. 6). According to figures released by the UNHCR, on average there are 28,300 people who involuntarily flee their homes and livelihoods on a daily basis as a direct consequence of conflict or persecution (UNHCR, 2017a). Furthermore, people from South Sudan, Afghanistan and Syria together make up 55 percent of the global refugee population (UNHCR, 2017a). A combination of new and unresolved conflicts around the world has contributed to the creation of more refugees seeking sanctuary. Interestingly, it is developing states that host the majority of the world's refugees with Turkey hosting 2.9 million refugees followed by Pakistan hosting 1.4 million (UNHCR, 2017a). Lebanon hosts one million refugees, Iran hosts 979,400, Uganda hosts 940,800 and Ethiopia currently 791,600 (UNHCR, 2017a).

Purpose and rationale of the research

This thesis will be studying the policy debates between New Zealand political parties represented in Parliament over the last 16 years regarding refugee resettlement. The main question that this thesis aims to answer is: to what extent and in what ways have the policy positions of New Zealand political parties towards refugee resettlement reflected various social justice theories? To help answer this question the arguments articulated by liberal scholars who advocate for a liberal human rights perspective will be studied. In addition, contributions from the libertarian, cosmopolitan and communitarian schools of thought

will be examined. It is important to note, however, that this thesis gives particular weight to arguments made from a liberal human rights viewpoint. This is on the grounds that the liberal human rights point of view by and large shapes the way political parties in New Zealand and member states of the international community react to each other and how they react to global emergencies like the present refugee crisis.

I have chosen to undertake this research for a number of reasons outlined below.

1. Currently there is an ongoing worldwide debate about the global refugee crisis and whether or not liberal countries should be resettling more refugees. Hence, as this is a contemporary issue that is being debated intensely, I decided to study it in detail.
2. As a former refugee, this area of study has a particular personal interest and significance for me.
3. After studying the literature regarding refugees in New Zealand, I found that plenty of studies examining the issues of resettlement have been conducted by interviewing former refugees. I concluded that there was a gap in the literature since there were no studies conducted in New Zealand looking at the policy discourse of refugee resettlement by examining what principles of social justice are reflected in the policy discourse of political parties.

Therefore, with this thesis I hope to contribute and add value to academia as well as the policy development of political parties as this is the first time that such a project has been undertaken in New Zealand.

Research design

This study will be examining the policy positions of political parties between 2001 and 2017. As part of my research design I specifically chose to study the evolution of this issue over a reasonably long period of time because more political parties have been represented in the New Zealand Parliament during this period than any other period prior.

Furthermore, in this period, political parties have switched their policy positions whilst in opposition and in government. Although the debate of resettling refugees is a topic that is rarely raised by political parties, in the last 16 years major international events have led political parties to alter their policy positions and sometimes more especially their rhetoric around the issue. For example, although the National Party was initially hesitant to change its policy of resettling refugees, it bowed to public pressure by raising the refugee quota as a consequence of the Syrian refugee crisis in 2015.

I have chosen to study three key events or "flash points" that have occurred over the past sixteen years which ignited public and political debate on New Zealand's commitment to resettling refugees. Firstly, the Tampa refugee crisis in 2001 and secondly the arrival of Algerian asylum-seeker Ahmed Zaoui in 2002 both ignited considerable political debate. Thirdly, the ongoing Syrian civil war which began in 2011 also led political parties to pledge changes to New Zealand's refugee resettlement policies after a public debate over the issue. The following section will briefly examine these flash points and the reasons I chose to study these particular key events. However, the following chapter will discuss all of these case studies in more detail.

I have chosen to study the different policy stances of various political parties because of their stated ideological differences. The parties that I will study in this thesis are Labour, National, the Greens, and New Zealand First. The reason for this is because these parties have, for the most part, been the four biggest parties represented in parliament over the past 16 years.

Flash points being studied and why

This research will be looking at the positions of political parties through the lens of three significant events or critical junctures that occurred between 2001 and 2017 which

sparked political debate about New Zealand's refugee resettlement policies. According to Giovanni Capoccia (2016) the concept of critical junctures focuses

> On what can be called "distal historical causation": events and developments in the distant past, generally concentrated in a relatively short period, that have a crucial impact on outcomes later in time. More broadly, this approach has been used in a wide range of disciplines, from medicine to sociology, to account for outcomes as diverse as individual life histories, the development of groups and organisations, and the evolution of entire societies (e.g., Swidler 1986, 280). In political science, the concept has been most systematically developed and applied in the area of historical institutionalism (and, more generally, in comparative historical analysis) (p. 1).

Furthermore March & Olsen (2006) state that "long periods of institutional continuity, where institutions are reproduced, are assumed to be interrupted only at critical junctures of radical change, where political agency (re)fashions institutional structures" (p. 12). Three critical junctures will be used as the case studies of this research. According to Neuman (1997)

> A quantitative research usually gathers specific information on a great many cases (e.g., respondents, subjects). By contrast, a qualitative researcher may use a case study approach. He or she might gather a large amount of information on one or a few cases, go into greater depth, and get more details on the cases being examined. He or she gathers a range of information about a few selected cases (p. 331).

However, it is vital to note that this thesis will use the term 'flash point' instead of critical juncture when discussing the three case studies. This is because the concept of flash points borrows from the idea of critical junctures but is not the same because a critical juncture normally concentrates on an institutional analysis which is not the objective of this research. Thus, the term 'flash point' is looser and means that the research is not wedded to an institutionalist framework.

The first case study or 'flash point' that will be examined in this research is the Tampa refugee crisis which occurred in 2001. This involved almost 450 refugees on board a boat sailing from Indonesia to Australia. Initially, Australia refused to resettle the refugees and consequently this sparked political debate in New Zealand. Eventually, the New Zealand

government resettled some of the refugees. The second flash point that will be studied in this thesis is the case of a Algerian political refugee Ahmed Zaoui, who arrived in New Zealand in 2002. His case also sparked political debate over many years as political parties took different stances in how to approach his case; some viewed him as a security threat while others advocated for him to be resettled to New Zealand. The final flash point that will be analysed in this study is the ongoing Syrian refugee crisis which was created by the Syrian civil war beginning in 2011. Like the two previous flash points, this flash point captured significant attention in the New Zealand media and created debate between political parties represented in Parliament and across the wider New Zealand society about what New Zealand's refugee resettlement policies should be.

The reason I have chosen to study these three flash points is because they have sparked political debate about New Zealand's commitment to resettling refugees and what New Zealand's refugee resettlement policies should be. It is important to note that the thesis will not be studying waves of refugees that were resettled in New Zealand because the arrival of a large group of refugees from a particular country did not necessarily create debate about refugee resettlement between parties. Therefore, this is in contrast to a number of other studies of refugee resettlement policy in New Zealand that traditionally focus on the arrival of large waves of refugees. For example, the case of Somali refugees who were resettled in the 1990s and early 2000s and the case of Iraqi refugees in the 2000s led to discussions about their integration to New Zealand, but these cases did not create much political debate about resettling refugees to New Zealand among political parties, and did not lead parties to alter their policies regarding refugee resettlement. One possible reason for this is that these refugees mainly came under the annual refugee quota which most parties were committed to. In addition, another reason I have chosen to study the three mentioned flash points is because they span over a relatively long period of time that captures the time length that is being studied in this research. In addition, from time

to time depending on the flash point and whether a party was in government or opposition, the three cases being studied led parties to alter their refugee resettlement policies.

Methodological approach

This study is a qualitative research project. Denzin and Lincoln (1994) argue that

> Qualitative research is multi-method in focus, involving an interpretive, naturalistic approach to its subject matter. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them. Qualitative research involves the studied use and collection of a variety of empirical materials- case study, personal experience, introspective, life story, interview, observational, historical, interactional, and visual texts- that describe routine and problematic moments and meanings in individuals' lives (p. 2).

Unlike quantitative research which uses numbers and figures as data, qualitative research uses words as its form of data (Braun & Clarke, 2013). Essentially, qualitative research is about forming a sociological and psychological interpretation of the world and the emphasis is on understanding the phenomenon as it exists, rather than by quantifying it. Qualitative research is extensively used in many disciplines especially in the humanities such as social sciences, anthropology, psychology, sociology and criminology.

This study will be carried out using content analysis. It is documented that in 1910 Max Weber recommended that content analysis be utilised to study newspapers during a meeting of the German Sociological Society (Neuman, 2003). Content analysis is used to construe significance from content such as text (Hsieh & Shannon, 2005). It is utilized to collect and examine information from text. According to Neuman (2003)

> Content analysis is a technique for gathering and analysing the content of text. The content refers to words, meanings, pictures, symbols, ideas, themes, or any message that can be communicated. The text is anything written, visual, or spoken that serves as a medium for communication. It includes books, newspaper or magazine articles, advertisements, speeches, official documents, films or videotapes, musical lyrics, photographs, articles of clothing, or works of art (p. 310).

Content analysis allows researchers to disclose the meaning or intent of the message being portrayed in the text. Furthermore, it gives researchers the freedom to compare and make parallels across different forms of text. As the discourse that will be studied in this thesis is constructed from the policy debates between political parties, content analysis will be useful in answering the primary research question of this study which is to explore the extent and ways that social justice theories have been reflected in the policy positions of New Zealand's political parties towards refugee resettlement.

Qualitative content analysis is useful and applicable to this research because it allows researchers to select data that already exists in the public domain as the primary source. According to the University of Washington (2017) "A primary source is an original document that contains first-hand information about a topic or an event. Primary sources exist on a spectrum and different fields of study may use different types of primary source documents" (para. 1). Furthermore, the University of Washington (2017) explains that examples of primary sources include:

- Historical documents (letters, pamphlets, political tracts, manifestos)
- Data and Research Results (scientific article presenting original findings, statistics)
- Original works of art
- Video footage & photographs
- Works of literature
- Interview transcripts
- Eyewitness accounts, newspapers articles & autobiographies
- Blogs articles, tweets and other social media entries
- Lab notebooks and case studies (para.1).

The data or text that will be used in this thesis will be documents such as cabinet papers, political party manifestos, parliamentary debates and speeches obtained from Hansard, media statements, press releases, and interviews. These documents will be the primary sources used in this study. The use of such sources in this thesis will be useful because it

will be beneficial to identifying which social justice theories relating to the resettlement of refugees are reflected in the policy positions of different political parties. Other benefits of studying the aforementioned sources include the fact that some of the sources may be accessible in different and numerous formats. For example, newspaper articles and party manifestos as well as the parliamentary proceedings obtained from Hansard are sources that can be found both online and in print form (Braun & Clark, 2013).

Like all researchers, qualitative researchers strive to ensure that their studies are credible and dependable. In order to achieve this, qualitative researchers make use of triangulation. Triangulation is sometimes defined as the amalgamation or use of different methodologies in a study of the same phenomena (Neuman, 2003). Additionally, in

> Social sciences triangulation is defined as the mixing of data or methods so that diverse viewpoints or standpoints cast light upon a topic. This mixing of data types, known as data triangulation, is often thought to help in validating the claims that might arise from an initial pilot study. The mixing of methodologies, e.g. mixing the use of survey data with interviews, is a more profound form of triangulation (Olsen, 2004, p. 3).

In order to achieve credibility, the triangulation that will be utilized in this thesis is the triangulation of data or sources to help validate the statements made by one source. As mentioned earlier, this thesis will use different types of sources such as party manifestos, parliamentary debates, media statements and releases, interviews as well as official government and party documents.

Thesis structure

This thesis is divided into five chapters. The first chapter has introduced the topic and outlined the research design of the thesis. Chapter two will examine the history of international refugee resettlement, define some key terms associated with the field, and discuss the background of resettlement in New Zealand and its current refugee resettlement strategy. It will then look at some major events in the last 16 years that have

shed light on New Zealand's commitment to resettling refugees. As discussed earlier, such events include the Tampa refugee crisis, Ahmed Zaoui's case and, most recently, the Syrian refugee crisis. Chapter three encompasses a literature review which will analyse the theoretical foundations upon which the ethical question of admitting and resettling refugees can be answered. The fourth chapter in this thesis will analyse the policy positions of New Zealand political parties and what social justice theories are reflected in their policies. Chapter five will be a summary of the study and its findings and explore further opportunities for future studies that could expand on the current study. This study found that generally, in relation to the three case studies, most political parties in New Zealand adopted policies that reflect the arguments made by advocates of the liberal human rights perspective. However, from time to time and depending on the flash point and other factors that will be examined in the study, parties sometimes altered their policy positions which reflected different and opposing social justice theories.

Conclusion

To conclude, this chapter has briefly explored the current global refugee crisis and outlined the rationale behind this thesis. In addition it has explored the scope of the study and examined the methods that will be utilised to carry it out. Following this chapter will be a detailed introduction of the present international refugee crisis. The subsequent chapter will also explore solutions utilised by members of the international community including New Zealand's past and present role in helping to resettle refugees which often has been consistent with the arguments perpetuated by advocates of the liberal human rights perspective.

Chapter Two: Historical background and key concepts

A bundle of belongings isn't the only thing a refugee brings to his new country. Einstein was a refugee (UNHCR)

Introduction

Resolving the plight of displaced refugees has been a constant issue for countries around the world since humans began waging war on each other, but the scale has escalated since the mid twentieth century. Strategies to help refugees have evolved over time with changing political situations in countries around the world. However, there have been some strategies like resettlement that have been utilised over time . The following chapter will explore the history of international refugee resettlement and resettlement in New Zealand. This will be followed by examining the current New Zealand refugee resettlement strategy. Then some important flash points that have sparked debate in New Zealand like the Tampa refugee crisis, Ahmed Zaoui's case and the ongoing Syrian refugee crisis will be examined in detail.

Brief history of international refugee resettlement

The resettlement of refugees has developed over time, although the concept of resettlement has existed since the establishment of the international refugee system. In 1945 after the Second World War, the United Nations (UN) was created to replace the League of Nations (UNHCR, 2011). The UN set up an organisation called the International Refugee Organisation (IRO) whose main mandate was to safeguard the world's already existing refugee population as well as 21 million newly created refugees dispersed around Europe as a consequence of the Second World War (UNHCR, 2011).

Originally the primary goal of the IRO was to repatriate refugees. However, as the Cold War escalated between the USA and its allies and the former Soviet Union, the organisation changed focus from the repatriation to the resettlement of refugees

(UNHCR, 2011). Resettlement was targeted to those who were genuinely worried about being repatriated to their home countries as a result of a fear of being persecuted. Between 1947 and 1951 the IRO resettled more than one million people and a further 73,000 were repatriated (UNHCR, 2011). When the UNHCR was established in 1949 to replace the IRO, the notions of international protection and resettlement were preserved (UNHCR, 2011). In fact, the UNHCR constantly utilised resettlement as a way of finding lasting solutions to the predicament of European refugees created by World War Two.

In effort to address the global refugee crisis the UNHCR has developed three durable solutions.

> A durable solution for refugees is one that ends the cycle of displacement by resolving their plight so that they can lead normal lives. Seeking and providing durable solutions to the problems of refugees constitutes an essential element of international protection, and the search for durable solutions has been a central part of UNHCR's mandate since its inception (UNHCR, 2011, p. 28).

The three durable solutions consist of voluntary repatriation, local integration and resettlement to a third country (Ullom, 2000; Zieck, 1997). Voluntary repatriation occurs when refugees voluntarily return to their country of origin as their lives and freedom are no longer in danger (Ullom, 2000). It is utilised when refugees can return in safety and with dignity and can be given protection by their home country (Zieck, 1997). Although millions of refugees yearn to go back to their motherlands it is essential that the refugee voluntarily chooses to go back and is not forced. Also, the refugee's country of origin needs to ensure that they can support him/her to reintegrate into society with safety and dignity (UNHCR, 2011). The UNHCR uses many mechanisms to try and ensure that voluntary repatriation is a free and an informed choice taken by the individual refugee. For example, the UNHCR collects up to date information about the refugee's country of origin, organises go-and-see visits and partakes in peace and reconciliation efforts as well as many other initiatives (UNHCR, 2011).

Local integration takes place when the country of first asylum facilitates integration for refugees. The first country of asylum, normally a neighbouring country, enables refugees to easily assimilate into the host society without eroding the native customs of the refugees. Host countries are encouraged to give refugees national protection as well as legal, economic, and social rights in order for them to integrate better (Crisp, 2004; UNHCR, 2011). The final durable solution the UNHCR utilises is resettlement to a third country.

> Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status. The status provided ensures protection against refoulement and provides a resettled refugee and his/her family or dependents with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country (UNHCR, 2011, p. 3).

The option of resettlement to a third country refers to the scenario where a refugee from a given country is resettled legally to a third country so long as they meet the stipulated resettlement criteria and has resettlement needs. Conventionally, resettlement is only viable for people who lack any other prospects of ever settling back to their mother country or alternatively, being integrated into the asylum country. It is quite common that some refugees might not be capable of returning home or alternatively, might be unwilling to return since they will continue to face persecution (Loescher, Betts & Milner, 2008).

For the first thirty years following World War Two all three durable solutions were carefully utilized taking into consideration the appropriate solution for each specific situation. During the Cold War, resettlement developed as efforts to assist refugees displaced by the war aligned with the policies of many states to allow the free movement of foreign nationals (UNHCR, 2011). During this time, it is important to note the resettlement of Hungarian refugees following the Soviet Union's invasion in 1956 which resulted in 200,000 people fleeing to countries such as Yugoslavia and Austria. A

significant number of these refugees were resettled to third countries (UNHCR, 2011). In addition, it is worthwhile to note the resettlement of Ugandan Asians who were ousted from Uganda by the Idi Amin regime. This took place in 1972 and the UNHCR with the assistance of organisations such as the International Organisation for Migration (IOM), the International Committee of the Red Cross (ICRC), and the United Nations Development Programme (UNDP) resettled about 40,000 Ugandan Asians to 25 third countries within the space of a few months (UNHCR, 2011). Furthermore, following the coup d'état in Chile led by Augusto Pinochet in September 1973, people displaced by the crisis in their home country faced the prospect of refoulement (UNHCR, 2011). Refoulement is forcibly repatriating a refugee when there are legitimate and genuine reasons for persecution because of their nationality, social group and political opinion (Martin, 1983). In this case the UNHCR pleaded with the new military administration and appealed to the international community for support. Within a few months in March 1974, almost 5,000 people were resettled to 19 different states, although resettlement to Central and South American countries played a significant role throughout the 1970's and 1980's (UNHCR, 2011).

In recent years one of the major challenges facing the world is protecting refugees who have been forced by armed conflict and human rights abuses to leave their homes. As such it is one of the major global issues that countries and organisations around the world are trying to tackle with the aim of providing protection to refugees who have been forced to flee their homes. Many refugees are unable and unwilling to return to their countries of origin because to do so, they risk facing maltreatment. In 2016, over 162,500 files of refugees were sent by the UNHCR to resettlement countries requesting them to resettle these displaced people (UNHCR, 2017b). Syrian refugees were resettled the most with over 77,200 being resettled followed by refugees from the Democratic Republic of the Congo with 22,800 of its people being offered resettlement (UNHCR, 2017b). This was

followed by 12,800 Iraqi refugees and over 10,500 Somali refugees being resettled to third countries (UNHCR, 2017b).

Although the world is currently facing a refugee crisis only 37 countries around the world participate in the resettlement programmes led by the UN (UNHCR, 2016b). The USA resettles the most refugees taking in 84,994 people in the 2016 fiscal year (Zong & Batalova, 2017). Furthermore, Australia resettles a considerable number of refugees, totalling 13,750 refugees in the 2015–16 year alone (Department of Immigration and Border Protection, 2017). In addition, other Western countries such as the Nordic states resettle a sizeable number of displaced people per year (UNHCR, 2017b). Moreover, refugees departing from asylum countries to resettlement countries also saw an increase in 2016 with 125,600 people leaving with the help of the UNHCR. Over 19,500 people left Lebanon, with 19,300 leaving from Jordan, another 15,600 departing from Turkey followed by Kenya where 9,300 people departed and Tanzania which saw 8,900 depart from there to resettlement countries (UNHCR, 2017b).

Background to resettlement in New Zealand

New Zealand is one of a few countries that annually takes in refugees from around the world in collaboration with the UNHCR. Leading organisations such as the New Zealand Human Rights Commission and celebrities like All Black Sonny Bill Williams have urged the New Zealand government to raise the number of refugees it takes annually ("Sonny Bill Williams lobbies for increase in refugee quota", 2017).

New Zealand is a signatory to the 1951 Convention Relating to the Status of Refugees and to the 1967 Protocol. In addition, New Zealand also adheres to the 1984 Convention against Torture as well as the 1966 Covenant on Civil and Political Rights (Amnesty International, 2017). New Zealand also has its own internal legislation like the Immigration Act 2009 which provides it with guidelines on whom it has obligations to

protect in line with the international treaties New Zealand has signed. People who claim to be refugees after arriving in New Zealand are examined by officials from Immigration New Zealand (INZ) in accordance with the guidelines indicated in the 1951 Convention Relating to the Status of Refugees (Immigration New Zealand, 2017a). Such a person is considered to be an asylum seeker. An asylum seeker is someone "who is seeking international protection but whose claim for refugee status has not yet been determined" (Philips, 2011, p. 2). Until INZ officials determine that the claimant is a genuine refugee, they are considered as asylum seekers and will not face deportation whilst their claim is processed (Immigration New Zealand, 2017a). If the decision of INZ officials is not favourable to the claimant, they have the right to appeal to an independent body under the Ministry of Justice called the Immigration and Protection Tribunal.

New Zealand has been resettling people escaping persecution and prejudice from around the world since the end of World War Two, but only set up an official quota scheme in 1987. Initially set at 800, this was reduced to 750 in 1997 (Saker, 2010; Amnesty International, 2017). As the needs and conditions of refugees rapidly changed in many previously stable states, New Zealand's refugee resettlement policy also altered slowly. The first batch of refugees that were resettled in New Zealand came from Poland in 1944 (Yusuf, 2015). This was composed of 734 children and 104 adults. Most of the children were orphans as they lost their parents due to World War Two. New Zealand resettled these refugees in Pahiatua and in 1945 gave them the option to stay or to return back to Poland. Only 45 opted to go back to Poland (Yusuf, 2015).

As a result of the resettlement policy adopted in 1987 New Zealand has contributed to the international community's attempts to resettle the world's most vulnerable refugees. Consequently, over 33,000 individuals from different faiths, ethnicities and cultures from around the globe have been resettled to New Zealand (Immigration New Zealand, 2017b). Immigration New Zealand's Refugee Quota Branch has been given the responsibility of

administering the resettlement of refugees to New Zealand. In the 2014-2015 period 75 individuals came from Africa, 410 from the Asia Pacific region, 50 from the Middle East, 115 from the America's and an additional 100 refugees from Syria (UNHCR, 2014b). In addition, New Zealand has allocated spaces for refugees with unique needs. For example, 35 places are reserved for those who are in need of immediate and emergency resettlement. 75 places are allocated for those that need medical treatment and their close family members. A minimum of 75 places are saved for women at risk and another 75 are reserved for underage and unaccompanied children (UNHCR, 2014b). A further 300 places are allocated for family reunion cases in which the stated partner of the primary applicant and their children are reunited with their family already living in New Zealand, as well as those cases that have family members in New Zealand and have been referred by the UNHCR (UNHCR, 2014b). Moreover, another 300 places are reserved for 'Refugee Family Support Category' in which refugees already resettled in New Zealand are given the opportunity to sponsor their family members who would normally not be eligible to enter New Zealand under other immigration policies set by the government (UNHCR, 2014b).

For a refugee to be admitted to New Zealand under its refugee resettlement programme, the refugee first has to be recognised by the UNHCR in accordance with the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (Immigration New Zealand, 2017a). A refugee's case is given to New Zealand for its consideration, consistent with the resettlement procedures set by the UNHCR. In addition, cases referred to New Zealand must meet New Zealand's regional and international priorities and must meet the entry criteria and processes set by the Refugee Quota Branch as well as any other relevant New Zealand laws (Immigration New Zealand, 2017b). However sometimes a refugee can be deemed as inadmissible to enter New Zealand for several reasons.

> Reasons an individual may be inadmissible for resettlement to New Zealand include past criminal activity (i.e. individuals who have committed crimes of moral turpitude, drug trafficking or acts involving persecution or torture) or identity or security grounds (i.e. individuals who have been involved in, or have a close association with a group which has been involved in, terrorist activity, crimes against humanity or who would present a serious security threat to New Zealand society) (UNHCR, 2014b, p 4).

Before reaching a decision on whether a refugee can be permitted to resettle to New Zealand, INZ officials consider the credibility of a refugee's case. The information provided by the refugee needs to be adequate and consistent throughout the resettlement process. On the occasion that a refugee's claim does not have enough information or there is inconsistent information, INZ has the right to refer the case back to the UNHCR and recommend further assessments and interviews (UNHCR, 2014b).

Furthermore, a refugee must meet pertinent policies and procedures set by INZ such as the annual quota composition agreed by the Minsters of Immigration and Foreign Affairs (Immigration New Zealand, 2017b). Prior to accepting refugees for resettlement, New Zealand officials also have to consider the resettlement needs of refugees (Immigration New Zealand, 2017b). They consider issues that might become obstacles to successful resettlement once a refugee comes to New Zealand. For example, a community that has the same background such as ethnicity can be helpful to a refugee's successful resettlement as the community can provide vital support. In addition, a refugee needs to be mindful of traditions that might be in conflict with the laws of New Zealand such as the practice of polygamy in many cultural and religious groups (UNHCR, 2014b). Moreover, illnesses and the general health of a refugee are weighed as this can present demands and constraints to New Zealand resources (Immigration New Zealand, 2017b). Even though New Zealand does not refuse to admit refugees on medical grounds alone, if the medical facilities in New Zealand are not adequate or appropriate to the refugee's needs, then these needs are taken into consideration before making a decision. However, exceptions can sometimes be made for humanitarian reasons such as to safeguard family

unity (UNHCR, 2014b). Moreover, INZ establishes that a refugee or their family do not present a risk to New Zealand whether it be security and health risks or damage New Zealand's standing on the world stage prior to coming to New Zealand (Immigration, 2017b; UNHCR, 2014b). Persons above 17 years of age are examined for any possible risks to New Zealand.

In acknowledgment that it is frequently hard for the family of resettled refugees to meet other immigration policies to enter New Zealand, INZ has a unique policy which permits the extended family members of refugees to apply for New Zealand Permanent Residence. This is called the Refugee Family Support Category (RFSC), and at this stage is restricted to 300 places per annum which is on top of the 750 places New Zealand offers as per the Refugee Quota Programme (Immigration New Zealand 2017c; UNHCR 2014b).

The government tries to balance resettling the most vulnerable refugees whilst also weighing New Zealand's ability to successfully resettle people to society once they arrive in the country. In regards to resettling the 750 refugees, New Zealand carefully considers the needs and the vulnerabilities of individual refugees as per the guidelines set by the UNHCR. For example it priorities refugees that have "Legal and/or Physical Protection Needs, Survivors of Torture and/or Violence; Medical Needs; Women and Girls at Risk; Family Reunification; Children and Adolescents at Risk; Lack of Foreseeable Alternative Durable Solutions" (Human Rights Commission, 2016, p. 2) However, New Zealand is independently able to decide where people are resettled and the priorities for its resettlement programme. This is decided by the government of the day once every three years (Immigration New Zealand, 2017b).

In deciding the number to set for its annual quota New Zealand consults the UNHCR. Considering New Zealand's resettlement policy and its resettlement priorities, the UNHCR submits a report to New Zealand highlighting the plight of refugees and the

resettlement needs of refugees around the world (UNHCR, 2014b). After the report is received by New Zealand, a policy paper is formulated for cabinet to agree to the three-year quota programme. The Ministers of Foreign Affairs and Immigration also jointly agree on the composition of refugees taking into consideration the proportion New Zealand takes from each region around the world and the vulnerabilities of the refugees as highlighted by the UNHCR (Immigration New Zealand, 2017b). Once a decision has been made by the government of the day, a brief report on the agreed quota is released to relevant parties working in the refugee sector (UNHCR, 2014b).

New Zealand's refugee resettlement strategy

New Zealand's refugee resettlement strategy intends to assist refugees who have been allowed to resettle. Once refugees come to New Zealand, government departments like INZ and Work and Income work with non-governmental organisations such as The Red Cross and Auckland University of Technology as well as refugee community organisations in order to help resettled refugees better (Immigration New Zealand, 2017d). The implementation of the refugee resettlement strategy which began in July 2013 aims to provide refugees with all the assistance they require prior to coming to New Zealand and after they have arrived. Collaboration with all relevant stakeholders is vital, however the implementation of the strategy is led by INZ (Immigration New Zealand, 2017d). The main aim of the strategy is to ensure that

> Refugees are participating fully and integrated socially and economically as soon as possible so that they are living independently, undertaking the same responsibilities and exercising the same rights as other New Zealanders and have a strong sense of belonging to their own community and to New Zealand (Immigration New Zealand, 2017d, p. 3).

To achieve this aim, five goals are put in place to help make the resettlement process easier for refugees. The first goal is self-sufficiency, which aims to have all able-bodied and working age refugees in employment or be supported by a family member in

employment (Immigration New Zealand, 2017d). The second goal is participation, which encourages refugees to vigorously participate in the wider New Zealand society and to have a solid feeling of inclusion or belonging. Goal number three focuses on the health and wellbeing of resettled refugees. It encourages refugees and their families to live healthily, safely and independently (Immigration New Zealand, 2017d). The fourth goal puts emphasis on education, especially in the English language to help refugees to take part in other education and to help them in their day to day lives (Immigration New Zealand, 2017d). The fifth and final goal centres on housing. Its aim is to have resettled refugees and their families living in affordable, healthy and safe dwellings without any assistance from government agencies (Immigration New Zealand, 2017d).

Flash points of New Zealand's recent refugee intake

In the past decade and a half, the world has seen a rise in the number of conflicts that has resulted in the increase of more people becoming refugees due to the fear of either being killed, persecuted or tortured based on their race, religion, nationality, membership of a group or because of their political opinion. As a result, resettlement countries such as New Zealand have encountered a few instances in which their response to individual refugee crises were scrutinized in the public spotlight. In the last 16 years New Zealand has seen many instances in which its refugee resettlement policy was widely debated.

Tampa Refugee Crisis

The first major flashpoint in New Zealand's recent history is the case of the Tampa refugees. In August 2001, a boat heading for Australia with the capacity to only carry 50 people began to capsize in the middle of the Indian Ocean with close to 450 people on board mainly from Afghanistan (Burnside, 2002).

A Norwegian ship named the MV Tampa rescued the stranded refugees and initially planned to take them back to Indonesia which is where they first boarded the boat.

However, soon after, due to strong objection from the refugees the captain determined that it was too dangerous to return them back to Indonesia because some of them threatened to commit suicide whilst a lot of them were in bad medical condition (Burnside, 2002). Therefore, Captain Arne Rinnan changed his mind and decided to go to Christmas Island in Australia. In addition, the MV Tampa was 246 miles away from the closest port in Indonesia, whereas Christmas Island was only 75 miles away (Burnside, 2002). As the MV Tampa approached Christmas Island the government of Australia demanded that the ship redirect to Indonesia before it entered Australian territory (Bostock, 2002). The following day on August 27, Australia banned all ships from leaving or entering Christmas Island and instructed the MV Tampa to not move towards Christmas Island. It also prohibited the MV Tampa from entering Australian waters (Bostock, 2002). Although the reasons to refuse entry were not fully detailed the Australian government explained that because the rescue operation was conducted in Indonesia's search and rescue area of the Indian Ocean and because the rescue mission was managed by the Indonesian Rescue Co-ordination Centre, the refugees should be taken to Indonesia (Bostock, 2002). Another reason that was given to justify Australia's stance was to send a message of deterrence to people smugglers and 'queue jumpers' attempting to come to Australia illegally and to illustrate to them that Australia is not an easy target (Burnside, 2002; Bostock, 2002).

However, two days later on August 29, Captain Arne Rinnan decided to ignore the stance of the Australian government as he became worried about the wellbeing of the refugees as well as of his crew members (Bostock, 2002). He crossed the ship into Australian territorial waters and was met with swift action from the Australian government as they dispatched the Special Armed Services to take control of the ship (Bostock, 2002). The following day, Norway's ambassador to Australia paid a visit to the ship and was presented with a letter from the refugees requesting to be resettled in Australia (Bostock,

2002). Although New Zealand monitored the situation from the beginning, it intervened two days later and on

> 1 September, the Prime Minister of Australia announced that arrangements had been made with the governments of New Zealand and Nauru, whereby 150 asylum seekers would be taken to New Zealand, whilst the remainder would be taken to Nauru, to have their initial refugee claims processed. The Afghan asylum seekers were to be taken by ship to Papua New Guinea, whence they would then travel by air to either New Zealand or Nauru. If the Afghan asylum seekers in Nauru were found to have valid claims, they would then be resettled in Australia and other states willing to accept them. Australia agreed to pay the costs associated with the processing of the claims and built a detention centre on Nauru to house the Afghan asylum seekers (Bostock, 2002, p. 281).

From 1987 to 2010 New Zealand has resettled 1570 refugees who originated from Afghanistan (Department of Labour, 2010). Some of the Tampa refugees who have grown up in New Zealand have expressed their desire and wish to see New Zealand do more to resolve the growing refugee crisis around the world. For example, former refugees on the MV Tampa have advocated for New Zealand to accept more Syrian refugees in order to ease their plight ("Tampa refugees call for the government to act on Syria crisis", 2015).

Ahmed Zaoui

Following the attack of September 11 in 2001 and the subsequent War on Terror, countries around the world adopted policies that tightened immigration for security fears. As a consequence sometimes individuals with refugee claims became victims to such policies. One such case in New Zealand was the case of Algerian refugee Ahmed Zaoui. In 1992 after a period of one party rule, elections were held in Algeria and Ahmed Zaoui's political party the Front Islamique du Salut - Islamic Salvation Front Party (FIS) won and Ahmed was elected to Parliament (Lafraie, 2006; TVNZ, 2011). However, the army intervened to halt the FIS from governing and outlawed the party as it perceived it as a radical Islamic party and imposed emergency rule (TVNZ, 2011). For fear of persecution Ahmed Zaoui fled his homeland and lived in exile in Belgium, Switzerland and Malaysia in the hope of securing asylum but was unsuccessful (Lafraie, 2006). In Belgium he was

charged and was sentenced to home detention for being a leader of a criminal gang. He then entered Switzerland illegally but was deemed to be a threat to Switzerland's security and was expelled. He went to Burkina Faso and eventually went to Malaysia in 2000. France in 2001 also convicted him in absentia for being a member of a criminal group. He came to New Zealand in December 4, 2002 to claim asylum (TVNZ, 2011). According to Ahmed when he arrived he was welcomed warmly by a Police Officer but was asked if he was part of the GIA which is an Algerian terrorist organisation aligned to Al Qaeda. When asked, Ahmed replied "FIS". Due to Ahmed's limited English the Officer did not understand him properly and thought he replied "Yes" (TVNZ, 2011). He was then taken to Paremoremo Maximum Security Prison and was held in solitary confinement for 10 months (Lafraie, 2006; Brown, 2010.) He was not informed of what he was being accused of or charged with. The Security Intelligence Service (SIS) issued a Security Risk Certificate with the view that Ahmed Zaoui's presence in New Zealand posed a threat and danger to New Zealand's security (TVNZ, 2011; Lafraie, 2006; Brown, 2010). Although Ahmed Zaoui's initial application for refugee status was declined, his appeal to the Refugee Status Appeals Authority was successful and found his claim for refugee status to be genuine (Small, 2003). Contrary to the SIS's claims that he was part of the GIA, the Refugee Status Appeals Authority found that Zaoui "has only ever been a member of the (Islamic Salvation Front; French acronym FIS); a political group and found no serious reasons for considering he is a member, let alone the leader, of the GIA or… any armed group" (Small, p.3). Furthermore it criticised the SIS's evidence and arguments and stated that

> The (SIS's) chronology of the appellant…is mostly devoid of any citation of the sources relied on. Many of the entries consist solely of unsourced extracts from various news reports, with no attempt to excise opinion from fact…the SIS commentary on the FIS…is superficial and, to the extent that it reflects the official biases of the Algerian regime, contentious. Its attached chronology on the FIS is more interesting for its selective omissions than anything it says about the FIS…We were surprised at how limited (the SIS unclassified material) was and the questionable nature of some of the contents (Small, p. 3).

Despite being regarded as a refugee, the Security Risk Certificate was not lifted by the government until September 2007 (Selkirk, 2009). He eventually became a New Zealand citizen in 2014 and was reunited with his family (Vance, 2014). Ahmed Zaoui's case received significant political attention as well as media coverage. His case divided different parties and the public and opposing positions were taken.

Syrian Refugee Crisis

Syria became engulfed in anti-government uprisings which became known as the 'Arab Spring' in many Arab countries. In March 2011, pro-democracy protests started in Derra following the detention of a few teenagers who drew pro revolutionary sentiments on a school wall (BBC News, 2016). The Syrian security apparatus responded by shooting live ammunition at the protesters and consequently killing some of them. As a result, more and more people joined the protests demanding the resignation of President Bashar al-Assad (BBC News, 2016). However, the government continued to pursue a hard-line stance towards the protesters and used force in attempts to quell them. The protests did not cease and opposition supporters ultimately started to arm themselves- initially for self-defence and later with the intention to oust the government (BBC News, 2016).

Armed conflict between anti-government forces and the Syrian security apparatus intensified as armed militias were established to seize control of cities. The violence finally reached the Syrian capital of Damascus and other major centres like Aleppo in 2012 (BBC News, 2016). The dynamics of the conflict have changed with the globe's superpowers divided in their support for the warring factions. Additionally, the conflict has adopted sectarian overtones between Syria's Sunni majority and the Alawite sect of the President. Furthermore, the upsurge of the Islamic State of Iraq and the Levant (ISIL) has significantly changed the conflict (BBC News, 2016). The Independent International Commission of Inquiry on the Syrian Arab Republic set up in August 2011 found that all parties in the conflict have committed war crimes (The Office of the United Nations High

Commissioner for Human Rights (OHCHR), 2017). The UNHCR estimates that over 5.4 million people have escaped Syria since the beginning of the violence in 2011 and have fled to neighbouring countries such as Lebanon, Turkey, Jordan and Iraq (UNHCR, 2017c). Some have also been resettled to more developed countries such as Germany, the USA and New Zealand.

New Zealand was initially hesitant to change its quota numbers in order to accommodate more Syrian refugees. However, due to public pressure after seeing toddler Aylan Kurdi who drowned in the Mediterranean Sea wash up on a Turkish beach, the government responded by increasing funding and raising the number of Syrian refugees New Zealand takes (Vance, 2015b). On September 7 2015, former Prime Minister John Key announced that New Zealand would take 750 Syrian refugees over a two and a half year period as well as giving $4.5 million of aid towards Syria (Vance, 2015b). Of the 750 refugees, 150 would be within the annual quota whilst 600 of the refugees would be on top of the annual quota (Immigration New Zealand, 2017b). A few months later the government also announced that from 2018 onwards the annual New Zealand quota would be increased from 750 per year to 1000 per year (Kirk, 2016).

Conclusion

In summary this chapter examined the history of international refugee resettlement and strategies used to resolve refugee crises. It also explored the history of resettlement in New Zealand and its current refugee strategy. Finally this chapter analysed the three flashpoints, namely the Tampa refugee crisis, Ahmed Zaoui's case and the Syrian refugee crises. These flashpoints will be examined in greater detail in following chapters by studying how political parties responded to each crisis and how their policy responses reflected different social justice theories. On most occasions parties adopted a liberal human rights perspective, however their positions sometimes altered and reflected other

social justice theories. The subsequent chapter will analyse the perspectives of different theories and their arguments regarding whether liberal states have a moral obligation to resettle refugees.

Chapter Three: Social justice theories and the issue of refugee resettlement

Migrants and refugees are not pawns on the chessboard of humanity
(Pope Francis)

Introduction

Currently states are demarcated by political borders and strictly policed to avoid unauthorised movements across them. Closed borders pose a limitation on the movement of people and goods. Although these measures may be justified from the perspectives of security and sovereignty of the concerned states, from a moral viewpoint, it is arguable that there are ethical concerns involved as well. For example, an ethical concern arises when disadvantaged groups such as refugees seek protection from other states because of insecurities in their homelands. A question emerges on whether these persons carry a legitimate claim to be admitted to a place of safety. In assessing and responding to this question, this chapter will analyse the theoretical foundations upon which the ethical question of admitting and resettling refugees can be answered. It will first examine arguments from a liberal human rights viewpoint as advocated by liberal theorists. The chapter will then explore alternative perspectives given by the social justice theories of libertarianism, cosmopolitanism and communitarianism.

Liberal human rights perspective

Foremost, it is important to study liberalism in order to understand its perspective of social justice in general, and its viewpoint on the resettlement of refugees in particular. It is imperative to note that the exact definition and meaning of liberalism is highly debated among scholars. However, there is a consensus that liberalism in general puts a strong emphasis on two main ideals: individualism and liberties (Charvet & Kaczynska-Nay, 2008). Liberals believe that an individual is the most valuable unit in a society and that

he or she should be given full freedom in order to make autonomous choices so they can fully prosper and reach their full potential (Charvet & Kaczynska-Nay, 2008; Chau, 2009). According to Freiman and Hidalgo (2016)

> to even qualify as a liberal, you must endorse the importance of protecting so-called "basic" liberties such as freedom of speech, freedom of the press, freedom of religion, freedom of association, occupational freedom, freedom of bodily choice, reproductive freedom and so on (p. 2).

Furthermore, according to Chau (2009) "since individuals can only truly be individuals when they make their own decisions, there is a requirement for the government to take a *laissez-faire* approach to society (which is made up of individuals)" (p. 3). Like most theories, liberalism has different strands, for example, classical liberals claim that as humans we have individual rights to make our own choices in life and that states have no right to infringe upon our rights. Classical liberalism also emphasises the importance for all individuals to have equality of opportunity rather than outcomes. Economic liberalism supports and promotes the notion that individuals should be able to exercise free choice involving their wealth and labour as long as those choices do not encroach on the rights of others. Moreover, social liberalism expands these rights to other features of life and necessitates certain freedoms like 'freedom of thought' as long as that freedom does not violate the rights and freedoms of others. Political liberalism is also associated with the rule of law, and in contemporary times, to include the rule of international law. This states that governments should enforce human rights principles that are enshrined in international multilateral treaties (Charvet & Kaczynska-Nay, 2008; Chau, 2009).

The term liberalism can mean different things in different societies. For example in much of Western Europe liberalism has been associated with *laissez-faire* economic policies, whilst in the USA it has been identified and associated with progressive parties from the political left spectrum (Charvet & Kaczynska-Nay, 2008). Although liberal philosophers have diverse viewpoints, they share some core beliefs. These beliefs and principles

present an alternative argument on how to organise and structure society that is different to the arguments perpetuated by other philosophies. For the purpose of this thesis, we will assess the connection between liberalism and human rights and how it relates to the case of resettling refugees. This is important because the liberal human rights perspective generally shapes the responses of states to each other.

Firstly it is important to examine liberal institutionalism as it generally plays a role in the arguments made by liberal scholars when it comes to how member states of the international community should interact with each other. Liberal institutionalism contends that international bodies have an important role in world politics (Grieco, 1988; Devitt, 2011). It gained traction following the Second World War and the creation of the UN. It encourages cooperation and unity between states and calls for them to respect human rights to avoid war and other injustices (Mordi, 2015). According to Hedley Bull (2012) the organisation of the international community should be when

> A group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of common institutions (p. 13).

Liberal institutionalism opposes the realist perspective of international relations which argues that anarchy nurtures "competition and conflict among states and inhibits their willingness to cooperate even when they share common interests. Realist theory also argues that international institutions are unable to mitigate anarchy's constraining effects on inter-state cooperation" (Grieco, 1988, p. 85). Liberal institutionalism claims that for peace to prevail countries should collaborate with each other and forfeit a part of their sovereignty in order to establish integrated communities that work together to achieve economic prosperity and address matters of mutual concern together rather than separately (Mordi, 2015; Grieco, 2009).

Liberal institutionalism advocates for freedom of movement, which is an argument that is made in favour of refugees being given resettlement opportunities. Kelly (2010) argues that freedom of movement is a human right that should be afforded to refugees escaping persecution. In addition, Kelly (2010) argues that freedom of movement for refugees means more than safety since it is a basic human right that has the potential to save their life. Likewise, Stjernfelt (2012) presents an argument which claims that within the Universal Declaration of Human Rights, there emerges an obligation of states to allow entry to refugees or uphold their rights to asylum. For example article 13 of the Universal Declaration of Human Rights highlights that "Everyone has the right to freedom of movement and residence within the borders of each state" (Universal Declaration of Human Rights, 1948, p. 4), whilst article 14 of the same declaration illustrates that "Everyone has the right to seek and to enjoy in other countries asylum from persecution" (Universal Declaration of Human Rights, 1948 p. 4).

Another argument in line with liberal institutionalism that is made in favour of resettling refugees is that liberal countries should abide by the concept of *jus cognes*.

> *Jus cognes* the literal meaning of which is "compelling law," is the technical term given to those norms of general international law that are argued as hierarchically superior. These are, in fact, a set of rules, which are peremptory in nature and from which no derogation is allowed under any circumstances…states were obliged to respect certain fundamental principles deeply rooted in the international community. The power of a state to make treaties is subdued when it confronts a super-customary norm of *jus cogens*. In other words, *jus cogens* are rules, which correspond to the fundamental norm of international public policy and in which cannot be altered unless a subsequent norm of the same standard is established. This means that the position of the rules of *jus cogens* is hierarchically superior compared to other ordinary rules of international law (Hossain, 2005, p. 73).

In essence *jus cognes* means that states must first bear in mind and adhere to international legislations before making internal policies and legislation. There are several liberal philosophers that have examined whether liberal states should resettle refugees. For example, philosophers like John Rawls, Amartya Sen and Will Kymlicka have examined this topic. Thus, this section will examine their arguments.

John Rawls

According to liberal philosopher John Rawls (1996), social justice should be about the protection and enactment of moral principles that allow people to have access to equal treatment, opportunity, and freedoms. Rawls created a framework that highlights how wealth, opportunities, and freedoms should be dispersed in a fair and just society. He formulated a concept labelled Justice as Fairness. In this theory John Rawls attempts to combat matters of distributive justice by making use of two principles (Taylor, 2009). The first principle known as the Basic Freedoms principle asserts that

> Each person has an equal claim to a fully adequate scheme of basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value (Rawls, 1996, p. 5 - 6).

Every individual has the same inalienable right to a sufficient system of equal liberties. This principle suggests that all citizens should be afforded equal rights and liberties. Through this principle, for instance, all individuals are afforded the right to vote, right to own property, and right to worship. John Rawls' second principle is the difference principle. In the difference principle he claims that

> Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be the greatest benefit of the least advantaged members of society (Rawls, 1996, p. 6).

The second principle demands that any forms of social and economic inequalities must meet the difference principle and the principle of equality of opportunity. The equality of opportunity condition states that every individual should be afforded equal opportunity irrespective of their backgrounds.

Rawls (2001) later extended his approach of social justice to the international arena. Whilst explaining the reasons behind the publication of Law of Peoples Rawls

clarifies that in the history of human existence one of the major ills that humanity faced is the occurrence of "unjust war and oppression, religious persecution and the denial of liberty of conscience, starvation, and poverty, not to mention genocide and mass murder" (Rawls, 2001, p. 7). Rawls suggests that this is a consequence of an unjust political system. The other reason that influenced him is his belief that "once the gravest forms of political injustice are eliminated by following just (or at least decent) social policies and establishing just (or at least decent) basic institutions, these great evils will eventually disappear" (Rawls, 2001, p. 7). He proposes a list composed of eight principles in which he outlines how people and societies should operate in order to avoid the wrongs of the past. These are:

> 1) Peoples are free and independent, and their freedom and independence are to be respected by other peoples;
>
> 2) Peoples are to observe treaties and undertakings;
>
> 3) Peoples are equal and are parties to the agreements that bind them;
>
> 4) Peoples are to observe the duty of non-intervention;
>
> 5) Peoples have the right of self-defence but no right to instigate war for reasons other than self-defence;
>
> 6) Peoples are to honour human rights;
>
> 7) Peoples are to observe certain specified restrictions in the conduct of war;
>
> 8) Peoples have a duty to assist other peoples living under unfavourable conditions that prevent their having a just or decent political and social regime (Rawls, 2001, p. 37).

Some of the eight principles in Rawls's Law of Peoples are pertinent to refugee resettlement. For example, he calls for the practice of treaties that could include international treaties that states have signed such as the 1954 Convention Relating to the Status of Stateless Persons and the 1967 Protocol as well as the Universal Declaration of Human Rights. He also advocates for people to honour and respect human rights principles. As outlined previously this can include Articles 13 and 14 of the Universal Declaration of Human Rights which assert that individuals have a right to freedom of movement irrespective of geographic borders and the right for people to seek asylum and

protection. Moreover, in principle eight Rawls asserts that humans have a responsibility to help people, which can include refugees who find themselves in difficult circumstances beyond their control.

Amartya Sen

Philosopher and Nobel Peace Prize laureate Amartya Sen strongly argues in favour of protecting fundamental human rights like those declared in the 1948 UN Declaration of Human Rights, including the right to asylum. Sen (2009) explains that as human beings we have a corresponding responsibility in preventing the violation of another person's human rights and a responsibility to support and defend the human rights of others. This is especially true if we are in a position to prevent the abuse of a person's basic human rights (Sen, 2009). In explaining the importance of freedom Sen gives the example of a young lady named Sula who chooses to go dancing with one of her friends. He states that she made a conscious decision by her own free will to go out dancing. However, Sen explains further by stating a violation of her freedom would occur if an authoritarian parent or guardian refused to let her go out and forced her to stay at home (Sen, 2009). In another case, Sen explains that Sula on her own chooses to stay at home but the authoritarian guardian invites guests and forces Sula to leave the house as he does not want her presence whilst the guests are at the house. Sen argues that the latter case is also an immediate abuse of Sula's freedom because she is compelled to do something and leave her house without her choosing (Sen, 2009). Sula's case can quite easily be related to the situations of refugees who are compelled to flee their homeland by circumstances that violate their freedoms and basic human rights.

Furthermore, Sen explains that if circumstances permit us to prevent an abuse of a person's human rights we ought to take action in preventing such an abuse (Sen, 2009). Another example Sen uses to illustrate his argument is the real life case involving Catherine Genovese who was repetitively assaulted and murdered in front of bystanders

watching from their apartments. Although she called and screamed for help, her pleas were ignored by the bystanders. Firstly in this case Sen argues that Catherine's right to life and freedom from abuse was violated. Secondly the attacker's responsibility to not assault and murder a fellow human was also abrogated. Finally Sen argues that the bystanders failed in their duty to help a person facing assault and murder because they could have taken steps to help save her (Sen, 2009). This example used by Sen also relates to the question of whether liberal states have an obligation to resettle refugees. It can be argued that wealthy liberal states have an obligation to safeguard refugees because they are in a position to help alleviate the suffering of refugees. Liberal states would fail in their duty to prevent harm being done to refugees if they do not offer them resettlement, especially given the fact that they are in a better position to help resettle refugees when compared to developing nations. For example as reported by the UNHCR it is less developed and less prosperous countries such as Turkey, Pakistan, Lebanon, Iran, Ethiopia and Jordan that bear the biggest burden of hosting refugees (UNHCR, 2017a). In relation to the current global refugee crisis Sen's argument can imply that liberal states have an obligation to take more steps than they are currently taking to help address the problem. Moreover, Sen claims that although we cannot prevent every violation of human rights in the world we cannot simply dismiss it, rather it calls for more action to be taken in preventing such violations. Sen explains this by stating

> Indeed, if feasibility were a necessary condition for people to have any rights, then not just social and economic rights, but all rights – even the right to liberty – would be nonsensical, given the infeasibility of ensuring the life and liberty of all against transgression. To guarantee that every person is 'left alone' has never been particularly easy (contrary to Cranston's claim). We cannot prevent the occurrence of murder somewhere or other every day. Nor, with the best of efforts, can we stop all mass killings, like those in Rwanda in 1994, or in New York on 11 September 2001, or in London, Madrid, Bali and Mumbai more recently. The confusion in dismissing claims to human rights on grounds of incomplete feasibility is that a not fully realised right is still a right, calling for remedial action. Non-realization does not, in itself, make a claimed right a non-right. Rather, it motivates further social action (Sen, 2009, p. 384).

Will Kymlicka

Canadian liberal political theorist Will Kymlicka (1995) argues that wealthy nations have a unique duty to safeguard international justice and human rights by better redistributing resources to poor countries. He contends that affluent states have an obligation to ensure that people from impoverished countries are given a decent opportunity to lead good lives in their home countries, so they are not forced to flee (Kymlicka, 1995). Kymlicka (1995) believes that the failure of wealthy nations to provide such an opportunity can be compensated by allowing them to resettle in more developed nations. The case of resettling refugees is even more compelling in Kymlicka's eyes because refugees have been forced to flee their countries and therefore, they have a unique right to move to any other country of their choosing without restriction. He states this by saying

> The case of refugees fleeing persecution is different, since they did not choose to give up their culture. Indeed, many refugees flee their homeland precisely to be able to continue practising their language and culture, which is being oppressed by the government (e.g. the Kurds). Since they have not relinquished the rights which go with membership in their original culture, refugees arguably should, in principle, be able to re-create their societal culture in some other country, if they so desire (Kymlicka, 1995, p. 98).

Although he acknowledges that states have a right to regulate their immigration policies, unlike other arguments perpetuated by different theorists, he finds it difficult to see how the unique identity and culture of a particular host society can easily be eroded by refugees (Kymlicka, 2003; Galenkamp, 1998). In fact, he highlights that immigrants in general usually want to integrate with the dominate culture, therefore they should be recognised as full members of society (Galenkamp, 1998). Furthermore, he claims that the naturalisation of immigrants is also beneficial to host communities because it means that the resources spent in recruiting and helping new migrants settle in will lead to benefits for the wider host society (Kymlicka, 2003). Kymlicka argues that in fact minority ethnic groups can positively contribute back to their adopted countries when they attain

citizenship because this gives them the legal and mental stability to establish themselves in their new country (Kymlicka, 2003). Kymlicka argues that when immigrants attain citizenship and settle down they become more focused on how well their offspring are adapting to the new society, and they invest in their own education so they can contribute back and thrive both economically and socially (Kymlicka, 2003).

Libertarian perspective

Libertarianism is also a theory that weighs into the debate of whether liberal states have an obligation to resettle refugees. Libertarianism puts individual liberties and freedoms at the cornerstone of justice. The theory is broad and contains various arguments and perspectives that make the definition of the theory central to the understanding of these views. According to Brennan (2012)

> Libertarianism holds that we should each be permitted to choose how our lives will go, so long as we do not violate others' rights. We do not have to get society's permission to go about our lives. We are not required to answer to or justify ourselves to others. We may not be forced to serve strangers. We may not even be forced to serve ourselves- no one may force to promote our own good. Libertarians believe each of us possesses an inviolability, founded on justice that forbids others from sacrificing us for the sake of greater social stability, economic efficiency, or better culture. Over our own lives, each of us is sovereign. We are not to be treated like slaves, servants, or helpless children (p. 1).

Libertarians believe that human life should be based on a reciprocal relationship of mutual respect of each other's freedoms and liberties. Libertarianism asserts that the rights of individuals to liberty, property, and life, should be protected by states and the state should not engage in activities that interfere with an individual's rights (Brennan, 2012; Todea, 2010). Based on the above principles, some libertarian scholars argue in favour of no controls on immigration as they believe allowing the state to restrict the movements of people would be tantamount to limiting individual liberties (Todea, 2010; Caplan 2012). Consequently, they have argued for what has been termed as an 'open borders policy' towards immigration in general. It is important to note however, that libertarians are

divided on the topic of immigration. Both sides of the libertarian perspective will be explored in this section beginning with the arguments made in favour.

Pro refugee resettlement arguments

An open borders policy advocates for minimal or unrestricted movement of people and goods between different geographic borders. Wilcox (2009) states that people should have the freedom to move within their country's borders and if a person has the freedom to move within a state, they should be able to move between states without limitations. According to Caplan (2012) and Sam Bowman (2013) there are economic benefits to having an open borders policy. In fact according to Caplan (2012) the globe's GDP would double which would be sufficient to eradicate world poverty. Sam Bowman (2013) argues that restricting immigration is counterproductive to economic growth because migrants usually bring highly specialised skills, are often more innovative and enterprising than the local population and contribute more towards social safety nets such as welfare schemes than they use.

In the context of refugee resettlement libertarians in favour of resettling refugee's state that refugees have two rights. The first is the right to flee to any country if they are in danger. The second right which supplements the first one is the right to take up residency of the host country (Ebeling, 1995). The two rights rest in the principles of freedom and humanity (Herzog, 2004). Famous libertarian philosopher Robert Nozick states that if we are in a privileged position to save a person's life we have a responsibility to act. He states this by saying "An owner's property right in the only island in an area does not allow him to order a castaway from a shipwreck off this island as a trespasser, for this would violate the Lockean provisio" (Todea, 2010, p. 12). This can be related to the case of resettling refugees because if wealthy liberal states are in a position to resettle refugees and save their lives, they have no right to reject resettling them. As such, since refugees are people

seeking humanitarian help, they ought to be allowed to move freely across nations instead of their movements being restricted (Laughland & Evershed, 2013).

Pro refugee resettlement libertarians also observe the rights of refugees just like any other citizen and thus they argue refugees are supposed to be accorded the same rights that are enjoyed by ordinary citizens. Therefore, they should not be pushed to live only in refugee camps. Likewise, they should be allowed to engage in economic and other beneficial activities (Hospers, 1998). They argue that refugees do not choose their situation but it is forced upon them by circumstances in their mother countries. Ethically, they argue limiting the movement of refugees is like sending them back to their nations to die. They state that other nations have a moral responsibility to protect those in need and as such, countries should not turn their back on refugees (Hospers, 1998). As the open borders policy allows people to enjoy freedom of movement, accepting refugees goes hand in hand with their exercise of freedom of movement. Secondly, refugees should be accepted on humanitarian principles. Since refugees are people going through turbulent times it is an act of kindness to help anyone in need. Because of this, states should accept refugees without any delay (Herzog, 2004).

In addition, according to Jacobsen (2002) although refugees might pose slight burdens like security and economic problems like the distribution of government funds, refugees also bring a relatively significant flow of resources in terms of human capital and economic assets (Jacobsen, 2002). Assets might include material goods, which have been retrieved from their home countries. Refugees also contribute their entrepreneurship to the host country (Jacobsen, 2002).

Anti-refugee resettlement arguments

However, as mentioned earlier, libertarians are divided on the topic of immigration. The notion of free migration and open borders is not an argument shared by all libertarians.

Since libertarianism underlines a person's right to property, liberty and life and the fact that the state should safeguard those rights and not in any way hinder them, opponents of the 'open borders' policy argue that such a policy violates those basic libertarian rights (Hosper 1998; Martland, 2013). Most libertarian theorists argue in favour of privately owned property and contend that the state should not be a possessor of property (Hospers, 1998). Therefore, some theorists argue that openly allowing migrants and refugees into liberal states would be trespassing on individual property rights which the state has no right to infringe upon. Arguments made by Block and Callahan (2008) oppose open border immigration as they see it as an infringement on the property rights of local citizens. Their argument is oriented towards the interests of citizens and their right to protect their property. In regards to refugee resettlement Block and Callaham (2008) contend that in a libertarian society refugees should only enter liberal states with the permission of a property owner. As a result, the question of open and closed borders is not an issue for states but rather it depends on property owners.

In addition, according to Murray Rothbard (1990) "the libertarian, especially of the anarcho-capitalist wing asserts that it makes no difference where the boundaries are, since in a perfect world all institutions and land areas would be private and there would be no national boundaries" (para. 48). Furthermore, John Hospers (1998) states that for every right an individual has, there is an obligation placed on another by proclaiming "If you have a right to life, I have the obligation not to kill you; if you have a right of free speech, I have the obligation not to stop you from speaking. The first half would be pointless without the second" (p. 154). Hospers (1998) questions the view that if an immigrant has the right to immigrate to anywhere of his or her choice, does the host community have an obligation to welcome him/her and provide them with a living. Hospers objects to this notion and contends that if a state implements an open borders policy it would violate the

property rights of citizens. Therefore, an open borders policy will contradict a tenet of libertarianism (Martland, 2013).

Other arguments made by libertarians opposed to the open borders policy is that migrants, especially refugees, will not be helpful for the economy (Humphrey, 1987; Martland, 2013). This is because they will initially be dependent on welfare support from the government which will deprive support to other areas. Moreover, an open borders policy will attract migrants who hail from low-social economic backgrounds to migrate to wealthier liberal states because social welfare services available would look attractive and appealing (Humphrey, 1987; Hospers, 1998). In regards to refugees some scholars raise security concerns about refugees and argue they might destabilise the host community. They argue that although we should not send them back to where they fled, liberal states have no responsibility to resettle them. Humphrey (1987) explains the extreme libertarian position by stating that

> Refugees must not be sent back to the state that persecuted them, but we have no obligation to accept them in our state. Thus, the obligation and the granting of rights are themselves qualified. In a modest qualification, we have no obligation to grant membership to an individual who, though he may be a refugee, would be a threat to the stability or security of our political community (p. 82).

Cosmopolitan perspective

Another theory that has examined refugee resettlement is cosmopolitanism. Cosmopolitanism is a normative theory of international relations that acknowledges an ethical and moral responsibility towards all humankind, and which is not just limited to fellow citizens (Haukvik, 2014). The history of cosmopolitanism can be traced back to the ancient Greeks based on the philosophy of Stoics and Cynics. For that reason, the term denotes as ‘citizen of the world’.

There are two main forms of cosmopolitanism, namely political cosmopolitanism and moral cosmopolitanism. Political cosmopolitanism developed as the relationship between

states, where they establish a political order that governs the world. In contrast, moral cosmopolitanism upholds the original idea of Stoics, of global citizenship (Cillers, 2014). Based on this idea scholars have suggested that while there is a necessity for the existence of borders, they are not morally legitimate. Although some libertarian scholars also argue this, it is however from different set of theoretical roots. This is because as discussed earlier some libertarian scholars contend that states should not have borders because borders constitute as property and property should not be owned by states. On the other hand, cosmopolitans argue that borders are not ethically appropriate because we as humans have moral responsibilities to all people not just citizens of our country (Haukvik, 2014). Therefore, most discussions surrounding cosmopolitanism revolve around whether boundaries should exist, and to what degree they should. While the famous philosopher, Immanuel Kant, may not support a single world state, he recognises the moral responsibility towards refugees, who are strangers, based on the right of hospitality for all men (Haukvik, 2014). Given the discussion of cosmopolitanism regarding refugees, different authors in the literature have aired varying views and opinions. Such philosophers that will be examined in this section include Hannah Arendt, Seyla Benhabib, Peter Singer and Joseph Carens. Joseph Carens' perspective on cosmopolitanism is often closely linked to green political theory. April Carter (2001) argues that green political theory "requires both a sense of global community and a strong sense of individual social responsibility. It also invokes a concept of rights that includes rights to health and a good environment" (p. 94). In addition, Andrew Dobson explains that green political theory or 'ecological citizenship' as he puts it indicates that there is a bigger importance on responsibilities than on rights, and therefore "these obligations are owed primarily to strangers, distant in both space and time" (Carter, 2001, p. 94).

Hannah Arendt

As a stateless person and a Jewish refugee, Hannah Arendt was an active voice in the challenges that asylum seekers faced as a result of wars in the 20th century. Natan Sznaider (2015) argues that due to the fact that Arendt was critical of universalism, her cosmopolitanism should not be confused with universalism. As a result, her works should be treated as emerging from the Jewish context that highlights her experience as a refugee. Sznaider (2015) refers to Arendt's work as 'Jewish Cosmopolitanism' based on the struggle of the Jews, as citizens of a world that persecuted them during the holocaust period. Arendt was deeply concerned about how to combine universalism with a sense of belonging, to restore Jewish cosmopolitanism while averting the trap of ethnic confinement (Sznaider, 2015). As Kelly (2010) highlights, Arendt's focus was not just on Jews' salvation from suffering, but on changing the world view on the right to asylum, and the social construction of statelessness. She expressed frustration with the current order that demonstrates the biased objective of protecting liberal state sovereignty, rather than enforcing the right to asylum, granted by the UN international protocol regarding refugees (Kelly, 2010).

Arendt discussed the resettlement of refugees from a normative philosophy perspective. Normative philosophy perceives the refugee crisis as a political and legal harm due to the loss of a person's citizenship (Parekh, 2014). In this context, the work of Hannah Arendt is essential in the development of an understanding of the aspect of statelessness, which befits the contemporary global scenario. This is because she perceives statelessness in ontological terms subsequently providing a deep understanding of the ethical obligations states have towards refugees. Arendt states that refugees had lost the right to have rights (Herzog, 2004). This lacking of rights has two dimensions: a political dimension and a legal one. The political view is composed of three diverse dimensions: loss of identity, expulsion from society, and the inability to have one's actions or words be recognised as

politically relevant. On the other hand, legally, it means that once an individual ceases to live in his or her country of origin, then they are under no protection of any other notable law. Cosmopolitan theorists such as Arendt who have written about this field have strongly argued that there is a moral obligation on liberal states to accommodate refugees as they are deprived of their legal rights and are essentially stateless people.

Seyla Benhabib

Moreover, Benhabib (2008) analyses the concept of cosmopolitan justice, and how it impacts refugees seeking asylum or residency in liberal states. She concluded that the condition of asylum seekers and refugees remained in a "murky domain between illegality and legality" (Benhabib, 2008, p. 162). Therefore, there appears to be a progression in cosmopolitan justice, but it is an imperfect development that results in refugees being abandoned passively by host states. Accordingly, Benhabib suggests that liberal states should adopt cosmopolitan hospitality norms that recognise both the civil and human rights of refugees and, therefore anchor the laws of the state within the parameters of cosmopolitan law.

Peter Singer

Cosmopolitan philosophers like Peter Singer have strong egalitarian and universalistic values that are applicable to the refugee crisis. The egalitarian and universalistic values call for equality among all individuals globally. According to this theorist, states have the moral obligation to aid refugees because refugees are in dire situations. He states that countries must assist refugees by admitting them into their countries. According to Singer (1972) "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (para. 6). This is applicable to the resettlement of refugees because it is possible for liberal states to prevent the further persecution of refugees. This is evident because it is less developed

countries that are currently hosting the largest number of refugees. Therefore, it can be argued that since developing nations are shouldering the biggest burden of hosting refugees, it is feasible that more developed liberal states can increase the number of their refugee intakes.

Joseph Carens

Furthermore, Joseph Carens (2003) argues that even though states have a right to control the influx of immigration, countries are ethically obliged to allow refugees into their countries. He first distinguishes between refugees and migrants. He argues that unlike migrants, refugees are in search of asylum from persecution as often several of their human rights have been violated (Carnes, 2003). He expands his argument by stating that liberal states are obligated to admit the immediate family members of refugees. This is because

> We are bound to our family members through a more richly complex web of relationships, a mixture of love and dependence, than we share with any other people. These relationships give rise to especially intense feelings of mutual affection and concern. To deprive someone of these relationships is to deprive him of his richest and most significant bonds with other human beings (Carens, 2003, p. 97).

In addition, he states that when determining whom to admit, states should not discriminate against refugees because of their race, ethnicity, and religion even for national security reasons. Also, he highlights that states have a special responsibility of admitting refugees if the state had a role in conflicts that created a large number of refugees. To highlight this point he uses the refugees created by the Vietnam War as an example in which the USA took a considerable number of refugees from South East Asia the years following the war. Carens (2003) argues that even though there was no official acknowledgment from American officials regarding the increase in the intake of refugees from South East Asia, there was a general perception that a sense of guilt led to the increase. In terms of today, it can be argued that liberal states do have a responsibility in increasing the number

of refugees they take in from countries like Afghanistan and Iraq as they had a significant role in the conflicts that led to the displacement of millions of people.

Carens (1987) presents his case for a world with free migration, where states are morally obliged to keep their borders more open than they currently do. He argues that open immigration, while it has the potential to erode a community's character, would not leave the community devoid of character. Moreover, Carens (2003) highlights that there is an even greater obligation on states to admit asylum seekers. This is because if asylum seekers are deprived of entry and returned back to their countries, the government is responsible for whatever happens to them once returned. The reason for this is because if they were not returned, the persecution directed towards asylum seekers would have ceased (Carens, 2003). As such there is an even greater ethical duty for states to safeguard asylum seekers. The denial of entry to asylum seekers could lead to returning them to further persecution and suffering. This is different to the case of conventional refugees because generally they would be safe in refugee camps and have the protection of the first country of contact (Carens, 2003). Contrary to the communitarian perspective and in contrast to most refugees who hail from vulnerable backgrounds, asylum seekers have the potential to contribute to the economic wellbeing of their host countries. This is because

> Refugees who arrive via asylum are more likely to be adult, male, well educated, and wealthy than the refugee population as a whole. It takes resources and knowledge for people to find their way to North America or Europe to make their claims (Carens, 2003, p. 101).

Both cosmopolitan theorists, Carens (1987) and Singer (1972) agree that open borders would allow people born in a disadvantageous society the chance of a second life in a new state. Accordingly, this assertion highlights the central point of traditional cosmopolitanism; that open borders are ethical and would result in better lives for humankind (Haukvik, 2014).

Communitarian perspective

Finally communitarianism is another theory that has examined the issue of refugee resettlement. It focuses on the significance of the community in social and political life in comparison to other political and social philosophies which stress the importance of the individual. It is regularly compared to liberalism and according to Amitai Etzioni (2010)

> Communitarians examine the ways shared conceptions of the good are formed, transmitted, justified, and enforced. Hence, their interest in communities (and moral dialogues within them), the historical transmission of values and mores, and the societal units that transmit and enforce values – such as the family, schools, and voluntary associations (including places of worship), which are all parts of communities (p. 1).

Additionally it highlights the special connection between an individual and the responsibilities that one has to his or her family, community and wider society. The theory gained prominence among political philosophers in the 1980s who disagreed with John Rawls' theory of liberalism (Knight, 2005). Some communitarian theorists also draw inspiration from much older traditions and philosophical thinkers such as Aristotle who argued in favour of having close knit communities where individuals fulfil roles assigned to them by society from birth. According to communitarians, Rawls contended that the government had the principal obligation to secure and equally distribute liberties and economic resources to citizens in order to ensure that they can lead their freely chosen lives (Knight, 2005). Communitarian philosophers were mostly opposed to the individualist premises upon which Rawls' theory was based. They argued that Rawls' theory of justice devalued the essence of community, unlike communitarian theorists, who revered the concept of community values, traditions, and way of life (Bjorck, 2006). According to communitarianism, the community and not the individual should be the primary focus of political thought (Etzioni, 2010). As a result, communitarianism affirms

the need to deepen the understanding of communal and social solidarity, as opposed to an individual's life, as supported by John Rawls (Etzioni, 2010). The basic foundation of this theory is rooted in the values of the community. The views of communitarian scholars David Miller and Amitai Etzioni will be analysed in this section. It is vital to note that both of these philosophers are identified as social democratic or centre-left communitarians.

David Miller

Communitarian theorist David Miller has weighed into this debate. Miller has advocated for what is termed as 'liberal nationalism'. In his argument he has stated that national identity plays a significant role in shaping the personal identities of individuals. Miller claims that 'nationality' in effect is the major factor that creates solidarity among members of a community/nation. He believes it is not unreasonable to have that community identity protected from foreign influence which could erode it. Secondly Miller argues that nations are 'ethical communities' whose members have unique responsibilities to each other. Members of the community are not obliged to fulfil the same responsibility to those outside. Thirdly Miller explains that nations have a legitimate right to be sovereign and self-governing. The creation of political mechanisms which allow members of nations to choose and act upon what is important to them should be encouraged (O'Leary, 1996). He believes that citizens attach significance to collaboration in shaping their social world if there is a shared national identity providing unity. In this view, Miller argues that citizens need to have a sense of belonging together for them to value participating together politically (Mason, 1999).

In his notion of liberal nationalism, Miller defends the politics of national identity as instrumental to achieving social democratic policy outcomes. Although liberals tend to dismiss nationalism as primitive and particularistic and seek to align themselves with what they consider to be more progressive ideals of universal brotherhood, Miller argues

that social democrats tend to be mistaken when they reject or ignore the claims of community in the modern world (O'Leary, 1996). Hereby, Miller argues that all identities are, to a certain degree inauthentic, impure and the results of social imposition. Thus, an ostensibly conservative defence of national identity does not have to generate policies of exclusion and marginalisation.

In regards to immigration, Miller advances that the principle of nationality only seeks immigrants to be willing to accept the host's political structures and to be engaged in dialogue with the host community to be able to forge a common identity. Therefore, a concern with national identity should not commit one to politics of exclusion (Tebble, 2006). Consequently, liberalism and nationalism are viewed as mutually reinforcing ideals. The conception of common nationality in Miller's idea leads to the formation of crucial bonds referred to as a 'community of obligation' through which individuals view themselves as morally engaged and mutually indebted. Common nationality ensures that there is some level of trust and mutual respect among fellow citizens crucial for deliberative democracy to function (Tan, 2002). In this view, it is in the context of national culture that the fundamental liberal values of social justice, individual autonomy and democracy can optimally be realised (Tan, 2002). Miller further advanced that the logic of liberal nationalism points towards a collective praxis that consists of open processes of debate and discussion to which each individual is potentially a contributor, which can be considered to be central to social democracy (Dzur, 2002).

In relation to resettling refugees Miller argues that immigrants and refugees entering the country can 'change the public culture in different ways', whilst citizens are interested in controlling public culture, thus creating a conflict between citizens and immigrants. Miller (1988) argues that the moral duty owed to fellow members of the community is more extensive in comparison to that owed to strangers. As a result, Miller suggests that in the interest of citizens' shared values, it is justifiable to restrict the movement of

migrants between countries (Kuosmanen, 2012). This common interest is an understanding that should be protected, and in resettling refugees, there is a risk they might negatively impact the shared values of the host community. Moreover, although Miller (2005) recognises that states have an obligation to admit refugees, on the basis that they have a right to protect people whose fundamental rights have been violated - he however, emphasizes that only temporary sanctuary should be granted. Accordingly, liberal states should rather develop safety zones closer to the homes of refugees, and deal with the challenges causing them to flee, instead of 'encouraging long-distance migration' (Miller, 2005). Therefore, in establishing safety zones, liberal states will avoid the problems that may occur when a refugee's temporary residence turns into a semi-permanent home.

Problems that may arise could be attributed to the fear that refugees can cause unequal wealth redistribution thus lowering the standards of living of their host communities (Miller, 2005). Some communitarians perceive refugees as having limited social goods as they are dependent on welfare assistance offered by liberal states (Seglow, 2005). They argue that although a state might possess more than it needs in terms of wealth, there will be an influx of more refugees, which eventually the state would not be able to support. This compels them to advocate nations to enact strict immigration policies. These policies are geared towards keeping refugees at bay while maintaining the existing social welfare of citizens. They argue if this is not adhered to, the distribution of a state's resources might generate conflicts between the given participants. This may occur when locals feel that refugees are enjoying resources, which were exclusively meant for them.

Moreover, communitarians argue that a large influx of refugees poses significant security concerns to the host society. The most serious security threat is cross border raids, in addition to conflict importation from their country of origin (Jacobsen, 2002). Another security concern surrounds the recruitment of jobless refugees by criminal gangs (Björck,

2006). Furthermore, political radicalization is another issue at hand, which host countries have to tackle. The difficulty of the host nation separating those displaced by war and the bona fide refugees means that criminal or rebel forces might actually live among refugees (Björck, 2006). These security issues tend to complicate the efforts of managing the refugee crisis by third states. Therefore, some communitarians argue because of these serious security problems, liberal states are obliged to protect their own communities and citizens first and consequently have limited moral obligations in protecting others.

If however liberal states are compelled to resettle refugees, Miller (2005) stresses that liberal states should be given the autonomy to decide on the number of refugees, and specific refugees to consider residence. In his argument, Miller (2005) suggests that there should not be a scenario where an obligation to admit a particular refugee is associated with a distinct state. The responsibility of taking in refugees should be shared among all countries, with each state being allowed to choose the refugees whom they can admit, without placing pressure on the public culture, or putting a special responsibility on specific states (Miller, 2005).Therefore, it is allowable for states to choose migrants and refugees whose culture is close to that of the existing population, to permit a seamless resettlement of such refugees. However, Miller (2005) cautions against discrimination on the grounds of sex, religion, or race. Consequently, liberal states have an obligation to choose whom to admit to their state, so long as the criteria are reasonable and non-discriminatory.

Amitai Etzioni

Another theorist who has explored the obligations of resettling refugees from a communitarian perspective is Amitai Etzioni. Etzioni along with other communitarian theorists in the United States is regarded as a prominent advocate of community responsibility. He is concerned that "people just do not care about their neighbours as much as they once did" and he argues that this is because of "the decline of community,

civility, and order" (Saul, 2000, p. 568). To help alleviate some of society's problems Etzioni has advocated for what he terms as the third sector. He considers the third sector as "an alternative sector separate from and balancing the state and the market, themselves considered separate sectors. If something is ruled neither primarily by market logic nor via a bureaucratic chain of command, it must be part of the "third" sector" (Olaf, 2010, p. 13). The third sector is utilised to differentiate and separate organisations that are not considered to be in the two main divisions of the economy which are the public and private sectors. For Etzioni and others the third sector symbolises organisations manned by volunteers that seek social or community objectives for example non-governmental organisations (NGO) (Olaf, 2010). Furthermore, Salamon and Helmut (1997) argue that organisations in the third sector have five features.

> Firstly they are organised, i.e., they possess some institutional reality. They are private, i.e., institutionally separate from government. They are non-profit-distributing, i.e., not returning any profits generated to their owners or directors. They are self-governing, i.e., equipped to control their own activities. They are voluntary, at least in part, i.e., they involve some meaningful degree of voluntary participation, either in the actual conduct of the agency's activities or in the management of its affairs (Salamon & Helmut 1997, p. 9).

In relation to refugees Etzioni believes that although the government can be a part of addressing the resettlement of refugees, a bigger role should be left to the third sector. Amitai Etzioni writes that in the wake of a large refugee exodus from the Union of Soviet Socialist Republics (USSR) and the South East Asia region the US administration led by President Jimmy Carter responded by bolstering the role of the US government and established the office of U.S Coordinator for Refugee Affairs in 1979 (Etzioni, 2003). Because of the large influx of refugees into the US, voluntary organisations lacked the appropriate resources to cope with the large number of refugees coming in. Etzioni (2003) notes that before 1979 third sector organisations like Church World Service and the International Rescue Committee among others led efforts to resettle people. He disagreed with the administration's response by expanding the government's role in solving

society's problem with the creation of the office of U.S Coordinator for Refugee Affairs. He believed that although the government could play a part in addressing the refugee crisis, third sector organisations were best placed to resettle refugees. He states this by saying

> When there were missions that communities and voluntary associations (the Third Sector) could carry out well, it was unwise to pre-empt them, further weakening the social fabric and increasing public costs. Moreover, the Third Sector was particularly good at absorbing immigrants. American ethnic groups have taken care of their own for generations (Etzioni, 2003, p. 149).

In addition he believed that communities could assist the government in resettling refugees since they had the experience and knowledge, instead of their role and work being absorbed by the government (Etzioni, 2003). Therefore, he recommended that the government establish a National Emergency Coalition for Refugees made of third sector organisations like charities and faith groups and the government should leave these groups to deal with resettling refugees (Etzioni, 2003). Etzioni recommended that the government ought to consider acting as the catalyst or the convener rather than being the responsible party. The third sector would raise funds, fashion a programme and mobilise volunteers to assist refugees to become part of the receiving community. However, his suggestion was not taken on board and the US government proceeded with increasing funding and resources for the office for Refugee Affairs (Etzioni, 2003). However, Amitai Etzioni notes that as the months progressed third sector organisations played a larger role in resettling refugees into local communities than the government. He believes that community organisations are best placed to handle resettling refugees and the government's role should be limited as there is a "very important role for communities, voluntary associations, places of worship- for the body society- to play in dealing with the problems that plagued our society" (Etzioni, 2003, p. 152).

Conclusion

In conclusion, the theories and perspectives examined in this chapter show different opinions and concerns about the resettlement of refugees in liberal countries. As examined in this chapter, standard liberal theorists and some libertarian philosophers take a human rights approach in regards to resettling refugees and view refugees as disadvantaged groups that have been victimised by fate. As a result, the host communities in liberal countries are morally obligated to assist refugees via resettlement schemes. However, as studied in the chapter some libertarians hold an alternative view and are opposed to resettling refugees as they contend that open border immigration would be tantamount to an infringement of the property rights of local citizens in liberal states. This chapter has also explored cosmopolitanism which advocates for global citizenship and thus refugees are viewed as being entitled to resettlement. On the other hand, this chapter has also assessed the perspectives of communitarian theorists who state that the rights of members of a community supersede the rights of outsiders. Therefore, refugees would compromise the values, and deplete the resources allocated for community members.

The remaining chapters in this thesis will evaluate all of the theories examined in this chapter and how these theories are reflected in the policy debates and positions of different New Zealand political parties over the last 16 years regarding refugee resettlement. However, there will be a particular focus on the liberal human rights perspective. This is because the liberal human rights perspective generally shapes the way states respond to each other and how they respond to global humanitarian crises like the current refugee crises. In addition it has guided how most political parties in New Zealand have responded to the resettlement of refugees over the last 16 years.

Chapter Four: Political party positions 2001-2017

No one leaves home unless home is the mouth of a shark (Warsan Shire)

Introduction

This chapter will examine the policy positions that political parties in New Zealand have taken in relation to the flash points discussed in the first chapter, namely the Tampa refugee crisis, the Ahmed Zaoui case and the current Syrian refugee crisis. Firstly this chapter will examine the background of different parties starting with Labour as it was in government at the beginning of the period being studied in this thesis. Then it will study National, the Greens and New Zealand First. In each party section the chapter will analyse the extent to which social justice theories are reflected in the policy positions of the parties and how these beliefs have changed over time. This chapter found that on most occasions most parties adopted a liberal human rights perspective in relation to refugee resettlement. However, it is important to note that from time to time, all of the parties altered their perspectives, and consequently their policies reflected other social justice theories. Some of the reasons that contributed to their policy changes can be attributed to public mood and New Zealand's relations with foreign countries.

The New Zealand Labour Party (NZLP)

The NZLP is the country's oldest party (Franks & McAloon, 2016; Aimer, 2010). Its origins stem from increasing public support for socialist principles and trade union movements active in the 19th and 20th centuries (Mulgan, 1994; Aimer 2010). Prior to the establishment of the Party there were bitter industrial conflicts between workers and employers (Franks & McAloon, 2016; Aimer, 2010). Workers formed unions to collectively campaign for better working conditions and often went on strikes in pursuit of their goals. The NZLP was officially established in 1916 as the political wing of the

labour movements (Franks & McAloon, 2016; Aimer, 2010; Mulgan, 1994; Labour, 2017). According to Gustafson (1992) the leaders of the Party pursued a strong and independent voice in Parliament for the working class in order to advance their living standards. Initially, the Party adopted strong anti-capitalist policies and contested the first election after its formation with an array of policies that included initiating government influence and intervention in the banking, insurance, shipping and mining industries (Aimer, 2010). The Party was defeated but because of the economic and social pressures following the Great Depression and with some adjustments to its socialist policies the first Labour government was elected in 1935 (Aimer, 2010; Mulgan 1994).

Labour is a self-declared social democratic party that aims to give equal opportunity and provide social security to all. Peter Aimer (2010) claims that the Party has lately been seen to be made up of a combination of liberals and socialists. He argues that

> This combination, with its potential for a shifting balance between its two elements, is more commonly expressed as social democracy. As a social democratic party, Labour belongs to a 'family of comparable centre-left parties in developed democracies, including the Labour parties of Australia, Britain, and Norway, the Social Democratic parties of Denmark, Finland, Germany and Sweden, and the New Democrats of Canada (p. 475).

In line with its social democratic principles some of the founding principles of the NZLP include the following:

- All people should have equal access to all social, economic, cultural, political and legal spheres, regardless of wealth or social position, and continuing participation in the democratic process.
- Co-operation, rather than competition, should be the main governing factor in economic relations, in order that a greater amount and a just distribution of wealth can be ensured.
- All people are entitled to dignity, self-respect and the opportunity to work.
- Peace and social justice should be promoted throughout the world by international co-operation and mutual respect.
- The same basic human rights, protected by the State, apply to all people, regardless of race, sex, marital status, sexual orientation, gender identity, age, religious faith, political belief or disability (New Zealand Parliament, 2017a, para. 4).

With these social democratic values it can be expected that Labour's immigration policies would aim to enhance the integration process for new migrants as well as encompass humanitarian principles because some of its principles call for all individuals to have the same access to social, economic and political powers irrespective of their socio-economic status. Furthermore, Aydan Oezoguz (2012) argues that

> the social democratic perception of the term integration calls for mutual acceptance between citizens of all cultural backgrounds or religious beliefs (as well as between citizens and the state) whilst uniting them as one society in which everyone has equal chances to participate in matters of social, cultural, political and economic activities. And it is not only about accepting cultural diversity that new citizens have brought with them, it is also about acknowledging their achievements and appreciating diversity as a resource that society can benefit from (para. 2).

However, as analysed in the previous chapter some social democratic communitarians oppose the resettlement of migrants, particularly refugees (Miller, 2005).

Tampa refugee crisis

The Fifth Labour Government (1999-2008)'s first major test involving refugees occurred just before the September 11 attacks in the United States. This was the case of the Tampa refugees who were refused entry to Australia. After several days at sea and with global media attention focused on them, the Labour government decided to resettle some of the refugees stranded on the vessel. On August 31 2001, before making a definite commitment about its decision, journalists asked Prime Minister Helen Clark what New Zealand would do to help address the crisis. She indicated that New Zealand would take some refugees but did not give further specifics about her government's decision. In response to the question the Prime Minster said "We will only make an offer we can accommodate, it's important we have proper refugee reception procedures and we can't bite off more than we can chew" (TVNZ, 2001, para. 8). A day later on September 1, 2001, it was announced by the Australian government that New Zealand would resettle 150 of the refugees, whilst the rest would be transferred to Nauru (Bostock, 2002).

A few days later on September 4, 2001, Helen Clark was questioned in Parliament about her government's decision to resettle some of the Tampa refugees. She said it was a decision made on a humanitarian basis. The following is an excerpt obtained from Hansard during parliament's Question and Answer session on 4 September 2001 in which she explained her stance and her government's decision:

> **Chris Carter (NZ Labour--Te Atatu) to the Prime Minister:** What action is the Government taking regarding the Afghan refugees from the Tampa?
>
> **Rt Hon. Helen Clark (Prime Minister):** For humanitarian reasons, and in response to a request from Australia, New Zealand has offered to admit up to 150 of those on the vessel. The numbers can be easily accommodated within our existing annual quota of 750 refugees (Carter, Clark, Shipley, Campbell, & Webster, 2001, p. 665).

It is important to note that the 150 refugees accepted by Clark's government were not on top of the 750 New Zealand accepted annually as evident in her answer. Further in the parliamentary session the Prime Minister was asked by Alliance MP Kevin Campbell how Australia reacted to the offer made by her government. The following is her response:

> **Rt Hon. Helen Clark:** Australia did request assistance from us. We considered what assistance we could give Australia at this very difficult time and we made the offer accordingly, and, from the Prime Minister down, the Australian Government is very grateful for the support offered by New Zealand (Carter et al, 2001 p. 665).

Following this, ACT MP Penny Webster asked her to confirm that this decision would not establish a precedent for others to attempt to come to New Zealand by boat.

> **Penny Webster:** What assurance can the Prime Minister give that the acceptance of these refugees under these circumstances has not set a dangerous precedent for future boat refugees?
>
> **Rt Hon. Helen Clark:** We would not have made the offer, nor would Australia have made the request, if we had thought that would be the outcome. The reality is that those people could not stay on that boat. New Zealand offered a practical way out, and we have the Australians' gratitude for that (Carter et al, 2001, p. 665).

In an interview conducted 16 years later with Radio New Zealand, Helen Clark explained her recollection of the events that transpired and what influenced her decision. She said that she was contacted by the Prime Minister of Norway because the vessel was Norwegian registered. He asked if her government could do anything to help with the situation. She told him New Zealand would "look at it" (Clark, 2017). She explained that the New Zealand media covered the situation from Australia's perspective for several days. A journalist approached her press secretary and enquired if New Zealand would take them in if it was in a similar situation. Her press secretary asked the Prime Minister how he should answer the question. She said "why not give the response that one assumes that we would escort the vessel into port and process people according to the international conventions on refugees, asylum seekers" (Clark, 2017).

Soon after, the office of Australia's Foreign Minister Alexander Downer called New Zealand's High Commission in Canberra to enquire about her statement to the media. Accordingly, the High Commission informed Clark's office that Alexander Downer's office called and asked if New Zealand was willing to help. In response she called government officials from different departments for consultation. She explained that INZ was very concerned that taking the Tampa refugees would establish a precedent for other refugees to embark on boats to New Zealand. However, she questioned their logic and asked "what boat has ever come here since our forebears came on sailing ships" (Clark, 2017). She argued that because of New Zealand's geographical location "we're so remote" (Clark, 2017). She acknowledged that

> From time to time there's been scares about boats coming. They never come. It's too far. So there was hardly a precedent...So, I didn't think we were ever in any great danger of attracting boats of asylum seekers by doing something humane for the Tampa people (Clark, 2017).

Following the Tampa refugee crisis the Party made changes to its immigration policies. In its manifesto for the 2002 election, it listed some of the changes it made to the

immigration portfolio regarding refugees. Some of the policies it listed included funding for Auckland Refugee Council Hostel which housed asylum seekers (Appendix A). Furthermore it increased funding for resettlement projects run by NGOs such as Refugee and Migrant Services and introduced funding for UN quota refugees to have off-shore health screening. Further policies Labour introduced included the establishment of the Advanced Passenger Processing (APP) System and fingerprinting individuals applying for asylum once they enter New Zealand (Appendix A,).

Analysis

Labour's response to the Tampa refugee crisis reflects the Party's generally liberal institutionalist perspective, which states that international organisations play an essential part in global politics (Grieco, 1988; Devitt, 2011). In addition, Clark's answer during the Question and Answer session in Parliament on September 4, 2001, reflects liberal institutionalism because it encourages collaboration among countries and demands them to safeguard human rights (Mordi, 2015).

Furthermore, *jus cognes* was also reflected in her response because *jus cognes* argues that countries should obey international law. Moreover, Labour iterated that its decision was a humanitarian decision. This once again reflects liberal human rights arguments as political liberalism argues that countries should implement human rights principles outlined in international treaties (Charvet & Kaczynska-Nay, 2008; Chau, 2009). For example this can include the Universal Declaration of Human Rights as in article 14 it states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution" (Universal Declaration of Human Rights, 1948, p. 4).

In addition Labour's approach reflects some of the eight principles outlined in John Rawls's liberal institutionalist 'Law of Peoples'. For instance, Rawls advocates that people and states should observe treaties. In relation to refugee resettlement this can cover international treaties that nations have signed like the 1954 Convention Relating to the

Status of Stateless Persons and the 1967 Protocol as well as the Universal Declaration of Human Rights. Rawls likewise, promotes individuals and states to respect and adhere to human rights principles outlined in treaties.

Ahmed Zaoui

The next challenge pertinent to refugee resettlement Labour encountered was the case involving Ahmed Zaoui. Unlike the Tampa refugees, the Party was more wary of resettling him. When Zaoui arrived in New Zealand to seek refugee status he was immediately detained and taken Paremoremo Prison where he was held for 10 months in solitary confinement (Lafraie, 2006; Brown, 2010). The government of the day believed that he posed a security threat to the country because of his presumed association with the Armed Islamic Group (GIA) active in Algeria. In an answer to a question asked by Green MP Keith Locke to the Minister of Police, the Minister confirmed the government believed that Zaoui was a member of the GIA. This is evident in the following excerpt recorded in Hansard:

> **Keith Locke to the Minister of Police (26 Sep 2003):** In December 2002, when Ahmed Zaoui arrived in New Zealand, did the police consider that he was a member of the Armed Islamic Group (GIA) of Algeria; if so, what was the evidence on which that assessment was based?
>
> **Hon George Hawkins (Minister of Police) replied:** Further to my interim reply of 6 October 2003 I can now submit a substantive reply. In December 2002, New Zealand Police considered there was a basis for believing Mr Zaoui to be a member of that group. The basis for that belief flowed from what was believed to be Mr Zaoui's acknowledgement of such membership, open source information and law enforcement information (Locke & Hawkins, 2003, para. 2).

The NZLP even denied that he was placed in solitary confinement. Keith Locke asked the Minister of Corrections why Mr Zaoui was being held in solitary confinement. The following is an excerpt from Hansard between Keith Locke and Minister of Corrections Paul Swain.

> **Keith Locke to the Minister of Corrections:** What are the reasons Ahmed Zaoui remains in solitary confinement in Paremoremo Prison?

> **Hon Paul Swain (Minister of Corrections) replied:** Ahmed Zaoui is not held "in solitary confinement". He is managed on a non-association regime, which restricts his opportunity for interaction with other inmates but in no other way is restrictive in respect of entitlements (Locke & Swain, 2003, para. 2).

Furthermore on February 12, 2004, Prime Minister Helen Clark reiterated her government's belief that Mr Zaoui posed a security threat to New Zealand. This is evident in the following passage from Hansard during Parliaments Question and Answer session on February 12, 2004.

> **Keith Locke:** Does the Minister agree that it is inhuman that Mr Zaoui has now been imprisoned for over 14 months, and why does not the Government use the legal provisions available to it either to free him or to move him to a more relaxed form of detention, such as the Mangere Refugee Resettlement Centre?
>
> **Rt Hon Helen Clark:** No, I do not accept that. Mr Zaoui came here on a false passport, and he is a person of security concern to the Government's security adviser, which is the Security Intelligence Service. It has used its judgment to issue a certificate. There is a process to be gone through. The Government has looked very carefully at the interplay between the Immigration Act and other Acts of Parliament, and it is the Government's view that he is required to be detained in a penal institution (Locke & Clark, 2004, p. 187).

After wide speculation that foreign countries provided information regarding Zaoui's security risk to New Zealand, the Immigration Minister Lianne Dalziel, gave a hint without fully acknowledging it. In comments to media in November 2004 she alluded that intelligence information regarding Ahmed Zaoui was provided by foreign countries. Therefore, she could not comment on the allegations made about Ahmed Zaoui because by doing so New Zealand risked not receiving further intelligence from other countries. She said "I have been put in a terrible position because I can't actually respond to all of the allegations... If we as a country do not treat classified security information confidentially we simply won't receive it" (Ahmed Zaoui - threat to national security or wronged refugee? 2004, para. 14).

In its 2005 election manifesto Labour vowed to introduce changes to the Immigration Act. Some of the changes it vowed to introduce came as a result of Ahmed Zaoui's case.

For example, it promised to change the procedure regarding security risk certificates. In its manifesto Labour declared that it would "introduce new legal processes for dealing with security risk certificates and ensure the effective legal oversight of the office of the Inspector of Intelligence and Security" (Appendix B, p. 124).

Analysis

Unlike the Tampa refugees, Labour took a more hard-line approach to Ahmed Zaoui's case. Firstly Labour's argument for imprisoning him reflects anti-immigration libertarian arguments made by some scholars who state that some refugees can undermine the security of their host community. They contend that even though refugees should not be sent back to their country of origin, liberal countries do not have a specific obligation to resettle them. In Zaoui's case, although he was found to be a genuine refugee by INZ, the Labour led government continued to imprison him and believed that it did not have resettle him as long as he was a threat to New Zealand. In explaining the anti-immigration libertarian perspective Humphrey (1987) claimed that refugees should not be deported back to the country that has violated their human rights, but also, host communities are not obliged to resettle them.

Additionally, Labour's approach to Zaoui's case is also reminiscent of arguments made by some communitarians. Communitarianism argues that the wellbeing of the community supersedes the welfare of an individual (Etzioni, 2010). Therefore if an individual refugee poses a threat to the welfare of the community they should not be offered resettlement. According to Jacobsen (2002) one of the greatest threats a refugee poses is they could bring the conflict of their home country with them. Another way that refugees could destabilise the security of their host community is by radicalising the local population. As Labour received intelligence information from foreign countries regarding Ahmed Zaoui's case, it can be assumed that they were afraid that he would mobilize and radicalize the local population as he was sentenced and expelled from countries New

Zealand has close diplomatic relations with such as Belgium, Switzerland, France and Australia for being a member of a criminal organisation.

Syrian refugee crisis

The next major flash point regarding refugees which sparked local debate is the Syrian refugee crisis. The crisis began in 2011 when Syria descended into civil war. During this period the NZLP was in opposition from 2008 to 2017. In response to the crisis Labour vowed to increase the intake of Syrian refugees. In comments made to media on September 4 2015, Labour leader Andrew Little stated that he planned to lodge a bill that would compel the government to immediately take 750 refugees. He claimed that it would "compel action right now" and added "We have the capacity to rescue 750 more refugees this year - we just need the will and the moral leadership to provide the resources to do it" (Vance, 2015a, para. 8). He and Green Party co-leader James Shaw wrote to the Speaker of the House to urgently debate the issue but it was declined (Carter, 2015, & Vance, 2015a).

In March 2016 the NZLP vowed to double the annual refugee intake from 750 to 1500. In a press release on 31 March 2016 Labour leader Andrew Little said:

> Today Labour is joining the Double the Quota movement and calling on John Key's Government to commit to welcoming 1500 refugees a year in its upcoming quota review… Kiwis have been horrified at the images of refugees fleeing Syria and other nations in what is the greatest humanitarian crisis since the Second World War. As an open and big-hearted nation we must do our bit to help some of the world's most vulnerable people (Little, 2016, para. 2).

He acknowledged that the quota had not changed for two decades and said it was morally right to double the quota.

> New Zealand has not lifted its refugee quota in 29 years. Australians take three times the number of refugees per capita that we do. That's not who we are and it's not the kind of moral leadership we have been known for… We must do it because it's right, and it represents who we are as a people. Let's double the quota and welcome those who need us most (Little, 2016, para. 4).

In addition, Labour reaffirmed in its 2017 election manifesto that it would double the refugee quota once in government. It claimed that it would double the number of refugees New Zealand takes annually. However, it is interesting to note that the policy will take three years to implement. Whilst in opposition, Labour pressured the National Party to immediately double the quota because it claimed New Zealand has the resources to adequately host the refugees but its own policy will take three years to implement. The following is an excerpt from Labours 2017 election Manifesto in which it said that Labour would:

> Double New Zealand's refugee quota when in Government because it's the right thing to do. As an open and big-hearted nation we must do our bit to help some of the world's most vulnerable people. Labour will increase the refugee quota to 1500 over three years, and provide the funding to manage the resettlement of refugees (Kirton, 2017, p. 5).

Analysis

Labour's policy position towards the Syrian refugee crisis was different to how it reacted to Ahmed Zaoui's case, although similar to the case involving the Tampa refugees. In response to the conflict Andrew Little argued that New Zealand had a moral obligation to resettle Syrian refugees because New Zealand had the capacity and resources to do so. This argument reflects the arguments made by liberal philosopher Amartya Sen who argued that we have an obligation to stop the desecration of an individual's human rights, particularly if we are in a privileged position to stop such a violation (Sen, 2009). The argument made by Labour can be linked to the case of Catherine Genovese outlined by Sen. Labour argued that it was morally imperative for New Zealand to double its refugee quota because it is morally wrong for New Zealand to not increase the quota whilst it had the resources to save more lives.

Finally, Labour's policy may also reflect arguments perpetuated by cosmopolitan theorists like Peter Singer. Peter Singer argues that countries have an

ethical responsibility to help refugees who are living in difficult circumstances. This is best summarised by Singer's quote in which he states that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (Singer, 1972, para. 6). This relates to Labour's policy to the crisis because it continuously argued that New Zealand was in a privileged position to resettle more Syrian refugees and it would be morally wrong for New Zealand not to do so while it could.

However, it can be claimed that Labour was being politically opportunistic because it was in opposition. This is because its own policy to double the quota will take three years to implement, whilst in opposition it argued New Zealand could immediately double the quota. Furthermore, when in government in the early 2000's Labour failed to increase the quota and only took emergency refugees within the 750 annual quota like it did with the Tampa refugees. In addition, it can also be argued that it was being pushed to the left by civil society organisations and the Green Party who strongly advocated the National government to increase the quota. Unlike the Greens, the NZLP was doing poorly in political opinion polls conducted by media outlets, therefore its policy could have been influenced by its desire to do better in opinion polls.

Summary

As examined above the NZLP is a self-declared social democratic political party with the objective of providing social security and the platform for equal opportunity to all, so one can gain access to social, economic and political powers regardless of their socio-economic background. In line with its social democratic values, the NZLP adopted a welcoming and humanitarian approach to resettling the Tampa and Syrian refugees. As previously analysed the NZLP's arguments to resettle the Tampa and Syrian refugees strongly resemble the arguments advocated by liberal theorists who call for states to adopt a human rights approach to the resettlement of refugees. In both of these cases the NZLP

strongly argued that New Zealand should be doing more to resettle these refugees because New Zealand had the capacity to help and doing so would illustrate to the international community that New Zealand is a compassionate and caring country. Furthermore, the NZLP routinely argued that resettling these refugees showcases New Zealand's commitment to international treaties pertinent to human rights and refugee resettlement. However, in regards to Ahmed Zaoui's case the Party deviated from its humanitarian and liberal approach and adopted a more hard-line approach by refusing to resettle Zaoui to New Zealand even though he was found to be a genuine refugee by INZ. Its arguments reflected those made by some communitarians and anti-immigration libertarians as the Party frequently asserted that he was threat to New Zealand's security. It alluded to intelligence information obtained from foreign countries which highlighted he was a threat to New Zealand's security although the New Zealand government department in charge of assessing asylum claims found that he was not a threat to New Zealand. In this regard it can also be argued that Labour's approach reflected the arguments made by liberal institutionalists who call for members of the international community to cooperate with each other in order to attain economic success and combat issues that threaten their shared interests like threats to their national securities. Overall, as analysed the NZLP often adopted a liberal human rights perspective in relation to refugee resettlement.

The New Zealand National Party (NZNP)

New Zealand's other largest political party is the NZNP. Formed in 1936, 20 years after the formation of Labour, the NZNP was established when the Reform and Liberal Parties merged in order to contrast with Labour and to protect New Zealand from the socialism they believed Labour would initiate (James 2010; Mulgan 1994). The two parties that formed the NZNP had two distinct support bases and were concerned with relatively dissimilar issues (James 2010). For example, Reform was a centre-right, conservative and rural based party, whereas the Liberals were more concerned with urban and city based

issues (James 2010; Mulgan 1994; National 2017a). National's traditional support base is composed of farmers, traders, manufacturers and those in business and commerce (James 2010; Mulgan 1994). More broadly, National is considered to be the Party of and for people who might be considered as 'bosses', however it also has strong support in the middle and higher middle classes (James 2010). The National Party is referred to by some as the natural party of government because of its vast support base and the fact that it was in government for 38 years out of 50 from 1949 to 1999 (James 2010; Mulgan 1994).

National is often labelled as a 'conservative' or 'liberal-conservative' party as it has both liberal and conservative leanings (James 2010). On the other hand, it also has dissident libertarian and populist inclinations which sometimes come to the forefront (James 2010; Mulgan 1994). Furthermore it has been referred to as a functionalist party which sees being in government as its main goal instead of serving particular values or philosophies. According to James (2010), the conservative wing of National is focused on preserving things that it perceives to be valuable. For example, this includes preserving the Westminster political system New Zealand adopted from Britain, the monarchy, as well as

> The rule of law and equality before the law; strategic defence alliances with 'kith-and-kin' countries such as Britain, the United States and Australia; individual freedom; the centrality of property rights and private enterprise in the economy; a discomfort with social and moral reform; and the importance of the family as the fundamental social unit (p. 489).

The Party's conservative support base also quite often opposes high immigration levels coming to New Zealand. On the other hand, the liberal section of the Party holds the individual and liberties in high regard and is wary of government influence. It believes that the government's role should be to advance personal liberties and protect individual rights (James 2010; Mulgan 1994). Other lesser tendencies within National include variants of utilitarianism which is often summarised as 'the greatest good for the greatest number' and market liberalism which argues for minimal government regulation of the

economy, fewer taxes and a smaller government (James 2010; Mulgan 1994). Some of National's values and principles include:

- Loyalty to our country, its democratic principles, and our Sovereign as Head of State
- National and personal security
- Equal citizenship and equal opportunity
- Individual freedom and choice
- Personal Responsibility
- Competitive enterprise and reward for achievement
- Limited government
- Strong families and caring communities
- Sustainable development of our environment (National, 2017c).

From its ideological backdrop it can be presumed that National would be in favour of resettling new migrants and refugees. This is because it is a party that values equal opportunity and individual freedom and choice. In regards to resettling refugees this is important because it can be argued that a person's freedom and choice to flee their place of persecution is their right in order to save their life. Furthermore, National is a party that values equal opportunity. This is also pertinent to refugee resettlement because it can be argued that equal opportunity should be extended to refugees so they can have a better chance in life. In addition, there is a presence within the party of people who are classified as libertarians and liberals. As mentioned in the previous chapter both libertarians and liberals, although not always, advocate for human rights, individual liberties and call for minimum government intervention in people's lives, thus sometimes support an 'open borders policy'. However, the Party also has a conservative support base which opposes high immigration levels to New Zealand. This can sometimes cause tensions within the Party between the liberal and conservative sections. In this regard it can be expected that the Party will oppose immigration and refugee resettlement.

Tampa refugee crisis

Although in opposition when the Tampa refugee crisis occurred it was also National's first major test in relation to refugee resettlement in the 21st century. While the Labour

government took a more humanitarian approach, National was more hesitant and argued that there was a possibility that the refugees could pose a threat to the security of New Zealand. National was in agreement with Australia's stance of not resettling the refugees because they perceived them to be 'queue jumpers' and illegal immigrants.

The leader of the National Party Jenny Shipley supported Australia's stance and in August 2001 said "Australia is doing absolutely the right thing to send a message to the world that they do not want illegal immigrants to be brought to their country or any other country" (TVNZ, 2001, para. 6).

Furthermore, on September 04 2001, she accused the refugees of being 'queue jumpers' who were obstructing the arrival of genuine refugees to New Zealand. This is evident in the following excerpt from Hansard of the exchange between Jenny Shipley and Helen Clark inside Parliament.

> **Rt Hon. Jenny Shipley:** What is the Prime Minister's message to the 23 million genuine refugees worldwide, some of whom were planning to come to New Zealand and have now been delayed, because of our agreement to accept 150 people who have jumped the queue?
>
> **Rt Hon. Helen Clark:** My message is that the problem of refugees and asylum seekers is a huge international problem that requires an international response. New Zealand can only ever play a very small part in that response, but I believe that all caring people would be concerned to see that we do so (Carter et al, 2001 p. 665).

In addition, on the same day Jenny Shipley asked the Prime Minister to confirm that the Tampa refugees would not threaten New Zealand's national security. To support her question she accused Dr Najibullah Lafraie who was Afghanistan's former Foreign Minister who was granted refugee status in New Zealand of being a leader of a terrorist organisation. The following is the transcript from Hansard.

> **Rt Hon. Jenny Shipley (Leader of the Opposition) to the Prime Minister:** Will she guarantee that the vetting procedures she puts in place for the 150 refugees from the Tampa will ensure that no Afghan who has been involved in guerrilla warfare, terrorist activity or other undesirable activity will be allowed to remain in New Zealand?

> **Rt Hon. Helen Clark (Prime Minister):** The Government will ensure the same procedures are used that have been used for many years, including those under the last Government.
>
> **Rt Hon. Jenny Shipley:** Will the Prime Minister guarantee to New Zealanders that a more effective vetting procedure will be applied than was used for Mr Najibullah Lafraie, the mujahedin rebel leader who led the most powerful guerrilla faction during the jihad or holy war in Afghanistan and who was refused residence in Australia, but who was granted residence by the New Zealand Government in September last year and is now being paid a benefit by the Government, and who is a publicist for her latest decision to accept 150 queue-jumpers from the Tampa?
>
> **Rt Hon. Helen Clark:** I have seen in the media some coverage of the plight of the former Afghan Foreign Minister, who was accepted as a refugee. The coverage I have seen suggests he is a highly qualified person, as are many members of the Afghan refugee community who have made their homes in New Zealand (Carter et al, 2001 p. 666).

Moreover, in its election manifesto for the 2005 election, National pledged to cut New Zealand's annual refugee intake. Some of the reasons it cited was that refugees like those on board the MV Tampa became dependent on the government for financial assistance, and also sponsored their families who also became reliant on government benefits. The following is a passage of National's 2002 election manifesto:

> The current refugee quotas include the United Nations approved refugee quota of 750, the Refugee Family Quota of 300, and those who are "spontaneous refugees"- who arrive at the border. Refugees may also sponsor family members under the Family Category after three years but they do not have to meet financial support requirements. Recently, three of the so-called Tampa boys sponsored 33 others between them. National will cut refugee quotas to 750 by scrapping the Refugee Family Quota and including it in the reduced quota, limited to immediate family reunification only. Funds released will be reallocated across the smaller number of refugees to improve English language and resettlement outcomes. A report into refugees found that 90% were on welfare after one year, 80% after five years, and the main reason was poor language skills (Appendix C, p. 129).

Analysis

This reflects arguments made by Humphrey (1987) and Hospers (1998) who state that liberal countries are not obliged to resettle migrants because the welfare support services in liberal countries will attract migrants from developing states who will become dependent on the support of the state.

In addition, National's stance towards the Tampa refugees also resonates with some communitarian opinions. This is because communitarians also argue that refugees can cause unequal distribution of wealth and could consequently decrease the living standard of the host community. David Miller (2005) explains that this is because there is a perception among some communitarians that refugees have few skills and will therefore become reliant on the state for assistance. Seglow (2005) explains that if the number of refugees admitted to liberal countries is unregulated, this could cause conflict between refugees and their host communities as more resources will be directed to help refugees which might take away support from services important to host communities.

Furthermore, some communitarians argue that refugees could threaten the security and stability of their host communities. National argued that the Tampa refugees could threaten New Zealand's national security, therefore they should not be resettled in New Zealand. This reflects Etzioni's (2010) explanation that when refugees pose a threat to communities the interests of the host community overrides the welfare of single person, especially if the individual presents a danger to the security of the community.

Ahmed Zaoui

Ahmed Zaoui's case also saw the NZNP add its weight to the political debate. However, interestingly the NZNP was in agreement with the NZLP in its objection to allowing Mr Zaoui to resettle in New Zealand even though he was found to be a genuine refugee. Like Labour, National believed that Ahmed Zaoui posed a credible security threat to New Zealand. This was illustrated by National MP Bill English who in comments made to media stated that he believed that the government was taking the right steps. He said "I was briefed. I had some discussion with them [the SIS]. I am more than satisfied the Government is going down the right path" ("English proves unlikely ally for Government on Zaoui", 2003, para. 5).

Additionally, on December 9 2003, during debate about the Advance Passenger Screening System, National MP Dr Wayne Mapp suggested that Ahmed Zaoui sneaked through the immigration system and he asked the Immigration Minister Lianne Dalziel to guarantee that the Labour government would not interfere with the Inspector-General's investigation into Ahmed Zaoui's case. This is evident in the following passage obtained from Hansard:

> **Dr Wayne Mapp:** Can the Minister assure Parliament that there will be no Government interference in Inspector-General Greig's review of the Ahmed Zaoui case—clearly a man who slipped through the screening?
>
> **Hon Lianne Dalziel:** Mr Zaoui arrived in the country in December last year. The screening system was brought into place in August this year. There have been plenty of examples of people who have slipped through the net; that is why we have introduced the system. However, in the last financial year the number of refugee status claimants in this country dropped to the lowest level since 1994. That means that nobody can say this country is a soft touch for bogus asylum claims (Mapp & Dalziel, 2003a, p. 237).

Two days later Wayne Mapp asked Lianne Dalziel to exercise her power to deport Ahmed Zaoui from New Zealand if the Inspector General's review found that Ahmed Zaoui posed a genuine security threat to New Zealand. The following passage is also obtained from Hansard:

> **Dr Wayne Mapp to the Minister of Immigration (11 Dec 2003):** Will she exercise her discretion to remove Ahmed Zaoui from New Zealand in the event that the Inspector General of Security upholds the National Security Certificate?
>
> **Lianne Dalziel (Minister of Immigration) replied:** It would be inappropriate for me to answer the Member's question at the present time. I will not be making a decision on this matter until such time as it is dealt with by the Inspector-General of Intelligence and Security (Mapp & Dalziel, 2003b, para. 1).

Moreover, on May 9 2005, in a party newsletter Bill English wrote that New Zealand had become an easy target for people like Ahmed Zaoui whom he referred to as terrorists and fascists. In the letter he wrote about his party's strong objection to Ahmed Zaoui's presence in New Zealand. The following is an excerpt of part of the letter.

> Several years ago Ahmed Zaoui entered the country illegally. He should have been put on a plane immediately. Instead, after 3 years of litigation he has become a hero for the left. New Zealand is now seen as a soft touch for other fascists, terrorists, whoever is on the losing side in bad regimes, unwanted at home and unable to get into any other country. Labour has turned our migration control into a joke. If you turn up to the border with an apple, you get done. If you turn up with an Iraqi passport and references from Saddam Hussein, you get in. I have dealt with a constituent who was turned away at the UK border because they said they had a UK boyfriend they might marry. We need migrants, but we don't need leftovers from Middle East terrorist regimes (Burr, 2017, para. 15).

Although Bill English claimed that Mr Zaoui came to New Zealand illegally, it is however untrue. This is because in international law the Universal Declaration of Human Rights permits individuals seeking asylum from persecution the right to go to other countries to escape persecution. This is evident in articles 13 and 14 of the Universal Declaration of Human Rights.

After Ahmed Zaoui's security risk certificate was lifted the NZNP stated that a better and more efficient process is needed in order to prevent a recurrence of a similar case. This is because the process involving Ahmed Zaoui had cost the New Zealand taxpayer more than two million dollars. In a press release the NZNP agreed to changes proposed to the Immigration Act by Labour. Its immigration spokesperson Lockwood Smith wrote that the process involving Zaoui's case was too costly and changes were needed. The following is a passage of the press release:

> This case dragged on too long, and at great expense to New Zealand taxpayers who have a right to feel deeply concerned. This man was afforded full access to the best the New Zealand legal system had to offer. Surely the starting point with any review of how this case proceeded is the time it has taken to get to this point. The total cost to the taxpayer up until late August has been $2.54 million – but could go far higher because that figure does not include Corrections costs. National believes changes to the Immigration Act proposed by the Government may avoid a repeat of this fiasco (Smith, 2007, para. 3).

Analysis

In regards to the case involving Ahmed Zaoui National's position was interestingly in agreement with Labour. It supported Labour's hesitation to resettle Ahmed Zaoui

although he was found to be a genuine refugee by INZ. Like Labour, National argued that Ahmed Zaoui was a threat to New Zealand's security and stability which reflects anti-immigration libertarian arguments. It advocated for the deportation of Zaoui although not to his home country of Algeria. This reflects libertarian arguments opposed to refugee resettlement. National's stance reflects Humphrey's (1987) explanation of the radical libertarian position which states that

> Refugees must not be sent back to the state that persecuted them, but we have no obligation to accept them in our state. Thus, the obligation and the granting of rights are themselves qualified. In a modest qualification, we have no obligation to grant membership to an individual who, though he may be a refugee, would be a threat to the stability or security of our political community (p. 82).

Syrian refugee crisis

The Syrian civil war was another major flash point that the NZNP encountered. However, this time the Party was in government unlike at the two previous flash points. Initially it was opposed to increasing the refugee quota but as the conflict escalated and with growing public pressure the NZNP altered its original position.

In an interview on the Paul Henry Show in 2015 Prime Minister John Key argued that his government would not increase the quota. The reasons he outlined in support of his argument was that although the official quota is 750, New Zealand takes considerably more refugees – close to three or four thousand per year. Furthermore he argued that if New Zealand took more refugees, the quality of support mechanisms made available to refugees would not be of the high standard they currently are as resources would be overstretched. At the beginning of the interview he was asked why he was opposed to increasing the quota when international organisations like Amnesty International argue New Zealand can cope with doubling the quota. The following is a passage of the exchange between Paul Henry and John Key:

> **John Key:** Well for a start off, yes its 750 but we have family reunification, so the numbers actually swell to thousands, so it's not 750, I think its three or four thousand off the top off my head. But and it varies depending on who comes. Second thing is, we get very very high marks by all the people that look at what we actually do, much higher than almost everybody else in terms of what we do. See some countries take more people, but they pretty much dump them out there with not much support, we give them the ultimate wrap around service. We give them a Housing New Zealand home, we give them education and sort of language services. We obviously give them financial support, I mean we give them huge support…I mean the question is can we handle more and do a good job or do we sort of start degrading the quality of what we do.
>
> **Paul Henry:** Well the experts think that we can. The experts think the answer to that question is that yes we can handle more and we can continue to do a brilliant job. Are you looking at this currently?
>
> **John Key:** Well it's always one of those things that gets reviewed and I think it's the sort of thing every so often they look at it. My general view has been that we're sitting at about the right place, and we have been for a very long period of time. Yep and I understand the arguments that people say we can do more. But you know if you look at it, I think it's far better for us to do an outstanding job with those people that come rather than say ok we're just gonna take a few more (Key, 2015).

However, as the conflict in Syria escalated, the pressure to increase the quota also grew and was led by prominent organisations and civil society. For example, during the 2015 National Refugee Resettlement Forum, Race Relations Commissioner Dame Susan Devoy said "New Zealanders need to start talking about our refugee quota, the time to do something is yesterday: We must get some guts and we must increase our refugee quota" (Human Rights Commission, 2015). In addition, other political parties amplified the pressure on the government to increase the quota with opposition parties Labour and the Greens leading calls. Even United Future and ACT who were support partners of the National led government argued New Zealand could resettle more refugees and joined opposition parties to accept a petition lobbying the government to double the refugee quota (Moir, 2016).

In response to growing pressure, the NZNP decided to increase funding to support Syrian refugees abroad. It also increased the number of Syrian refugees New Zealand resettles.

The following are excerpts of the minutes recorded for the cabinet meeting held on 07 September 2015:

> On 07 September 2015, Cabinet:
>
> - Noted that Immigration New Zealand can accommodate up to a maximum of 250 Syrian refugees in its refugee resettlement programmes in each of 2015/16, 2016/17 and 2017/18;
> - Agreed that, for the 2015/16 year 250 places be made available to resettle Syrian refugee in New Zealand, being the maximum number of places for which New Zealand can reasonably cater;
> - Agreed that the maximum number of places, for which New Zealand can reasonably cater, be made available to resettle Syrian refugees in New Zealand in 2016/17, providing for 250 places;
> - Agreed that the maximum number of places, for which New Zealand can reasonably cater, be made available to resettle Syrian refugees in New Zealand in 2017/18, providing for 250 places.
> - Noted that the Minster of Foreign Affairs intends to provide an additional NZ$4.5 million from New Zealand's 2015/16 aid budget to assist the countries affected by the Syrian and Iraqi humanitarian crisis, taking the total amount of aid provided to the region since 2011 to NZ$20.0 million (Appendix D, p. 132-133) .

Furthermore, in its election manifesto National promised that from 2018 it would increase the quota from 750 to 1000 and run a pilot programme of community based sponsorships to resettle refugees (National, 2017c).

Analysis

As evident the ongoing civil war in Syria produced a major refugee crisis which led the NZNP to alter its policy position. Originally National objected to raising the refugee quota, however as the war intensified and with mounting public pressure the NZNP changed its position. The party's response to the public pressure reflects what Amitai Etzioni termed as the third sector. Etzioni advocated that third sector organisations are better placed to resettle refugees. This is illustrated by the fact that the NZNP began to run a pilot programme of community based sponsorships to enable more refugees to come to New Zealand without the support of the government. Furthermore, in response to the ongoing crisis the NZNP increased funding to help alleviate the crisis. This reflects Amitai Etzioni's (2003) belief that community organisations can help governments

resettle refugees as they have the skills and experience to do so and are good at absorbing new migrants.

Summary

As explored earlier the NZNP is a Party considered to be liberally-conservative because it has liberal and conservative tendencies depending on the policy issue. For example it values individual liberties and freedoms which are liberal characteristics. However, in regards to its immigration policies particularly its refugee resettlement policies, the Party's conservative side overpowers its liberal tendencies. In regards to the cases involving the Tampa refugees and Ahmed Zaoui the Party adopted policies that were strongly opposed to their resettlement to New Zealand. Their arguments mirrored the arguments made by some communitarian and libertarian theorists opposed to refugee resettlement as the Party regularly stated that the Tampa refugees and Ahmed Zaoui were a danger to the welfare of New Zealand's security. However, it is interesting that the NZNP's policy towards the Tampa refugees was in agreement with Australia's. In addition, regarding Zaoui's case National MP Bill English said he had seen the intelligence briefings from the government likely provided by foreign countries. Therefore, in this respect the Party's approach mirrors liberal institutionalism as its policies were in unison and cooperating with other foreign governments.

Furthermore, after significant pressure from the public and international organisations the Party increased New Zealand's refugee quota and raised the number of Syrians admitted to New Zealand based on humanitarian principles. Therefore, although the Party adopted strong policies opposed to refugee resettlement the Party's stance on all three case studies, nevertheless reflected liberal institutionalism as it tried to cooperate with members of the international community.

The Green Party of Aotearoa of New Zealand (Greens)

The Green Party of Aotearoa New Zealand (Greens) is one of the most important smaller parties in the country as it has continuously secured seats in Parliament since the introduction of the mixed-member proportional (MMP) representational system was introduced. The Green Party has also continuously added its voice to the debate regarding refugee resettlement policies and has produced the country's first former refugee MP Golriz Ghahraman.

The Party's history is linked to the formation of the Values Party which was created in May 1972 during a gathering at Wellington's Victoria University. In the 1972 election, the Values Party campaigned on a wide range of policies which included halting all economic and population growth and advocated for changes to be made to areas like abortion, drugs and homosexual law reform (Greens, 2017b; Wilson, 2010). By contending the election the Values Party became the first 'green' party in the world to run for office in a national election (Greens, 2017b; Wilson, 2010). The Values Party elevated to the national political arena issues that had been overlooked by the major parties, like the environment "population limits, quality of life, the ethical rights of non-human species, and more democracy in decision-making practices" (Wilson, 2010, p. 498). Nevertheless, because of the First Past the Post (FPP) electoral system the Values Party never gained seats in the House of Representatives.

The present Green Party was formed in May 1990 when several groups running in local body elections joined together and ran under a green umbrella group. A few months later the Party contested the 1990 election and obtained 6.8% of the final vote (Wilson, 2010). Once again it did not gain seats as a result of FPP. With the understanding that changes needed to be made to the electoral system in order for it to gain seats in parliament the Greens joined a group of left leaning parties to form the Alliance in 1991 (Greens,

2017b;Wilson, 2010). With the Alliance it ran in the 1993 election and campaigned to introduce MMP in 1996. The Party was successful in its campaign to usher in MMP as New Zealand's voting system but did not gain seats in Parliament (Wilson, 2010). However, the first election under MMP in 1996 saw the Greens enter Parliament for the first time with three of its members - Jeanette Fitzsimons, Rod Donald, and Phillida Bunkle becoming the first green MPs (Greens, 2017b;Wilson, 2010).

According to its charter the Green Party acknowledges that Maori are the Tangata Whenua of the country and acknowledges that the Treaty of Waitangi is New Zealand's founding document. Furthermore the Party is committed to its founding principles which are:

> **Ecological Wisdom:** The basis of ecological wisdom is that human beings are part of the natural world. This world is finite, therefore unlimited material growth is impossible. Ecological sustainability is paramount.
>
> **Social Responsibility:** Unlimited material growth is impossible. Therefore the key to social responsibility is the just distribution of social and natural resources, both locally and globally.
>
> **Appropriate Decision-making:** For the implementation of ecological wisdom and social responsibility, decisions will be made directly at the appropriate level by those affected.
>
> **Non-Violence:** Non-violent conflict resolution is the process by which ecological wisdom, social responsibility and appropriate decision making will be implemented. This principle applies at all levels (Greens, 2017a, para. 3).

Ideologically, the Party is a post-materialistic party. According to Wilson (2010)

> This is the notion that increasing environmental concern is a product of both psychological mechanisms within individuals and increasing material (economic) affluence in society. Young people, socialised in affluent societies, are thought to be less concerned with satisfying their material wants than with a set of post-material wants: a clean environment, civil liberties, and gender and racial equality. The implications of the theory for political parties is that more affluent nations of the world are increasingly producing voters with post-materialist values who then support green parties that cater to these sort of demands (p. 501).

With these principles and values an assumption can be made that the Party's immigration and refugee resettlement policies would be supportive of resettling more refugees. This

is because the Party values and advocates for social responsibility. With this founding principle the Party calls for fair distribution of social rights not only in New Zealand but also internationally. According to the UN, violations of social rights pertinent to refugees occur when states forcibly remove people from their homes, which in this case leads refugees to flee their homelands. In addition the UN states that "Denying social assistance to people because of their status (e.g., people without a fixed domicile, asylum-seekers) (the right to social security)" is also a violation of their social rights (Office of the United Nations High Commissioner for Human Rights, 2017, para. 2). As a result of its second founding principle it can be expected that the Green Party would advocate for refugee rights both internally and abroad.

Tampa refugee crisis

The Tampa refugee crisis became the first major test of refugee resettlement for the Greens in the same way it did for the two major parties. The Greens strongly backed Labour's move to resettle some of the refugees to New Zealand. In a press release the Greens welcomed the move and said it illustrated that New Zealand is an empathetic country. It also urged the Australian government to uphold international conventions regarding refugees. The following is from an excerpt of the press release the Party issued on August 31 2001.

> Green Immigration spokesperson Keith Locke has backed Helen Clark's offer to take some of the asylum seekers stranded on the ship Tampa off Christmas Island. "It will show the world that we are a compassionate people. We can easily accommodate some of the refugees," said Mr Locke. The Greens are appalled at John Howard's heartless rejection of the refugees. "The refugees have suffered great hardship, both in Taliban-run Afghanistan and in their journey over land and sea seeking a better life," said Mr Locke. "Australia must abide by its international duty let the refugees come ashore at Christmas Island for processing. "If we take some of the Afghans we should treat them with respect. People who are willing to sacrifice so much to obtain freedom generally make good citizens,"(Scoop, 2001, para. 2).

Furthermore, during Parliament's Question and Answer session on September 04 2001, Keith Locke requested the Prime Minister to reject Jenny Shipley's implication that some of the refugees could be terrorists because she claimed previously resettled Afghan's like Najibullah Lafraie were part of terrorist groups. The following is from Hansard:

> **Keith Locke:** Does the Prime Minister agree that no member of the Afghan refugee community in New Zealand has been shown to be involved in terrorist activity or has been charged accordingly, and that therefore any such accusations of terrorism are a shameful denigration of the Afghan community?
>
> **Rt Hon. Helen Clark:** I believe it is both shameful and irresponsible to impute criminal motive to people for whom there is no evidence whatsoever that that is the case (Locke & Clark, 2001, p. 667).

In addition, Keith Locke opposed detaining some of the refugees as suggested by other parties. On September 11 2001, he asked Immigration Minister Lianne Dalziel to object to Jenny Shipley's suggestion to detain some of the refugees while determining their refugee status (Locke & Dalziel, 2001).

Later in 2002, Keith Locke requested the government to take more Tampa refugees who had been taken to Nauru and had not yet been given refugee status. In a press release he criticised New Zealand for initially not taking more refugees and called for those left in Nauru to be resettled to New Zealand. The following is from the Party's press release issued on April 9 2002.

> "It's sickening that the Tampa Afghans still marooned on Nauru are being used as a political football, on both sides of the Tasman. New Zealand was right to take in 130 Afghans from the Tampa. And because they are settling in so well, it would be good to take more," said Mr Locke. "Afghanistan is still a dangerous place to be, with ethnic and factional infighting. After all the suffering and tragedy the Tampa refugees have been through, do we really want to force them back to Afghanistan?" Mr Locke said nearly 300 Afghans have been stuck in Nauru for seven months, and the New Zealand Government should tell the Nauru Government we will take some more. "The first 130 settled here were hardly a sacrifice, because they fell under New Zealand's 750 annual refugee quota. Let's show the world we are a compassionate people and take more Tampa refugees (Scoop, 2002, para. 3).

Analysis

Firstly, the reaction of the Greens to the Tampa refugee crisis reflected arguments advocated by liberal institutionalisms. Liberal institutionalism promotes freedom of movement which is often a reason that is used to support refugee resettlement. Kelly (2010) contends that freedom of movement is a basic right that ought to be given to refugees. Similarly, Stjernfelt (2012) argues that the Universal Declaration of Human Rights obligates states to resettle refugees. For instance Stjernfelt (2012) argues that articles 13 and 14 of the Universal Declaration of Human Rights strongly support the right of refugees to flee persecution and to be given asylum. This is evident in the press release issued by the Party in which it called Australia to uphold international law and process the refugees.

Furthermore, the Party's response to the Tampa refugee crisis reflects the arguments made by Nobel Peace Prize laureate Amartya Sen. He argued that we as individuals have parallel responsibilities to prevent the violations of another person's human rights, especially if we find ourselves in a position to prevent it. This is evident in the Party's press release issued on April 9 2002, in which it said New Zealand should take more Tampa refugees from Nauru because New Zealand had the ability to help them.

In addition, the policy approach of the Green's towards the Tampa refugees mirrors the arguments made by cosmopolitanism. Cosmopolitanism recognises that there is a moral duty towards all people who find themselves in difficult circumstances (Haukvik, 2014). The Party strongly argued New Zealand needed to resettle the refugees because it could quite easily accommodate them. Furthermore the Party argued New Zealand had a moral responsibility to resettle the refugees because of the international agreements it is a signatory to. Cosmopolitan theorist Peter Singer advocates for equality among all humans around the world and states that countries have a responsibility to admit refugees because they are in dire situations outside of their control. This theory is reflected in the Party's

argument for Australia to abide by its international obligations and its calls for New Zealand to resettle the Tampa refugees in Nauru.

Ahmed Zaoui

The case involving Ahmed Zaoui also sparked debate among different political parties. Unlike Labour and National the Greens strongly objected to the imprisonment of Ahmed Zaoui. In a newsletter released by the Party's immigration spokesperson Keith Locke, the Party called Ahmed's imprisonment heartless and lacking compassion. The following is an excerpt of the newsletter released on February 12 2004.

> The sign of a good Government is that it has a heart and that it can hear cries of distress. In some areas, as in employment relations, the Government does have a heart; it is trying to make things fairer for working people. But in the Zaoui case, Labour is heartless. It has no empathy whatsoever for a fellow elected MP and his family who have been suffering terribly since a military coup in Algeria 12 years ago. Instead of showing compassion for Mr Zaoui, Labour has imprisoned him for over 14 months. For all that time, Mr Zaoui has not been told of the accusations against him. At last he may get a summary of the accusations, but to achieve that, he has had to win a case in the High Court. Now the Government is appealing the other half of the High Court ruling in favour of Mr Zaoui: that the Inspector-General of Intelligence and Security should take human rights into account in his determination of the Security Risk Certificate applying to Mr Zaoui. That is shocking (Greens, 2004, para. 27).

Likewise, in August 2004 in comments made to media, Keith Locke accused the Labour government of violating the Bill of Rights and being desperate to find and persecute a terrorist. He said "We'd been desperate to get our hands on a terrorist for months...so we went totally over the top" (Ahmed Zaoui - threat to national security or wronged refugee? 2004, para. 36). He continued by saying that the NZLP "seems to have forgotten" the Bill of Rights applies to everyone (Ahmed Zaoui - threat to national security or wronged refugee? 2004, para. 40). He blamed Ahmed Zaoui's treatment on the war on terror and said liberal countries should embrace people like Ahmed Zaoui because he could contribute back to New Zealand by helping to fight against extremism. He said

> He's a man of peace and reconciliation.... the antithesis of the GIA. If Western countries do not engage moderate parties like this they only end up encouraging the more extreme political elements. We should be welcoming people like Mr Zaoui with open arms (Ahmed Zaoui - threat to national security or wronged refugee? 2004, para. 43).

In response to the handling of Ahmed Zaoui's case by the NZLP, the Green's Human Rights policy for the 2005 election announced that it would treat refugees more compassionately and pledged to increase the annual refugee quota. The following is an excerpt from the Party's 2005 Human Rights policy released on September 12 2005 in which it said it would:

- Progressively increase our refugee quota from 750 per year to 1000 per year, and provide adequate resources to implement this.
- Ensure that all refugees and asylum seekers are treated humanely, with detention only used in exceptional cases, where a genuine security risk can be identified.
- Abide by the provisions of the 1951 Refugee Convention and related international agreements, including upholding the independence of the final refugee appeal body, in this country the Refugees Status Authority, and abide by the provision in the convention that the government cannot overturn its decisions (Appendix E, p. 137).

Analysis

The Party's stance on Ahmed Zaoui's case replicates some of the eight principles outlined by John Rawls in his 'Law of Peoples' publication. In it Rawls called for people and states to adhere to treaties. This can be pertinent to the resettlement of refugees because it can include international treaties such as the 1954 Convention Relating to the Status of Stateless Persons and the 1967 Protocol as well as the Universal Declaration of Human Rights. Equally he encouraged people to respect and follow human rights principles mentioned in treaties and conventions. For example the latter is evident when Keith Locke accused the Labour Party of ignoring the Bill of Rights which applies to everyone regardless of their legal status. The former argument by Rawls is also evident in the Party's 2005 Human Rights policy in which it vowed to obey the 1951 Refugee Convention and related international agreements.

However, although the Party's stance reflected liberal institutionalist arguments, the Party's cosmopolitan philosophy was reflected more in their approach to Ahmed Zaoui's case. For example, parts of the Party's statements reflect arguments made by cosmopolitan philosopher Joseph Carens who argued that asylum seekers like Ahmed Zaoui have the potential to contribute back to their host communities. He stated that

> Refugees who arrive via asylum are more likely to be adult, male, well educated, and wealthy than the refugee population as a whole. It takes resources and knowledge for people to find their way to North America or Europe to make their claims (Carens, 2003, p.101).

This argument is illustrated by Keith Locke's statement made to media in which he said New Zealand and other liberal countries should engage with moderate individuals like Ahmed Zaoui because he represented a moderate religious party.

Syrian refugee crisis

The Syrian refugee crisis also led the Green Party to participate in the debate regarding refugee resettlement. The Party urged the National led government to increase the refugee quota and also urged it to accept more Syrian refugees as the war in Syria intensified. On September 09 2015, the Green Party questioned the government on why it was refusing to take more Syrian refugees given that New Zealand has the capacity to do so and given that there are no legal obligations for the government to wait for a formal review for it to increase the refugee quota. The following is an excerpt from Hansard between the Party's Immigration spokeswoman Denise Roche and Associate Immigration Minister Craig Foss.

> **Denise Roche:** If New Zealand has the capacity to take this number of refugees on a short-term basis, why will he not commit to increasing New Zealand's quota on a permanent basis.
>
> **Hon Craig Foss:** The Māngere Refugee Resettlement Centre has refugees for 6 weeks. These are lifetime movers to New Zealand, and we need to make sure that they are able to move into our communities and build a better life for themselves in New Zealand. It is a lifetime decision, not just a short-term capacity decision in Māngere.

> **Denise Roche:** Given that there is no legal requirement to wait for a review to increase the refugee quota and the Minister has already had official advice on increasing the quota, which the Minister said he needed, why will he not raise the quota now?
>
> **Hon Craig Foss:** As the Minister noted yesterday, a review process is due in 2016. Right now, we have already announced an extension to our refugee quota particularly targeted for those people from Syria to come into our country. The scheduled review process will be under way, as scheduled, next year (Roche & Foss, 2015, p. 398).

Furthermore, the co-leader of the Party James Shaw and Labour's leader Andrew Little wrote a letter to the Speaker of the House so Parliament could debate increasing the number of Syrian refugees New Zealand should resettle. However, their request was declined (Carter, 2015; Vance, 2015a). In addition, during comments made to media on December 18 2016, Denise Roche said:

> When our community forced the government to shift from the refugee quota that we had at 750 to an increase to 1000, they actually said there is extra capacity for emergency situations. If you look at the media that's coming out of Aleppo, I can't think of a worse emergency where we need to act (Allan, 2016, para. 5).

In early 2017 when US President Donald Trump signed an order to halt refugees from Iraq, Syria, Iran, Libya, Somalia, Sudan and Yemen from entering the USA, the Greens called for New Zealand to resettle more Syrian refugees. In a press release to media Denise Roche said New Zealand should quickly act to resettle Syrian refugees. She said

> New Zealand has stood up for what's right in the past by refusing to have nuclear warships in our waters, and we should stand up for what's right again today. The National Government must immediately increase New Zealand's intake of Syrian refugees given they are facing a huge humanitarian crisis, and the United States has shut its doors to them (Greens, 2017c, para. 3).

In response to the Syrian crisis and the increasing refugee population the Greens pledged to increase New Zealand's refugee quota. In its 2017 election manifesto it vowed to increase the annual quota to 4,000 people. The following is an excerpt from its manifesto in which it stated that it would:

1. Progressively increase New Zealand's refugee quota over six years to 4,000 people per year, and properly fund asylum seeker and refugee services.
2. Establish a programme for church and community groups to sponsor an additional 1,000 refugees per year.
3. Create a new humanitarian visa category for people displaced by climate change in the pacific (Greens, 2017d, p. 1).

Analysis

The Green's policy towards the Syrian refugee crisis reflected the egalitarian and universalistic values advocated by cosmopolitan philosopher Peter Singer. He argues that individuals and states have a moral responsibility to prevent harm being done to other humans, especially if they have the capacity to do so. He states "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (Singer, 1972, para. 6). This is appropriate to the Party's response to the Syrian refugee crisis because the Party argued New Zealand needed to help Syrian refugees because New Zealand had the capacity and resources to do so.

In addition, the Party's 2017 election manifesto reflects the arguments made by communitarian philosopher Amitai Etzioni. He argues that even though governments have a role to play in resettling refugees, community groups have an important role to exercise as well. Amitai Etzioni argues that third sector organisations should play a role in resettling refugees because they have the experience and are also better placed at absorbing new migrants.

Summary

As examined the Greens is an important smaller party in New Zealand politics. The Party's post-materialistic ideology and values guide its policies. Accordingly its immigration and refugee resettlement policies have often adopted strong liberal and cosmopolitan characteristics. As evident from the above discussions, the Party's arguments routinely reflected the arguments made by liberal philosophers who state that

liberal countries have a moral responsibility to resettle displaced refugees. For example in regards to the Tampa refugees, the Greens argued that Australia and New Zealand need to fulfil their international obligations by resettling the refugees, which is an argument often perpetuated by liberal philosophers. Likewise in regards to Ahmed Zaoui's case and the Syrian refugee crisis the Party adopted similar stances which strongly reflected the arguments made by liberals in favour of states taking a human rights perspective in relation to refugee resettlement.

New Zealand First (NZF)

New Zealand First (NZF) is the country's other prominent smaller political party. The Party was established on July 18 1993, and since its formation has been led by former National Party MP Winston Peters. It states that its vision is to chart out open-minded economic and social policies that enable New Zealand to control and regulate its resources (New Zealand Parliament, 2017b). NZF presents itself as a centrist party that has formed coalition governments with both of the two major parties at different times (Mulgan, 2004; Edwards, 2010; Joiner, 2015). Although the Party sits on the centre of the political spectrum, it has adopted extreme policy positions from both the left and right (Edwards, 2010; Joiner, 2015). For instance, the Party has strong policies attributed to the left of politics as it is staunchly opposed to neo-liberal economics embraced by both Labour and National (Edwards, 2010; Joiner, 2015). Instead NZF has adopted a more nationalistic economic policy and opposes assets sales to foreigners. Contrariwise, NZF has also advocated for some right wing policies such as limiting immigration and implementing strict law and order policies although this is often illustrated in the rhetoric of the party rather than in its policies per se (Edwards, 2010; Joiner, 2015).

NZF was established after Winston Peters left the NZNP as a result of conflicts between him and National over its continuation of economic liberalisation policies started by

Labour, although National in the 1990 general election campaigned on a platform to 'return to the decent society' (Joiner, 2015). As a result of Peters' disagreements with National and because he has been the sole leader of NZF since its inception, NZF is often labelled as a 'protest' and 'personality' based party. According to Margaret Joiner (2015).

> A protest party politicises public reaction to specific economic, social or religious trend or to an ideological shift in one of the major parties. It aims to create a fairer political system and to highlight the shortcomings of the major parties. A personality party is driven by a desire to relieve frustrated political ambitions or to preserve and exploit existing autonomy or influence. While small parties often evolve from these classifications, New Zealand First has continued in the personality-protest vein and has managed the many liabilities brought about by the personality-protest function and the ebb and flow in its electoral fortunes (p. 254).

NZF's political ideology is widely considered to be populism. According to Albertazzi and McDonnell (2008) populism is "an ideology which pits a virtuous and homogeneous people against a set of elites and dangerous 'others' who are together depicted as depriving (or attempting to deprive) the sovereign people of their rights, values, prosperity, identity and voice" (p. 3). Furthermore, in relation to NZF Margaret Joiner (2015) explains that

> the party's populist themes have been underpinned by nostalgic sentiment for 'the good old days' and fear evoking rhetoric warning of untrustworthy governments and a radically changing social and economic environment, with an influx of immigrants and irresponsible freeing up of New Zealand's market (p. 257).

With this political ideology and its anti-immigration stance, it can be expected that NZF would oppose the resettlement of refugees to New Zealand. The Party has on many occasions campaigned on an anti-immigration platform in order for it to attract support from its support base and in accordance with its political ideology (Joiner, 2015). The following sections will explore how the Party has responded to the three flash points being studied in this thesis.

Tampa refugee crisis

The incident involving the refugees on the MV Tampa provided an opportunity for NZF to voice its opinion on the resettlement of refugees to New Zealand. NZF leader Winston Peters strongly opposed resettling the Tampa refugees to New Zealand. He questioned the decision of Helen Clark's government to resettle them and compared the refugees to hijackers and claimed that they put the captain of the vessel under duress and forced him to take them to Australia. The following is a transcript of the exchange between Helen Clark and Winston Peters during Parliament's Question and Answer session on September 04 2001.

> **Rt Hon. Winston Peters:** Will the Prime Minister tell the country how many signatory countries to the United Nations convention on refugee status were closer to the Tampa than New Zealand was, and, if she can, why we are taking people who the captain of the ship claimed had made him bring them, under enormous duress, in the same way as a hijacker would do?
>
> **Rt Hon. Helen Clark:** It is a matter of record that the countries that do the most to accept refugees are the Western countries, and they are rather thin on the ground in our part of the world (Peters & Clark, 2001, p. 667).

In addition, to further illustrate its opposition, NZF campaigned in the 2002 election to prevent New Zealand from becoming a paradise for queue-jumping asylum seekers and promised to make sure that refugees are not given preferential treatment over other migrants to come. The following are excerpts from its 2002 election manifesto:

> We will not tolerate New Zealand being a haven for queue-jumping asylum seekers. Only immigrants who can contribute to rapid export growth, our research and development, and or our educational capacity will be accepted. Immigrants will be required to accept New Zealand culture and values (Appendix F, p. 140)
>
> - Accept refugees on a case by case basis in liaison with local government and in accordance with the current U.N. quota (750 pa), and only once high quality settlement programmes have been implemented
> - Ensure that asylum seekers will not gain entry to New Zealand (Appendix F, p. 142).

Even after the election NZF strongly opposed the government's decision to resettle the Tampa refugees. In a speech to parliament Winston Peters labelled the government's

decision as treasonous and claimed that the refugees would not contribute to New Zealand's economy. He also accused the refugees of bringing in third world diseases like HIV/AIDS. The following is an excerpt of part of his speech to parliament on August 28 2002:

> **Rt Hon. Winston Peters:** There are fraudsters and HIV victims. Over half of the refugees are carrying HIV or Third World diseases. That is a fact, and there is Mr Benson-Pope who will never tell taxpayers that he is demanding thousands of dollars from them to treat people---for the rest of their lives---who will never work in this economy. They will never ever contribute anything to this economy. Who on earth gave Mr Benson-Pope and his colleagues the right to bring that half of the refugee quota, who are carrying HIV and all sorts of Third World diseases, into our country? Every New Zealand taxpayer will pay for them for the rest of his or her life. Which other country in the world would do that? That is an act of the greatest arrogance (Peters, 2002, p. 98).

Analysis

NZF's stance on the Tampa refugees reflects the arguments made by some communitarian scholars who state that a large intake of refugees could be a threat to the security of the host community. For example, Winston Peters compared the refugees to hijackers and said they forced the captain to take them to Australia when he questioned Helen Clark on why she decided to resettle the Tampa refugees.

Furthermore other theories reflected in NZF's stance are the arguments made by libertarians opposed to refugee resettlement. According to Humphrey (1987) & Martland (2013) some libertarian theorists state that refugees will be an economic burden to their host communities as they will be reliant on welfare support payments from the government. Furthermore, they contend that this will attract other migrants and refugees to migrate to wealthy liberal states. This argument is evident in the speech Winston Peters delivered to Parliament on August 28 2002, in which he claimed the Tampa refugees would never contribute to New Zealand's economy and that the New Zealand taxpayer would need to support them for the rest of their lives.

Ahmed Zaoui

Ahmed Zaoui's case also gave NZF an opportunity to outline its immigration policy and in particular its stance on refugee resettlement. Like with the case involving the Tampa refugees NZF strongly opposed resettling Ahmed Zaoui. Similar to the stances of Labour and National, NZF said Ahmed posed a security threat to New Zealand. NZF also said he would burden the New Zealand taxpayer with having to pay his legal fees. Winston Peters said New Zealand's immigration policy was too lenient and consequently Ahmed Zaoui chose to seek asylum in New Zealand. On December 09 2003, he said "Why did he bypass all those Muslim countries to come to New Zealand, if it were not for the fact we are the world's softest touch" (TVNZ, 2003, para. 12). Furthermore on the next day during Parliament's general debate he reinforced his earlier statement and said Ahmed Zaoui should have never come to New Zealand. He stated that

> Ahmed Zaoui should never have arrived here; that has cost $200,000 now. He will be in prison for a long, long time. He was not turned around—and the Minister says she cannot tell us about him, because the privacy laws prevent her from doing so (Peters, 2003, p. 330).

In its 2005 election manifesto, NZF vowed to change New Zealand's immigration policies in reaction to Zaoui's case. The Party promised that it would identify and prevent those deemed hostile to New Zealand from entering the country. It also campaigned to remove individuals charged with terrorism from being considered to resettle to New Zealand. The following is an excerpt of its 2005 election manifesto:

> Change Immigration Laws:
>
> - Create an "undesirables" category, to ensure those from dangerous and unethical regimes are red-flagged before they get here.
> - Remove the capacity for New Zealand to even consider for refugee status, those with terrorism related convictions in other jurisdictions.
> - Anybody held as a suspected terrorist under the Immigration Act cannot receive bail - unless it is to be taken to the nearest airport.
> - Change the nature of the appeals process, to ensure it cannot ever again become an endless process of taxpayer funded litigation.

> - Introduce fingerprinting and eye scanning (Biometric technology available abroad) (Scoop, 2005, para. 28).

NZF also strongly opposed the removal of Ahmed Zaoui's security risk certificate in 2007. In a press release on September 13 2007, its leader said Zaoui should not have been allowed to come to New Zealand and that his case cost ordinary New Zealand taxpayers millions of dollars. The following is an excerpt of the Party's media release in which Winston Peters said:

> The decision does not change the fact that three superior jurisdictions have found against him, and that no Islamic country will take him. Essentially, well over $3 million of taxpayers' money has been spent on Mr Zaoui's attempts to jump the queue and bypass the provisions of security risk procedures and decisions. He should never have been granted entry into New Zealand in the first place, and withdrawing his security risk certificate has advertised New Zealand once again as the number one soft touch for illegal immigrants (Scoop, 2007, para. 3).

Analysis

The position NZF took in regards to Zaoui's case was similar to its stance regarding the Tampa refugees. With Zaoui's case the Party argued that he posed a security threat to New Zealand and therefore he should not have been allowed to come to New Zealand because there were plenty of Muslim countries he could have gone to but instead chose to come to New Zealand because of its lenient immigration policies. This argument made by NZF reflects the arguments made by some anti-immigration libertarians. For example Humphrey (1987) explains that radical libertarians argue that although a refugee should not be deported back to their country of persecution, host countries are not obliged to accept them as long as they pose a danger to their security.

Syrian refugee crisis

The civil war in Syria also led NZF to add its voice to the debate over refugee resettlement. In contrast to the cases involving the Tampa refugees and Ahmed Zaoui the Party said it supported increasing New Zealand's annual refugee quota. However, it

differentiated ordinary immigration and refugee resettlement and stressed that for New Zealand to take more refugees, immigration numbers need to be reduced. In response to a question asked by a student at Wellington's Victoria University Winston Peters said "there's no reason, in my view, that we couldn't go to 1000 easily, and do it in a responsible way" (Jones, 2015a, para. 4). He continued by saying

> Refugees are totally different to immigration, and I think there is just cause for saying we should revisit our UN commitment of 750. But if you are going to run that alongside wholesale immigration, then I am really concerned...look after our own people first. Immigration is being massively abused in this country (Jones, 2015a, para. 6).

A possible explanation as to why the Party took a softer stance in resettling Syrian refugees can be attributed to the wide public support for doubling New Zealand's quota. With opposition parties and civil society groups advocating for an increase in the quota and with media frequently covering the conflict in Syria, support for increasing New Zealand's quota grew amongst the public. Therefore, NZF's slight change in its policy could be the result of public opinion supporting increasing New Zealand's refugee intake and by the Party's desire to do well in public opinion polls.

When the National led government announced that it would increase the intake of Syrian refugees and the country's annual refugee quota, Winston Peters said New Zealand could do better if immigration levels were reduced. However, he suggested that male refugees should be sent back to Syria to fight for freedom and that only women and children should be resettled here. In comments made to media he said

> I think we can do better, but we can't do that while we've got mass immigration. And if we're going to do it, let's bring the women and children and tell some of the men to go back and fight for their own country's freedom, like we are (Jones, 2015b, para. 3).

In response to calls by other politicians in 2016 for refugees to sign a pledge to adhere to New Zealand values and principles, Winston Peters' said incoming refugees should

understand New Zealand customs. He said that New Zealand was not careful in the past and those resettled abused their partners. In comments made to media he said people who treated women "like cattle" should not be welcomed to New Zealand. He further said

> I'm afraid we have not been that careful in the past and consequently we are letting down both our population, and indeed half the refugee families, if they're going to continue to be treated in this country like they are back home (Heron, 2016, para. 19) .

Analysis

NZF's policy position in regards to the Syrian refugee crisis mirrors the arguments made by communitarian theorist David Miller. Although NZF was not opposed to resettling more Syrian refugees, it said that New Zealand first needs to take care of its own citizens as evident in the answer Winston Peters gave to the student at Victoria University. David Miller's (1988) nationalist ideology contends that we have an ethical responsibility to help members of our own community because of the shared values. In addition, although Miller (2005) acknowledges that states have a responsibility to resettle refugees, he states that countries should not be forced to take particular refugees. Instead he contends that states should be able to choose whom to admit into their countries. This is reflected in the statement made by Winston Peters in which he claimed that New Zealand needs to be careful in who it resettles because it was not cautious in the past.

Summary

Unlike the three other parties studied in this thesis, New Zealand First often took a strong stance opposing the resettlement of refugees to New Zealand. NZF's arguments objecting to resettling refugees routinely resembled the arguments made by some communitarian and libertarian thinkers. For example the Party frequently argued that the refugees involved in the three flash points studied in this thesis posed significant threats to the security and stability of New Zealand. In addition the Party argued that the refugees would

be an economic burden to taxpayers as they would be reliant on the financial support of the government. In contrast to the other parties examined in this study, NZF is the only party that has not favoured a liberal human rights perspective with respect to resettling refugees. As examined the reason for this is often attributed to NZF's populist ideology that is often illustrated in the Party's rhetoric regarding immigration.

Conclusion

In conclusion this chapter has analysed the policy positions that New Zealand political parties have adopted regarding the Tampa refugee crisis, Ahmed's Zaoui case, and the Syrian refugee crisis. The chapter began by examining the backgrounds of the different parties studied in the thesis namely Labour, National, the Greens and New Zealand First. Then it analysed the extent to which social justice theories were reflected in their policies and how these beliefs have altered over time. One key finding is that on most occasions most parties adopted a liberal human rights perspective in relation to refugee resettlement, including appeals to international law and obligations, with the exception of New Zealand First. However, all of the parties studied altered their policies on some occasions and as a result their policies reflected other social justice theories. The following chapter will summarize the thesis and will cover some of the findings of this study and will explore further opportunities for future research.

Chapter Five: Conclusion

No one is born hating another person because of the colour of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite. (Nelson Mandela)

Introduction

This concluding chapter will commence by briefly summarising the study and its findings. Following this will be a short examination of further opportunities for future study and areas to expand on with a focus on comparing the debate in New Zealand over refugee resettlement with that of Australia and Canada and expanding the study to include niche parties active in New Zealand.

Summary of study

The primary objective of this thesis was to examine the extent to which and what ways the policy positions of New Zealand's political parties reflected various social justice theories regarding refugee resettlement. This study has examined the policy debates that occurred between 2001 and 2017 concerning refugee resettlement, focussing especially on New Zealand's four largest political parties: Labour, National, the Greens and New Zealand First. The first chapter of the study began with an overview of the current global refugee crisis. Then the chapter discussed the reasons that led me to conduct the research and the purpose of the study. This was followed by an examination of the research design, focussing on qualitative content analysis and issues of case selection.

To help answer the research question and to gain a better insight into the polices of the four parties studied, three key flash points that have sparked political debate among the parties and the wider New Zealand public were examined thoroughly. The first flash point was the Tampa refugee crisis which captured the country's attention in 2001. Following this was the case involving Algerian refugee Ahmed Zaoui who arrived in New Zealand

in 2002. The final flash point that was examined was the refugee crisis created by the ongoing Syrian civil war which began in 2011. All three flash points caused significant debate and discussion among the political parties about what New Zealand's refugee resettlement policies should be. In addition, these three flash points were instrumental in answering the research question because the political parties, particularly Labour and National, switched from opposition to government over this time period. As a consequence from switching positions between government and opposition, the parties sometimes adopted different policies in relation to the three flash points. Therefore, the changes in policy positions made by most parties often reflected different and sometimes conflicting theories.

Chapter two then analysed the historical background of international refugee resettlement. It also examined some of the key concepts that are used in resettling refugees globally. For example it closely studied the three durable solutions that are used by the UNHCR to resettle refugee's namely voluntary repatriation, local integration and resettlement to a third country. In addition it also explored the history of resettlement in New Zealand as well as the country's present refugee resettlement policies. This was followed by an in depth discussion exploring the background of each of the three key flash points that were studied.

In order to address the research question, chapter three examined the perspectives of four main social justice theories that are pertinent to immigration and the resettlement of displaced refugees. The theories examined were liberalism, libertarianism, cosmopolitanism and communitarianism. The perspectives of scholars including John Rawls, Amartya Sen, Will Kymlicka, Hannah Arendt, Seyla Benhabib, Peter Singer, Joseph Carens, David Miller and Amitai Etzioni were analysed. By concentrating on these four broad schools of thought, this chapter analysed the theoretical foundations upon which the research question of the thesis could be answered.

Finally, chapter four analysed the policy positions that the four political parties took in regards to the three flash points examined earlier. It studied the ideological background of each party beginning with Labour followed by National, the Greens and New Zealand First. By using data obtained from sources such as Hansard, election manifestos, speeches, interviews, press releases and cabinet minutes the chapter carefully examined what social justice theories were reflected in each party's policy position regarding each flash point and to what extent the theories were reflected in their positions. Following this was an analysis of the reasons that led parties to adopt their policies and an examination of how their policies have sometimes changed over time with the emergence of a new flash point.

Findings

This study found that in most instances, most political parties in New Zealand adopted and embraced the arguments made by proponents of the liberal human rights perspective. For example, in regards to the Tampa refugee crisis parties such as Labour and the Greens often adopted policies that called for a humanitarian approach to be taken in regards to resettling them to New Zealand. Both parties argued that New Zealand needs to uphold and respect its international obligations by protecting the human rights of the Tampa refugees. The parties argued that New Zealand had a moral obligation to resettle them as they were escaping persecution in their homeland and that New Zealand had adequate resources to resettle them. As a result, both parties argued that it would be morally repugnant to refuse to resettle them to New Zealand.

However, the parties did not approach Ahmed's Zaoui's case in the same way. The Greens advocated for him to be resettled in New Zealand and adopted a stance similar to its approach regarding the Tampa refugee crisis. However, Labour adopted strong communitarian and anti-immigration libertarian arguments as it frequently stated that

Zaoui was a threat to New Zealand's national security. Nevertheless, Labour's stance did reflect liberal institutionalist arguments which call for states to cooperate together for their mutual benefit. The study found that the Labour led government received intelligence information regarding Ahmed Zaoui from foreign countries New Zealand has friendly diplomatic relations with like France, Belgium, Switzerland and Australia that considered Ahmed Zaoui a terrorist. On the other hand, the Greens and Labour once again had similar policy positions in regards to resettling refugees displaced by the ongoing Syrian civil war. Both parties strongly advocated that the National party which was in government should take a humanitarian approach by taking more Syrian refugees and called for them to double New Zealand's annual refugee quota.

Unlike Labour and the Greens, the National Party often adopted strong policies opposing refugee resettlement which were reminiscent of the arguments made by communitarians and libertarians opposed to resettling refugees. It is interesting to note that these two theories that were often reflected in the policies adopted by National are normally considered to be diametrically opposing theories, however the Party reached the same conclusions and policies by taking two different routes. One possible explanation for this is to appease and please the conservative voting base of National which is often opposed to mass immigration to New Zealand.

For instance, National claimed that the Tampa refugees and Ahmed Zaoui were hostile to New Zealand's national security and would be a burden on New Zealand society as they would be reliant on financial assistance from the government. It is also interesting to note that in both of these flash points National's stance was in agreement with foreign governments that refused to resettle the refugees involved in both of the flash points. For that reason, it can be argued that the party's policies regarding these two case studies were embedded in and reflected the liberal institutionalist framework as its policies were ideologically aligned with foreign governments.

In addition, the Party initially opposed resettling more Syrian refugees to New Zealand and increasing the annual quota because it argued that New Zealand's current intake was about right. The Party routinely argued that increasing New Zealand's refugee intake could lower the quality of services that are given to refugees to help them resettle better. However, with the crisis in Syria worsening and after significant political and public pressure the Party altered its original policy and increased the number of Syrian refugees admitted to New Zealand as well as raise the country's annual refugee quota from 750 to 1000 from 2018 onwards. The change of its policy came as a result of a mood change of the electorate as several parties and civil society organisations applied significant pressure on the government to bring more Syrian refugees and increase the country's annual quota (Edwards, 2016).

In comparison to the other three other parties examined in this research, New Zealand First is the only party that its policies did not reflect a liberal human rights perspective when considering the three flash points studied in this thesis. With regards to the Tampa refugees and Ahmed Zaoui's case the Party strongly rejected offering them resettlement to New Zealand and their policies towards these two flash points continuously reflected the arguments made by communitarian and libertarian theorists who oppose refugee resettlement to liberal countries. Like National, this was often done to gain support from the Party's conservative voting base that often opposes high immigration levels to New Zealand. For example, the Party often stated that Ahmed Zaoui and the Tampa refugees were a danger to New Zealand's security and would be a burden to New Zealand tax payers because they would not be contributing back to New Zealand's economy and instead they would be reliant on financial support from the government. However, the Party altered its policy stance slightly regarding the Syrian refugee crisis and argued that New Zealand should resettle more refugees if other immigration levels were lowered.

Overall, although most political parties altered their refugee resettlement policies from time to time, this study found that in most cases parties in New Zealand adopted policies that mirrored the arguments made by liberal scholars in favour of a human rights approach being taken when resettling refugees. For example, parties often advocated for an adherence to international law and the country's commitments to the UN and called for the protection of the human rights of refugees. At the same time, parties that opposed resettling refugees sometimes adopted policies that reflected liberal institutionalism because their arguments were similar to the arguments made by foreign countries who objected to resettling the refugees to their countries for security fears.

One reason that could explain why most parties chose to adopt a liberal human rights perspective when resettling refugees is that New Zealand's foreign affairs policies are often traditionally made on a bipartisan basis by the two mainstream parties. According to Meyer and Wagner (2013) mainstream parties which sometimes are known as catchall parties are political parties with the objective of appealing to a large voter base made up of people with diverse political viewpoints, whereas niche parties may restrict their focus to few policy issues that attract a small group of voters. They argue that

> While one party may concentrate on the economy, another may focus on immigration and a third on the environment. As a result, parties differ in the emphasis they place on the various topics on the political agenda. Sometimes, parties restrict their issue focus to a narrow set of issues that other parties pay little attention to. In such cases, parties can be said to have a "niche" profile compared with the more "mainstream" (p. 1247).

One possible reason most parties adopted a liberal human rights perspective is because New Zealand's foreign policy is bi-partisan and aims to advance New Zealand's global interests in areas like trade and security and to preserve and advance New Zealand's diplomatic relations with foreign countries (Ministry of Foreign Affairs and Trade, 2017). Furthermore, the study found some of the other reasons that led parties to change their policies over time resulted from public pressure led by several civil society organisations

and prominent individuals who advocated parties that increase the country's annual quota. Another reason that led parties to alter their policies was New Zealand's diplomatic relations with members of the international community.

Unlike the mainstream parties, minor parties such as New Zealand First did not adopt liberal policies in regards to refugee resettlement. This is attributed to the small conservative support base the party aims to attract which is usually opposed to increasing immigration levels to New Zealand. However, unlike New Zealand First, the other minor party studied in this research, the Greens, did not oppose resettling refugees to New Zealand. One possible reason for this is the Party's post-material cosmopolitan philosophy which advocates for equality among all people globally.

Directions and opportunities for further study

In all studies and research projects, time restrictions and financial constraints can become a challenge and this study was not immune to those challenges. However, at the same time these can be the inspiration that guide future studies in order to build on the work and findings of this study. For future research the current study could be extended in several ways. Firstly, by doing a comparative analysis of the party's active in Canada and Australia. For example parties that could be studied include the Conservative Party of Canada and the Liberal Party of Canada as well as the two main parties active in Australia which are the Australian Labor Party and the Liberal Party of Australia also known as the Coalition. This is because these two countries have a political culture and history that is similar to New Zealand's and operate under a Westminster Parliamentary System like New Zealand. However, unlike New Zealand these two countries are federal states and have two party systems. By studying these two countries, future studies could test if like New Zealand, parties in these two countries generally adopt a liberal human rights perspective or whether their polices embrace and reflect other theories studied in this

thesis. As a result of the aforementioned similarities and differences, studying these two countries could influence the policy development of political parties in New Zealand regarding refugee resettlement. In addition, further studies should look at the parties in Canada and Australia in order to highlight the differences and similarities they have in comparison to New Zealand parties.

Finally, further studies should also examine other minor parties that were active in New Zealand during the period studied in this thesis like ACT, Mana, Maori, the Progressive Party, Alliance, United Future and others. This would enhance how these minor parties influenced other larger parties and would highlight how their policies reflected their ideological background. As these smaller parties are niche parties, they mainly focus on a few policy issues that appeal to a small portion of voters. Consequently, my hypothesis for this is that the policies of these small parties will reflect their ideological background and their voter base which strongly shares their ideological belief. For example, ACT which is a party with a strong libertarian ideology often campaigns on law and order and immigration issues. Therefore, it would be interesting to see if their policies reflected libertarians who are opposed to resettling refugees or scholars who argue in favour of resettling more refugees. My belief is that it would depend on the flashpoint as the party has on occasions campaigned on an anti-immigration platform and sometimes as with the Syrian refugee crisis called on the government to resettle more refugees. On the other hand it would be interesting to study left-leaning parties like the Progressive Party and Alliance. My hypothesis for these parties is that they would adopt a cosmopolitan and liberal approach to refugee resettlement issues because of their ideological backgrounds and their history. This is because the Green Party which split from the Alliance strongly advocated for New Zealand to resettle more refugees. For the reason that these parties are niche parties and appeal to a small group of voters, I believe that their policies would be ideologically pure in comparison to other larger parties and consequently this would be

reflected in their policies as they are not catchall parties that want to attract a large voter base unlike the major parties.

Conclusion

In conclusion, I believe that with the increasing refugee population around the globe and with civil society organisations and prominent individuals in New Zealand calling for more refugees to be resettled, debates about the best mechanisms to resettle refugees would focus around community sponsored schemes like the programmes advocated by the National Party and the Greens. In addition, because of the pressure by civil society organisations and prominent individuals, parties might increase the quota in response to the ongoing advocacy and pressure. However, depending on the flash points that arise, public mood and New Zealand's diplomatic relations with members of the international community political parties might adopt similar stances they adopted in the three flashpoints examined in this study.

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Appendices

Appendix A: Labour 2002 election manifesto

PARLIAMENTARY
16 JUL 2002
LIBRARY

LABOUR ON IMMIGRATION

LABOUR'S VISION

Labour's vision for New Zealand is for a society that is outward looking, tolerant, accepting, interesting and dynamic.

To implement this vision, the Labour led government introduced the New Zealand Immigration Programme, with its emphasis on increasing New Zealand's talent and skill base and improving settlement and resettlement outcomes. This approach is designed to ensure that the benefits of immigration are shared by all.

The New Zealand Immigration Service is now firmly focused on facilitating entry to New Zealand for those qualified to do so, while managing risks of irregular migration and non-compliance.

LABOUR'S ACHIEVEMENTS

SKILLS AND TALENT HELPING TO GROW AN INNOVATIVE NEW ZEALAND

A shortage of skills has been identified as a factor holding back economic growth and the government has made changes to immigration policy to help employers find the skilled people they need more quickly.

In its first term the Labour led government has:

- Ensured that business and skilled migrants make up at least 60% of the annual NZ Immigration Programme.
- Made open work permits available to spouses and partners of work permit holders (including Long Term Business Permit holders) to enable them to work in New Zealand.
- Identified occupational shortages and enabled the work permit application process to be speeded up by waiving the labour market test for identified shortages.
- Put more emphasis on programmes to improve settlement of migrants after their arrival.
- Introduced settlement pilots through the Migrant Levy, and base-lined the successful employment related programmes (e.g. Auckland Chamber of Commerce's www.newkiwis.co.nz website, matching skilled migrants with skilled jobs).

- Introduced the Work-to-Residence Programme to assist New Zealand employers to recruit talent from overseas. The policy simplifies existing immigration rules for skilled migrants applying to work and live in New Zealand and is part of the government's strategy to further boost economic performance. The programme provides for a Talent Visa through Accredited Employers, and a Priority Occupations Work Visa which enables employers to offer work to people in occupations that the government identifies as priorities because of critical skill shortages in those occupations. Both visas provide for a two year work permit followed by residence, and hinge around a salary minimum of $45,000 and an offer of ongoing employment;
- Established a pilot project in two regions (Southland/Clutha and Wellington) for a government initiative aimed at boosting regional economic growth through immigration, by attracting the specific skills and investment needed in those regions. The project fosters close collaboration between central government agencies, economic development agencies and local government. If the pilot initiatives are successful they will be expanded to other regions.
- Limited premium points under the General Skills category to relevant job offers.
- Adjusted points for a relevant job offer to reflect changes in General Skills points.

FAMILY SPONSORED STREAM

Family reunification remains an important component of the NZ Immigration Programme representing 30% of the total programme. Specific changes to this stream include:

- A requirement that family members have at least three years' residence in New Zealand, so that they are well-settled before sponsoring wider family members.
- Extending the definition of dependant child to include those up to the age of 24 years.
- Tightening sponsorship to include a statutory declaration creating liability for any benefits claimed by a family member within the first two years of arrival.
- Imposing restrictions on serial spousal applications to prevent abuse of the system.
- Allowing that the last remaining adult child or sibling no longer needs to be single and without children; however, they must have a job offer.
- Creating a Family Quota (250 places this year), which can be adjusted depending on numbers in the whole category. This makes the family sponsored stream the residual category and ensures that the majority of residents come under the Skilled/Business Stream.

HUMANITARIAN/INTERNATIONAL STREAM

New Zealand has a number of regional and international obligations that it meets through this stream, which makes up 10% of the NZ Immigration Programme. It includes:

- The UNHCR refugee resettlement programme of 750 refugees a year.
- Asylum Seekers who are granted refugee status.
- Refugee Family reunion of 300 a year.
- Samoan Quota in accordance with the Treaty of Friendship of 1100 a year.

- Pacific Access Category (Tonga-250; Kirbati-50; Tuvalu-75) – new policy implemented from 1 July 2002.
- Domestic Violence Category.
- Ministerial Discretion, recommendations of the Residence Appeal Authority, decisions of Removal Review Authority and those granted residence under the October 2000 Transitional Policy.

Labour has made refugee resettlement a priority, as well as addressing concerns around asylum seekers.

The Labour led government has:

- Reduced the backlog of over 3000 asylum seekers waiting to have their claims determined when the Labour led government took office to less than 600 today.
- Worked on new claims so that the wait for a first level hearing has reduced from up to 3 years to an average of 3 months.
- Suspended the Thai visa waiver, which has reduced border turnaround and manifestly unfounded refugee status claims.
- Provided funding for the Auckland Refugee Council Hostel for asylum seekers.
- Provided additional funding for resettlement projects based on the successful pilots established last year.
- Increased funding for the Refugee & Migrant Service, the first increase in 9 years, as well as funding the coordinator of Refugee & Migrant Service's NZQA approved volunteer training programme.
- Allocated funding in this years' budget to introduce off-shore health screening of UN-mandated refugees.

COUNTER-TERRORISM AND PEOPLE SMUGGLING

Since September 11, New Zealand has had to take a more rigorous approach to security measures to ensure that New Zealand is not exposed to terrorism, and also to ensure that we play our role in counteracting the activities of people-smugglers.

The Labour led government has approved:

- Funding to implement the Advanced Passenger Processing (APP) System already used in Australia which allows New Zealand to receive details of all passengers before they board planes.
- Fingerprinting people claiming refugee status after entering New Zealand to minimise abusive multiple claims.
- Immigration Act amendments included in the Transnational Organised Crime Bill which increase penalties for those involved in people-smuggling or irregular migration, as well as introducing a three tier set of penalties for employers from those who employ people without lawful authority through to those who exploit such workers.

The Labour led government has already delivered most of the goals set at the beginning of this term. However, there is still more to do to ensure that immigration policy achieves its

potential to contribute to growth in our economy, strengthen migrant families and communities and ensure that the benefits of immigration are shared by all.

Labour will:

- Further develop New Zealand's capacity to actively recruit talented and skilled migrants to New Zealand.
- Review Business Migration categories, including an evaluation of how to improve opportunities for making investor funds available to local economic development initiatives.
- Review the Immigration Act 1991, to ensure that it is modernised in the light of changes to policy, and the location of and criteria applied by the immigration appeal authorities.
- Develop an Adult ESOL Strategy to complement the Adult Literacy Strategy.
- Review immigration policy relating to students to ensure that international students are able to continue to access quality education and appropriate pastoral care (e.g. guardians' visas, extended working visas for students).
- Review the effectiveness of Limited Purpose Permits and Bonds in managing risks of non-compliance with temporary entry policies.
- Broaden consideration of ways the proposed register of Immigration Consultants could be managed.
- Establish an appointments database in the Office of Ethnic Affairs
- Develop New Zealand-wide telephone interpreter services.
- Maintain close relationships with the Pacific region in terms of immigration and settlement policy.

PARLIAMENTARY
16 JU

LABOUR ON IMMIGRATION

LABOUR'S VISION

Labour's vision for New Zealand is for a society that is outward looking, tolerant, accepting, interesting and dynamic. We will increase New Zealand's talent and skill base and improve settlement and resettlement outcomes.

LABOUR'S RECORD

To address skills shortages that hold back economic growth, we:

- Made open work permits available to spouses and partners of work permit holders.
- Waived the labour market test for identified shortages.
- Introduced settlement pilots and supported successful employment related programmes to match skilled migrants with skilled jobs.
- Assisted employers to recruit talent through a Talent Visa and Priority Occupations Work Visa which provide for two year work permits followed by residence, subject to $45,000 salary and on-going job offer.
- Commenced pilot projects in Southland/Clutha and Wellington aimed at boosting regional economic growth by attracting the specific skills and investment needed.

We changed family reunification grounds:

- Family members must now have at least three years' residence in New Zealand, so that they are well-settled before sponsoring wider family members.
- Dependant children now include those up to the age of 24 years.
- Sponsorship tightened to include a statutory declaration creating liability for any benefits claimed by a family member within the first two years of arrival.
- Restrictions on serial spousal applications imposed to prevent abuse of the system.

We have also:

- Made refugee resettlement a priority.
- Taken a more rigorous approach to security measures to ensure that New Zealand is not exposed to terrorism, and also to ensure that we play our role in counteracting the activities of people-smugglers.
- Reduced the backlog of asylum seekers waiting to have their claims determined and reduced the average wait for a first level hearing from 3 years to 3 months.
- Provided additional funding for resettlement projects based on the successful pilots.
- Increased funding for the Refugee & Migrant Service.

LABOUR'S PRIORITIES

We will:

- Actively recruit talented and skilled migrants to New Zealand.
- Review Business Migration categories and evaluate how to improve opportunities to make investor funds available for local economic development initiatives.
- Develop an Adult ESOL (English for Speakers of Other Languages) Strategy.
- Review immigration policy relating to international students eg guardian visas and extension to student work visas.
- Review the Immigration Act 1991 to ensure it is modernized in the light of changes to policy.

For the full policy visit www.labour.org.nz or contact Lianne Dalziel at Parliament.

LABOUR: WORKING FOR TOMORROW, TODAY

Appendix B: Labour 2005 election manifesto

www.labour.org.nz

Labour

IMMIGRATION POLICY

LABOUR'S VISION

Economic growth under Labour has been high, and unemployment is now at the lowest it's been for many years. As a result New Zealand is experiencing skills shortages. Upskilling New Zealanders to fill the labour and skills gaps will always be the top priority, but in many cases targeted immigration is part of the solution.

Labour has refocused the immigration programme to facilitate the entry of those migrants who are best placed to contribute to the New Zealand economy. At the same time, immigration policy must ensure that New Zealand meets its obligations as a good international citizen, without compromising our country's security. Finally, Labour has moved to ensure that new migrants have the support they need to settle effectively in New Zealand.

LABOUR'S ACHIEVEMENTS

Labour has:

- Shifted the focus of skilled immigration policy from the passive acceptance of residence applications to the active recruitment of the skills New Zealand needs by introducing the Skilled Migrant Category (SMC), which allows for targeted, flexible, and sustainable immigration
- Introduced integrated migrant settlement and refugee resettlement strategies, established settlement assistance for new migrants, and provided resources to community organisations assisting new migrants and refugee status claimants.
- Improved the criteria for the Pacific Access Category and the Samoan Quota, to ensure that they meet their objectives.
- Provided leadership in sectors such as the clothing and horticulture industries, assisting in the development of industry wide strategies. In doing so Labour has worked with industries to avoid short-term quick fix immigration approvals.
- Increased border security with nearly $30 million committed to managing immigration risks. This has resulted in the strengthening of immigration intelligence capability and the establishment of a dedicated fraud unit. Labour has also introduced Advanced Passenger Processing to identify people who are not wanted in New Zealand before they board a flight.

LABOUR'S PRIORITIES

Labour will:

- Continue to focus and fine tune the Skilled Migrant Category to ensure it achieves the best possible results for New Zealand. This includes ensuring that factors such as which part of the country new migrants plan to settle in are taken into account, so that the benefits of immigration flow to all parts of New Zealand.

New Zealand's needs and the international environment have both changed since the Immigration Act was introduced in 1987. Amendments to the Act have been piecemeal. Labour believes the time has come for a comprehensive review.

Labour will:

- Carry out a Comprehensive Review of the Immigration Act to ensure New Zealand's interests are protected and advanced, while also ensuring that we continue to uphold our international obligations. The review will ensure firm, fast and fair immigration processes that protect New Zealand's interests while also recognising that we want and need visitors and immigrants. Work will be divided into seven broad areas:
    - Purpose and principles of immigration legislation
    - Entry to New Zealand and migrant obligations
    - Grant of protection in New Zealand (such as refugees)
    - Enforcement
    - Expulsion
    - Review and appeal
    - Inter-related issues (such as levels of decision making).
- Introduce new legal processes for dealing with security risk certificates and ensure the effective legal oversight of the office of the Inspector of Intelligence and Security

NEW MIGRANTS

Labour is committed to both New Zealand's international obligations and to ensuring a high level of compliance with immigration law through a "firm but fair" policy.

Labour will continue to ensure that new migrants are supported as they settle into New Zealand.

Labour will:

- Provide support to new migrants through new initiatives such as *Settlement Support New Zealand,* which will link together government and non government agencies and community groups who provide services for new migrants
- Regulate immigration advisers to protect migrants and potential migrants. While many immigration advisers provide good services, there are insufficient regulatory constraints or market incentives to prevent some advisers providing unethical or incompetent services
- Ensure the Labour Inspectorate monitors employers' use of migrant labour to ensure there is not exploitation of immigrant or refugee workers
- Improve the uptake of English language education for migrants and refugees

EXPATS INITIATIVE

New Zealanders have always travelled abroad for new experiences and opportunities. This is a great Kiwi tradition. There are nearly half a million New Zealanders living overseas, yet studies show that half of our expatriates think they'll come home.

Expats often have the skills employers are crying out for with unemployment at just 3.7 per cent. It makes sense for the government to help New Zealand employers connect with expats.

Labour will:

- Launch a website which has up to date information about New Zealand and can connect expats to the employers, recruiters, real estate agents, and other organisations and information they need when deciding to return home.
- Work with the existing range of government and private sector organisations with expat links such as Kiwi Expats Association (KEA), which are creating an expat network around the world and helping them to act as ambassadors for New Zealand.
- Promote offshore job expos to expats to help them connect with New Zealand employers.
- Provide ways friends and family in New Zealand can connect expats to information about returning.

OTHER INITIATIVES

Labour will:

- Continue to remove overstayers from New Zealand, while ensuring that New Zealand's international obligations to provide due process are honoured. Overstayers undermine the New Zealand Immigration Programme and potentially undermine wages and conditions of employment of New Zealand workers
- Focus on upskilling New Zealand Immigration Service staff in immigration policy and procedures

Appendix C: National 2005 election manifesto

National's Plan for Immigration

Party Vote National
www.national.org.nz

National stands for managed immigration. The over-riding principle of our policy is a net benefit to New Zealand. Skilled people, entrepreneurs and investors who will contribute to our economy, fit in with our community and be independent of the state will be welcomed. Labour's approach is loose, chaotic and allows many immigrants to go on to welfare, becoming a burden on taxpayers. Under Labour we have seen a massive outflow of talent – highly skilled and educated – overseas. National believes the best immigration policy is a strong domestic policy: a growing economy that encourages New Zealanders to stay at home and skilled immigrants to come here to work and invest.

NATIONAL WILL:

· Focus priority on skilled immigrants, with greater recognition of proven work experience in areas of skill shortage.

There is currently insufficient credit given to tradespeople with successful work experience but no formal qualifications. Despite acknowledged skill shortages in agriculture it took Labour too long to acknowledge that by changing the occupational shortages list. To gain the most for New Zealand it is important that new immigrants are employed as quickly as possible. National will focus on skilled immigrants and give greater recognition to proven work experience in areas of skill shortage. We will work closely with business and industry groups to identify areas of shortage and take prompt action. National's proposed 90-day grievance-free period will allow trial periods for employers and employees. Improved processing times will also be a key target.

· Introduce a four-year qualification period of Provisional Residence for all new immigrants.

Under National, permanent residence will depend on applicants

satisfying a good conduct requirement during a four-year qualifying period. Those breaking the law will be swiftly returned to their homeland. Those honouring the conditions of their provisional residence will gain permanent residence. Their period of provisional residence will count towards citizenship requirements. Some recent immigrants have abused their permanent residence by obtaining job offers and then quickly absconding from those jobs. Under Labour an average of only 8 residence permits have been revoked in the past three years.

· Extend the benefit stand-down period from two years to four years.

New immigrants are expected to be independent of the state but that is not happening. The March 2004 Survey of Migrants Experiences showed that 26% of Family and International Category immigrants accessed core welfare benefits within two years of arrival. A 2003 Cabinet paper revealed that immigrants claimed 94% of emergency benefits. In the past year 3,600 immigrants received emergency benefits because they failed to meet the two-year residency requirement for the main welfare benefits. A data match revealed more than 8,100 recent migrants on benefits, with more than half of those gaining residence through Family Sponsorship and more than a quarter through Refugee and other international quotas. National will tackle this problem by doubling the existing benefit stand-down period to four years. This will send a clear message to those with inadequate family sponsorship, insufficient skills, and those travelling illegally to New Zealand.

· Merge the Immigration Service and the Citizenship Office into a new Department of Immigration and Citizenship.

The Immigration Service is a shambles, characterised by administrative delays, secrecy, bureaucratic blunders and ineffective audit and fraud investigation. The integrity of our border and homeland security is

at risk from this failing agency. National will merge it with the Citizenship Office to create a properly resourced and managed department capable of providing efficient and secure services with a case management focus. We will ensure the integrity and professionalism of the immigration and citizenship process.

· Require family stream sponsors to be in work, business and/or able to fulfil all sponsorship obligations for the benefit stand-down period.

Sponsored family members presently do not have to meet the skills, investment or language criteria of skilled immigrants. Such people often end up on emergency benefits when they should be the responsibility of their sponsors. Family sponsors undertake to accommodate and cover the cost of any welfare benefits drawn by the family member being sponsored but they are not required to provide any evidence of their ability to fulfil those obligations. Many sponsors are, in fact, not in a position to offer sponsorship but feel pressured by family to do so. National will require family stream sponsors to be in work, business and/or able to fulfil all sponsorship obligations for the four-year benefit stand-down period, and will strictly enforce their obligations.

· Cut refugee quotas to 750.

The current refugee quotas include the United Nations approved refugee quota of 750, the Refugee Family Quota of 300, and those who are "spontaneous refugees" – who arrive at the border. Refugees may also sponsor family members under the Family Category after three years but they do not have to meet financial support requirements. Recently, three of the so-called Tampa boys sponsored 33 others between them. National will cut refugee quotas to 750 by scrapping the Refugee Family Quota and including it in the reduced quota, limited to immediate family reunification only. Funds

released will be reallocated across the smaller number of refugees to improve English language and resettlement outcomes. A report into refugees found that 90% were on welfare after one year, 80% after five years, and the main reason was poor English language skills.

· Ensure immigration cases are dealt with quickly and fairly but with reduced access to appeals.

Expensive immigration appeals and legal actions are designed to delay and frustrate immigration compliance action and delay applicants leaving New Zealand. National will reduce access of immigrants to appeals, and legislate to make it clear that appeal authorities may make personal cost orders against those filing unmeritorious claims.

· Require business immigrants to create at least two permanent full-time jobs for non-family members.

National wants to welcome entrepreneurial individuals who will create jobs and wealth in New Zealand. We want an emphasis on job creation rather than expensive business plans. So we will require business immigrants to create at least two permanent full-time jobs for non-family members. This is similar to the Australian approach. Also, the young adult children of many holders of Long-term Business Visas experience difficulty because they are not permitted to work in their own right. This has led to several tragic incidents. We will allow work permits for adult children under 25 of LTBV holders.

· Require more active financial investment by Investor immigrants.

National will remove Labour's current constraint which demands investors surrender funds to the government for five years with no interest payable because Labour's policy severely restricts attractiveness of the scheme. We will require more active financial

investment by Investor immigrants, including a minimum four-year investment period, and allow them to apply for permanent residence after that time.

· Require appropriate English language skills from Business and Investor immigrants.

The current requirements are restrictive, and insufficiently flexible. National will require appropriate English language skills from Business and Investor immigrants, dependent on the nature of experience and business proposition.

Appendix D: Cabinet Minutes

RESTRICTED

Cabinet

CAB-15-MIN-0057

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Additional Item: Response to Syrian Refugee Crisis

Portfolios **Foreign Affairs / Immigration**

On 7 September 2015, Cabinet:

1 **noted** that Immigration New Zealand can accommodate up to a maximum of 250 Syrian refugees in its refugee resettlement programmes in each of 2015/16, 2016/17 and 2017/18;

2 **noted** that it will be challenging to house and provide services for more than 150 Syrian refugees in the 2015/16 year, but that it would be possible to cater for up to 250 with community support, particularly in relation to accommodating and supporting refugees after they complete the refugee resettlement programme;

3 **agreed** that, for the 2015/16 year 250 places be made available to resettle Syrian refugees in New Zealand, being the maximum number of places for which New Zealand can reasonably cater;

4 **noted** that Cabinet has agreed that, if the 150 transferee places within New Zealand's Refugee Quota each year were not required for resettling transferees from Australia, the places would be reallocated to refugees referred by the United Nations High Commissioner for Refugees (UNHCR), subject to Cabinet consideration of regional allocations [CAB Min (13) 20/13];

5 s 6(b)(i)

6 **agreed** that:

11 SEP 2015

MINISTERIAL SERVICES

6.1 the 150 transferee places within the 2015/16 Refugee Quota be reallocated to UNHCR-referred refugees resettled from Syria; and

6.2 an additional one-off quota of 100 places for Syrian refugees be established on top of the 2015/16 Refugee Quota;

7 **agreed** that the maximum number of places, for which New Zealand can reasonably cater, be made available to resettle Syrian refugees in New Zealand in 2016/17, providing for 250 places;

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8 **agreed** that the maximum number of places, for which New Zealand can reasonably cater, be made available to resettle Syrian refugees in New Zealand in 2017/18, providing for 250 places;

9 **agreed** that the 2016/17 and 2017/18 places for Syrian refugees referred to in paragraphs 7 and 8 above be provided as an additional one-off quota of 250 per annum on top of any carried forward refugee quota for 2016/17 and 2017/18;

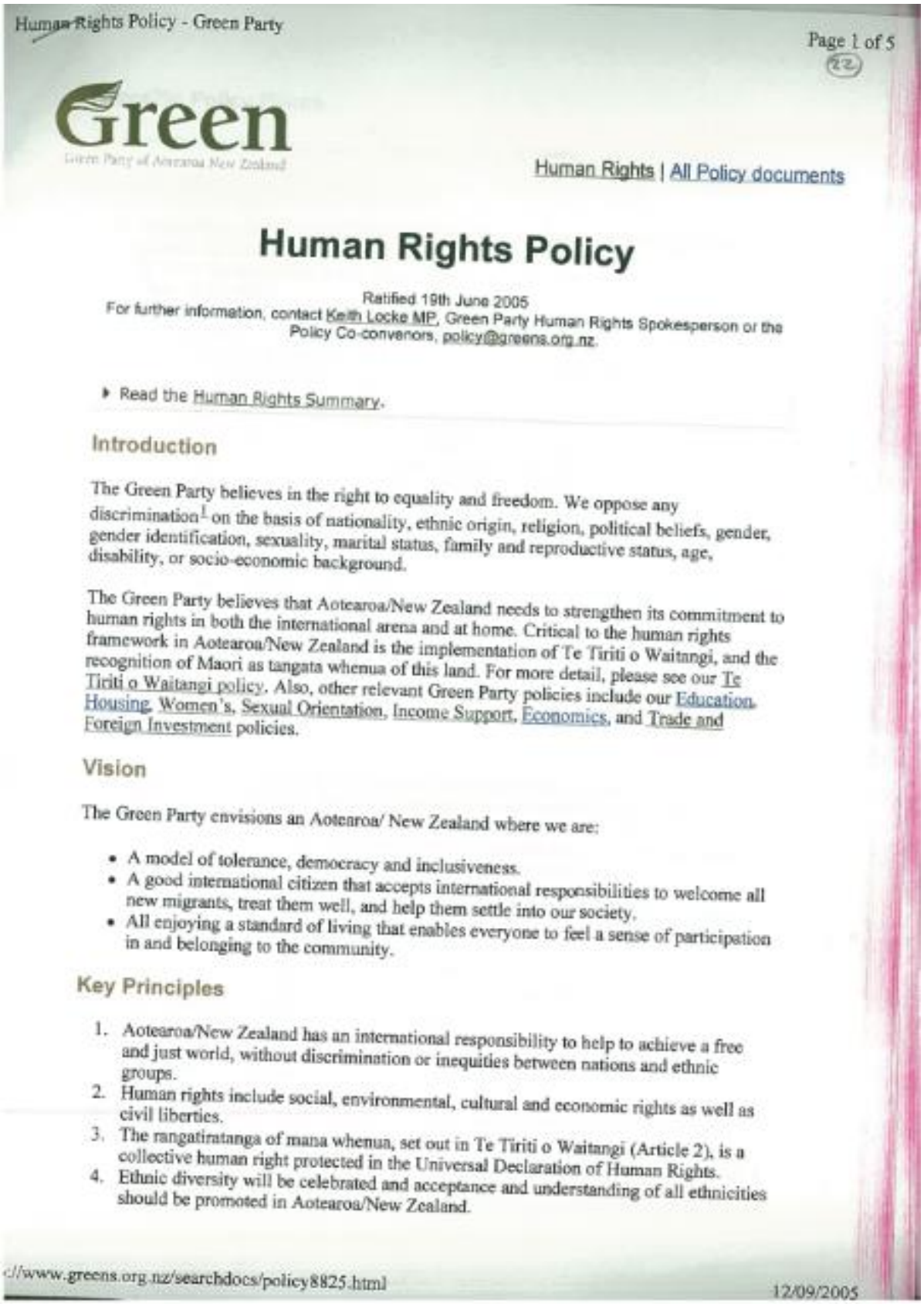
10 **noted** that the cost of the additional places for Syrian refugees is estimated to be $48.8 million;

11 **noted** that the Minister of Foreign Affairs intends to provide an additional NZ$4.5 million from New Zealand's 2015/16 aid budget to assist the countries affected by the Syrian and Iraqi humanitarian crisis, taking the total amount of aid provided to the region since 2011 to NZ$20.0 million.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Appendix E: Greens 2005 election manifesto



Green

Green Party of Aotearoa New Zealand

Human Rights | All Policy documents

Human Rights Policy

Ratified 19th June 2005

For further information, contact Keith Locke MP, Green Party Human Rights Spokesperson or the Policy Co-convenors, policy@greens.org.nz.

▸ Read the Human Rights Summary.

Introduction

The Green Party believes in the right to equality and freedom. We oppose any discrimination[1] on the basis of nationality, ethnic origin, religion, political beliefs, gender, gender identification, sexuality, marital status, family and reproductive status, age, disability, or socio-economic background.

The Green Party believes that Aotearoa/New Zealand needs to strengthen its commitment to human rights in both the international arena and at home. Critical to the human rights framework in Aotearoa/New Zealand is the implementation of Te Tiriti o Waitangi, and the recognition of Maori as tangata whenua of this land. For more detail, please see our Te Tiriti o Waitangi policy. Also, other relevant Green Party policies include our Education, Housing, Women's, Sexual Orientation, Income Support, Economics, and Trade and Foreign Investment policies.

Vision

The Green Party envisions an Aotearoa/ New Zealand where we are:

- A model of tolerance, democracy and inclusiveness.
- A good international citizen that accepts international responsibilities to welcome all new migrants, treat them well, and help them settle into our society.
- All enjoying a standard of living that enables everyone to feel a sense of participation in and belonging to the community.

Key Principles

1. Aotearoa/New Zealand has an international responsibility to help to achieve a free and just world, without discrimination or inequities between nations and ethnic groups.
2. Human rights include social, environmental, cultural and economic rights as well as civil liberties.
3. The rangatiratanga of mana whenua, set out in Te Tiriti o Waitangi (Article 2), is a collective human right protected in the Universal Declaration of Human Rights.
4. Ethnic diversity will be celebrated and acceptance and understanding of all ethnicities should be promoted in Aotearoa/New Zealand.

Specific Policy Points

1. Strengthening our commitment to human rights in Aotearoa/New Zealand

Human rights start at home. The Greens will:

1. Amend human rights legislation, including the New Zealand Bill of Rights Act, to ensure that the government is bound by such legislation.
2. Review the exceptions in the Human Rights Act to prevent discrimination on the basis of disability.
3. Develop a set of indicators for assessing the extent of discrimination and the status of human rights.
4. Require that the Human Rights Commission monitor complaints bodies and its own complaints data to determine the nature and extent of discrimination in Aotearoa/New Zealand.
5. Develop a coordinated framework for human rights education and community education to empower people to understand their citizenship and human rights.
6. Develop a framework for human rights education to empower people to understand the relationship between the Te Tiriti o Waitangi and Human Rights.
7. Resource the Human Rights Commission and the Office of the Commissioner for Children to fulfil their mandate.
8. Ensure that our human rights legislation and practices are in accord with our international obligations with the aim of eliminating all forms of discrimination.
9. Work with the Human Rights Commission to implement the New Zealand Action Plan for Human Rights.

2. Aotearoa/New Zealand as a good international citizen

We have a responsibility to be a good international citizen who uses, within our ecological limits, our wealth and opportunities to support the human rights of other peoples and nations. The Greens will:

1. Encourage commitment to international human rights as contained in the Universal Declaration of Human Rights and other international conventions, and support the work of the International Court of Justice and the International Criminal Court.
2. Support citizens within all countries to move to become free of poverty and attain greater control of their own destinies towards peaceful and sustainable futures
3. Work toward a world where there is:
    a. No burdensome debt on poorer countries, achieved through a far-reaching programme of debt relief.
    b. Narrower differences of wealth between countries, through richer countries meeting their aid obligations, as stated at UN meetings.
4. Finalise an urgent timetable to reach the United Nations target of 0.7% of GNI (Gross National Income) being devoted to overseas aid by 2015 by developed countries to help achieve the Millennium Development Goals.
5. Maximise the effectiveness of aid by delivering a higher proportion of it through NGO's (Non Governmental Organisations) either directly, or through state counterpart funding, with a strong human rights dimension.
6. Ensure that New Zealand completes the ratification and legislative implementation of the UN Convention on the Elimination of all Forms of Discrimination against Women, and its Protocol, the UN Convention on the Rights of the Child, and the ILO Conventions and the Draft Declaration on the Rights of Indigenous Peoples.
7. Support programmes which improve the reproductive and sexual health of all people.

8. In all dealings with countries in which human rights violations occur, including economic and trade negotiations, keep the interests of disadvantaged and disempowered communities in the forefront.

3. Promoting Tolerance and Ethnic Diversity in Aotearoa/New Zealand

The promotion of tolerance enhances and celebrates our increasing ethnic diversity. The Greens believe government should do as much as it can to combat intolerance based on ethnicity and religion and encourage acceptance of diversity. The Greens will:

1. Fully support the Human Rights Commission and Race Relations Office in their implementation of the Human Rights Act, countering prejudice and discrimination, and addressing racism.
2. Support the work of the Ministry of Pacific Island Affairs and will ensure it is adequately funded to promote tolerance and enhance Pacific diversity in Aotearoa/New Zealand.
3. Establish a stand-alone Ministry of Ethnic Affairs, as called for by ethnic associations, in line with the establishment of a Minister of Ethnic Affairs.

Ethnic associations that represent migrant groups help migrants to maintain the languages and cultures of their ethnic groups in Aotearoa/New Zealand and celebrate the way in which their cultures are enriching the whole society around them. There is much work for the community, local bodies and government to do in promoting the development of vibrant ethnic cultures in Aotearoa/New Zealand, and meeting the needs both of the ethnic communities and the society at large. The Greens will:

4. Work with ethnic communities to combat prejudice; develop fair, compassionate, and effective immigration and migrant settlement processes; and ensure that education, health and other institutions meet the special needs of ethnic communities.
5. Enhance the work of ethnic associations and councils through partnership arrangements, promotion, and financial assistance for their projects, whether they are specific to the ethnic group or are multi-cultural projects.
6. Integrate the work of ethnic associations into the educational sector to promote tolerance in the wider community.
7. Provide all new immigrants with a copy of the New Zealand Bill of Rights Act and Te Tiriti o Waitangi in their preferred language.

4. Aotearoa/New Zealand's responsibility towards migrants

The Green Party's approach to accepting migrants is governed by our global social and environmental responsibilities, including a humanitarian responsibility to those who have suffered in their home countries, and the need to achieve our own social, economic and environmental sustainability. It is also shaped by our adherence to Te Tiriti o Waitangi, and Maori, as tangata whenua, have a partnership role in determining New Zealand's immigration policy.

The approval processes for all migrants (temporary or permanent, and whether they arrived legally or illegally) should be fair, transparent, and subject to the normal rules of evidence, with full judicial appeal rights. The Greens will:

1. Remove the ability for Ministers of Government to overturn a decision by a judicial body, for example, with the Security Risk Certificate procedure.
2. Create fairer and more transparent short-stay visa processes.

3. Support freer movement of people between Samoa and New Zealand in consultation with Samoa, in recognition of the special relationship with Samoan people reflected in the Treaty of Friendship.

Refugees and asylum seekers

The Greens believe that Aotearoa/New Zealand has a responsibility, based on our principle of social justice, to do what we can to accept our share of those denied social justice in their countries of origin, particularly refugees. At present, Aotearoa/New Zealand accepts a quota of 750 refugees from the over 20 million refugees in the world, selected as 'at risk' for various reasons by the United Nations High Commission for Refugees (UNHCR). In recognition of Aotearoa/New Zealand's moral responsibility to take in and provide adequate resettlement services for refugees, the Greens will:

4. Progressively increase our refugee quota from 750 per year to 1000 per year, and provide adequate resources to implement this.
5. Ensure that all refugees and asylum seekers are treated humanely, with detention only used in exceptional cases, where a genuine security risk can be identified.
6. Abide by the provisions of the 1951 Refugee Convention and related international agreements, including upholding the independence of the final refugee appeal body, in this country the Refugee Status Appeals Authority, and abide by the provision in the convention that the government cannot overturn its decisions.

Settlement support

We have a responsibility to ensure that new migrants settle well in Aotearoa/New Zealand, with special efforts being require for less wealthy migrants and those for whom English is not their first language. These migrants, including refugees, need assistance to obtain appropriate housing and meaningful employment, and require access to educational facilities to become active and informed citizens. The Greens will:

7. Increase the resources government makes available for migrants' successful resettlement.
8. Ensure migrants are provided with assistance to obtain adequate housing and health services
9. Improve funding to the RMS Refugee Resettlement to enable it to fulfil its mandate.
10. Increase, in order to reflect today's cost of living, the one-off resettlement grant administered for refugees by the Ministry of Social Development.
11. Provide specialised services for refugees, such as the Refugees as Survivors Clinics, outside Auckland and Wellington, and fund the expansion of RMS Refugee Resettlement to more centres.
12. Support the establishment of further Refugee and Migrant Centres to help with resettlement and ensure greater support for ethnic associations.

Language education

13. Offer adult ESOL courses that are within the financial reach of adult refugees and accessible outside Auckland and the other main centres.
14. Fund the Volunteer ESOL Home Tutor scheme sufficiently to attract and train a sufficient number of volunteers for those in need of tutoring.
15. Provide adequate state assistance for all forms of Te Reo and ESOL tuition for immigrants.

Meaningful education and employment

16. Fund the Training Opportunity Programme, sufficiently, to provide tuition for all eligible refugees.
17. Provide professional bodies with incentives and funding support to help migrants and refugees reach the standards needed to practise their professions.
18. Ensure greater availability of bridging courses for immigrants in professions for which Aotearoa/NZ has need, and of student loans for those seeking professional registration here.
19. Encourage the use of practical supervision of those with internationally recognised qualifications as an available route to registration in place of one-off pencil-and-paper tests.
20. Ensure that new migrants have free access to education about New Zealand culture, tangata whenua, the role and rights of women, and of gay men, lesbians, and other members of the rainbow communities.

Footnote: Discrimination means the provision of civil, political, social, cultural and economic rights, including the public or private provision of employment, housing, goods, services or facilities, to any person or group of persons under less favourable conditions than are generally provided to other members of the community. Affirmative action programmes assist or advance persons or groups of persons to achieve equality with other members of the community.

Appendix F: New Zealand First 2002 election manifesto

PLANNING FOR AN ENHANCED FUTURE

New Zealand First believes that New Zealanders are entitled to a political system they can feel confident about, and politicians they can rely on to represent them.
There should be an end to the aimless restructuring of government services, a removal of unnecessary rules and regulations based on misguided political correctness, and a return to a public service ethic within the bureaucracy.
Spending will be directed to the provision of high quality education and health professionals and to improving free access to enhanced public education and health services.
New Zealand First will continue to fight to protect our social fabric and traditional family values.
New Zealand needs a clear strategy to boost export growth and employment. New Zealand First will implement a plan to treble exports in real terms, by 2020. The principal aim of a Government should be full employment. Any person capable of work should be given the opportunity to do so and not relegated to welfare dependency. Our citizens should be able to look forward to the certainty of a dignified retirement based on a fund that can be invested in our economy and infrastructure.

During the next three years we will focus on these three things:

1. FIXING OUR IMMIGRATION POLICY:
New Zealand First will end ad hoc policy-making on immigration and will oppose using immigration as an excuse for our failure to train, skill, and employ our own people. We will not tolerate New Zealand being a haven for queue-jumping asylum seekers. Only immigrants who can contribute to rapid export growth, our research and development, and or our educational capacity will be accepted. Immigrants will be required to accept New Zealand culture and values.

2. FIXING THE TREATY INDUSTRY:
While we are many peoples with different customs, languages, religions and cultures, we are all New Zealanders first. During the next parliamentary term, New Zealand First will focus on pursuing policies that promote social cohesion and economic advancement. We will put an end to the Treaty of Waitangi grievance industry and cease its senseless calls to insert Treaty 'principles' into legislation.

3. FIXING THE LAWLESSNESS AND VIOLENCE IN OUR SOCIETY:
It is time to mount a war against lawlessness by providing adequate police resources and powers, implementing realistic sentencing, instilling discipline in our young people through appropriate training, taking a very tough line on youth and repeat offenders, and aggressively targeting 'entry level' crime.

Those who have the most to lose from political and democratic reform continue to occupy the positions of power. The introduction of a new electoral system (MMP) has not created any real institutional and attitudinal change. Political domination is still the basis of power seeking by the old parties. Vested interests have worked to cripple the MMP process. There has been little change in political behaviour and the review of MMP was a sham.

Politicians have been consistently discredited by dishonoured promises; deliberate campaigns of policy deception; party political goals taking precedence over public goals; the process of political appointments, and ministerial meddling. There have been unauthorised and inexplicable payouts to bureaucrats and political appointees. The attainment and retention of power and financial gain have superseded the concept of an impartial public service.

The move to MMP was not the end of political reform - it was the start. New Zealand First aims to make Parliament itself a more responsive and accountable institution, and to give greater power back to the community.

IMMIGRATION

INTRODUCTION

"Whilst this country, with such a small population, will continue to require an infusion of overseas skills and expertise, immigration will cease to be used as an excuse for our failure to train, skill, and employ our own people" (New Zealand First founding principle).

The number of our bright young people overseas continues to be a drain on our society, and a dampener on our future hopes and aspirations.

New Zealand First makes no apology for wanting our people back, or for placing strict limits on immigration into New Zealand.

Clear obligations and responsibilities will be placed upon new migrants before they are able to gain New Zealand citizenship.

New Zealand First intends to concentrate upon uplifting the living standards of those New Zealanders here now... rather than adding new pressures through unrestricted immigration.

According to the Census there were more than 600,000 overseas-born people living in New Zealand. Changes in immigration policy have meant that almost two thirds of the overall growth in the "new immigrant" population since 1986 has come from Asia. There are now more people of Asian ethnicity than Pacific Islands peoples. The age structure of new immigrants is younger than that of other New Zealand residents. More than half of all new immigrants were living in the Auckland area where one in three residents was born overseas.

PLANS

New Zealand First's immigration policy has one clear aim: to ensure that immigration is in New Zealand's interests.

To that end, New Zealand First will:

- drastically reduce the inflow of migrants;
- review 'family reunification' policies which have rapidly become an open door for large numbers of unqualified migrants;
- introduce a probationary period for new immigrants. All new immigrants will need to keep an unblemished record for three years before becoming eligible for citizenship (serious breaches of the law will see residency approvals cancelled and deportation ordered);

- ensure, where appropriate, health screening of overseas visitors to stop the current abuse of our public health system and to protect our citizens;
- ensure that failure to disclose all relevant information in applications for residency results in deportation;

- offer approved immigrants citizenship (with full rights) or permanent residence (and be subject to foreign ownership restrictions). Those who attain the status of citizenship will obtain the same rights as if born here;
- give greater priority to immigrants who have the skills and qualifications necessary to further regional economic and social goals;
- require registration of immigration consultants, such registration to ensure consultants are people of repute who operate to a defined standard;
- ensure the appropriate induction of immigrants into New Zealand society with due weight given to an understanding of New Zealand customs and an acceptance of New Zealand culture and values;
- require professional bodies to accept overseas qualifications that have been recognised by the New Zealand Qualifications Authority;
- accept refugees on a case by case basis in liaison with local government and in accordance with the current U.N. quota (750 pa), and only once high quality settlement programmes have been implemented;
- ensure that asylum seekers will not gain priority entry to New Zealand; and,
- develop a population policy that integrates immigration policy and economic policy.