Plying the Humanitarian Human Trade: The Politics of Facilitative Relocation

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This article examines ‘facilitative relocation’: third-party efforts to physically relocate individuals facing persecution on the basis of their ethnicity or individual political activities. Three cases are investigated: antebellum efforts to facilitate emancipation through the subsidized removal of free blacks to colonies outside the United States; the Nazi–Zionist agreement to promote the emigration of German Jews to Palestine in 1933–1939; and the West German purchase of political prisoners and other would-be emigrants from East Germany during the Cold War. The following tentative conclusions are drawn. (1) If facilitative relocation involves external ransom payments, then the ‘captors’ will be able to demand higher payments over time and will resist placing relocation on a less pecuniary footing. (2) If a substantial portion of the pre-existing population of the ‘host’ territory views the relocatees as undesirable aliens, then facilitative relocation will generate or intensify intergroup conflict in that territory. (3) If the repression that gives rise to facilitative relocation is based upon individual behaviour rather than ascriptive attributes, facilitative relocation may help to stabilize repressive regimes in the short run; but, by underwriting the risks associated with political dissent and defection, it may also contribute to the delegitimization and destabilization of the regime in the long run. (4) Where facilitative relocation is a response to ethnic persecution, it is likely to be accompanied by increased persecution of the targeted group, and the reinforcement of ethnic rather than civic definitions of national identity. (5) Despite these drawbacks, facilitative relocation may sometimes be the ‘least bad’ solution available.

How should human rights advocates respond to systematic, officially sponsored violations of basic human rights? The policy tools that come immediately to mind are adversarial in nature: public condemnation, diplomatic isolation, economic boycotts or sanctions, perhaps direct military intervention. An alternative approach is to adopt ‘facilitative’ policies (Mitchell 1998): that is, policies designed to encourage or enable the perpetrators of human rights abuses to achieve their underlying political and economic goals at a lower cost in human suffering. The advantage of facilitative policies is that they may save lives that would otherwise be lost, reduce misery that otherwise
would be suffered, and do so at a lower cost—and perhaps more effectively—than the imposition of diplomatic, economic, or military sanctions. On the other hand, the adoption of facilitative policies may be tantamount to cutting a deal with the Devil. Unlike other tactics employed in humanitarian politics, facilitative approaches effectively reward the perpetrators of human rights abuses, since what these approaches seek to ‘facilitate’ is the voluntary adoption of policies that may be only slightly less brutal than those that preceded them. Thus, in addition to whatever practical complications may attend facilitative policies, they may also facilitate ethnic cleansing and the stabilization of repressive regimes.

The focus here is on one such tactic: *facilitative relocation*. At a minimum, facilitative relocation involves third-party efforts to finance, organize, or otherwise facilitate the removal and resettlement of persons facing persecution on the basis of their ethnic characteristics or individual political activities. It may also entail the payment of ransom in exchange for the release of imprisoned, enslaved, or otherwise captive individuals. The external facilitators may be other states, international organizations, nongovernmental organizations, or some combination operating in concert. Facilitative relocation may involve direct negotiations with the governmental or quasi-governmental authorities responsible for the abuses in question—a variant elsewhere dubbed ‘collaborative relocation’ (Darst 2002)—or it may be undertaken unilaterally, in order to create conditions conducive to a more acceptable resolution of the issue at a later date. In either case, the goal is not to compel the perpetrators or state sponsors of human rights abuses to act against their perceived interests, but to create conditions under which these actors may pursue those interests at a lower cost in human suffering.

What pitfalls might attend such a policy? Might facilitative relocation encourage repressors to intensify the persecution of their victims, or to threaten to do so, in order to extort higher levels of foreign ransom? Might facilitative relocation provide repressors with an enduring incentive to release their victims only when paid to do so, regardless of whatever other motivations they might also have? Might facilitative relocation contribute to the long-term stability of the underlying system of repression, either by removing unwanted or subversive individuals, or by obstructing the application of negative economic sanctions? Might the prospect of facilitative relocation encourage the intensification of the public or private persecution of an ‘undesirable’ group, in order to hasten its departure? All these perils are logical possibilities, just as analogous pitfalls have accompanied the use of facilitative policies in other issue-areas (Keohane and Levy 1996; Cortright 1997; Bernauer and Ruloff 1999; Darst 2001; Esman and Herring 2001).

The goal of this article is to illuminate the advantages and pitfalls of facilitative relocation through an examination of three cases in which this tactic was applied or attempted: (1) efforts by slavery opponents in the antebellum United States to facilitate emancipation through the subsidized removal of free blacks to colonies outside the United States, or ‘African colonization’; (2) the
Nazi–Zionist ‘Transfer Agreement’ to secure the emigration of Jews and the expatriation of Jewish assets from Nazi Germany to Palestine in 1933–1939; and (3) the ‘human trade’ in political prisoners and other would-be emigrants from East to West Germany during the Cold War. These cases were selected in order to analyse the causes and consequences of three important axes of divergence. First, the tactics employed in the three cases differed. The inter-German human trade involved direct external ransom payments to the repressors, while the African colonization movement and Transfer Agreement were designed to encourage voluntary relocation by altering the incentives facing the proposed relocatees. Moreover, whereas the Transfer Agreement stemmed from direct negotiations between the Nazi government and the Jewish Agency for Palestine, the African colonization movement was an effort to generate conditions that would make a successful bargain possible in the future. Second, these efforts enjoyed differing degrees of success, as defined by the goals of their proponents: African colonization was a total failure, while the Transfer Agreement and the inter-German human trade enjoyed at least temporary success. Finally, the cases can be distinguished by the definition of the group to be relocated. In the cases of the African colonization movement and the Nazi–Zionist Transfer Agreement, the prospective relocatees were defined by group (ethnic or ascriptive) characteristics, while the inter-German human trade was a response to the suppression of real or alleged individual political behaviour. This distinction affected both the debates over facilitative relocation and its consequences.

To anticipate, I draw the following tentative conclusions. (1) If facilitative relocation involves external ransom payments, as was the case in the inter-German human trade, then the ‘captors’ will be able to demand higher payments over time and will resist placing relocation on a less pecuniary footing. (2) If a substantial portion of the pre-existing population of the ‘host’ territory views the relocatees as undesirable aliens, then facilitative relocation will generate or intensify intergroup conflict in that territory. As both Palestine and Liberia demonstrate, the resulting conflict may long outlive the circumstances that gave rise to facilitative relocation in the first place. (3) If the repression that gives rise to facilitative relocation is based upon individual behaviour rather than ascriptive attributes, as in the inter-German human trade, facilitative relocation may help to stabilize repressive regimes in the short run; but, by underwriting the risks associated with political dissent and defection, it may also contribute to the delegitimation and destabilization of the regime in the long run—as was ultimately the case in East Germany. (4) Where facilitative relocation is a response to ethnic persecution, it is likely to be accompanied by increased persecution of the targeted group, and the reinforcement of ethnic rather than civic definitions of national identity. (5) Despite these drawbacks, facilitative relocation is not necessarily the worst possible outcome. When worse comes to worst—or ‘when all else fails’, as Kaufmann (1998) recently observed with respect to ethnic partition—facilitative relocation may sometimes be the ‘least bad’ solution available.
Facilitative relocation, by its very nature, relies upon the use of positive incentives. Positive incentives have attracted increasing interest of late, both in the study of international relations and in the practical world of diplomacy. This rising interest stems from a growing recognition that the employment of positive incentives may be more cost-effective than the punishment of undesirable behaviour (Baldwin 1971). Since the end of the Cold War, for example, the affluent capitalist states have responded to the dangers of transboundary environmental degradation and nuclear nonproliferation with a variety of positive incentives: the subsidization of environmental protection measures in other states, the purchase of nuclear material and delivery systems, the employment of nuclear weapons scientists in the former Soviet republics, and the construction of alternative nuclear power reactors in North Korea (Keohane and Levy 1996; Löfstedt and Sjöstedt 1996; Schweitzer 1996, 2000; Mitchell 1997, 1998; Victor, Raustiala and Skolnikoff 1998; Bernauer and Ruloff 1999; Darst 2001). Positive incentives have also increasingly been employed as a means of ending civil conflict, reducing human rights abuses, and reconstructing war-torn societies (Böhning and Schloeter-Paredes 1994; Boyce 1996; Cortright 1997; Boyce and Pastor 1998; Esman and Herring 2001).

That being said, there is no a priori reason to expect external actors to respond to human rights abuses by physically relocating vulnerable individuals. On the contrary, we should expect to see relatively little of it. Foreign governments typically view large-scale refugee flows as a negative externality to be averted or minimized. Consequently, positive incentives are more likely to be used to induce states of origin to address the root causes of migration, to induce potential migrants to stay home, or to encourage the resettlement of refugees, migrant workers, or former guerilla fighters in their countries of origin. Examples of the latter approach include ongoing efforts to resettle refugees from the wars in the former Yugoslavia, and the demobilization and resettlement of former combatants in post-Cold War UN ‘peacebuilding’ operations (Durch 1996; Wood 1996; Stedman 1997). Governments determined to avert or minimize refugee flows may also undertake direct military intervention, as the United States and its allies did with respect to Haiti in 1994 and Yugoslavia in 1999 (Malone 1998; Daalder and O’Hanlon 2000).

There is yet another reason why we should not expect to see the widespread use of facilitative relocation: it entails the acceptance of—and may even aid and abet—the violation of basic human rights. The use of positive incentives, whether in humanitarian politics or any other field, is always premised upon an overlap of interests between those offering inducements (the ‘facilitators’) and the targets of them. These interests are rarely identical, but in most cases the negotiated outcome does not conflict with the most basic normative principles of the facilitators. There is nothing inherently disturbing, for example, about the construction of a new wastewater treatment plant in Estonia, the provision of land and agricultural implements to former guerilla soldiers, or (provided
that one is not an opponent of nuclear power production) the construction of proliferation-resistant light-water reactors in North Korea. Unlike most other uses of positive incentives, however, facilitative relocation entails the acceptance of a negotiated outcome that may well violate the facilitators’ fundamental moral principles: the physical expulsion of persons deemed ‘undesirable’ on the basis of ascriptive characteristics, or those persecuted for real or imagined individual political dissent.

Facilitative relocation may nevertheless emerge as a salient solution to human rights abuses, provided that four key conditions are met. The first is the existence of a third party willing to facilitate the relocation of the individuals in question, either as an alternative to persecution, or as an end in its own right. Second, the would-be facilitators must have access to the political and economic resources necessary to make facilitative relocation work. This requires, first of all, money: money to induce the perpetrators to release their victims, if ransom or redemption is part of the deal, and money to cover the costs of transportation and resettlement. This money may come from a variety of sources: governments, private contributions, even the assets of the emigrants themselves. Facilitative relocation also requires access to the political and economic resources of government. If the ransom or relocation of large numbers of individuals is at stake, the costs may be too high for private action alone. Moreover, even if nongovernmental actors are able to mobilize the financial resources necessary to collaborate with the captors, implementation of the transaction may require the approval and assistance of their home governments (as is likely to be the case, for example, if the target government is subject to economic sanctions). Finally, relocation presupposes entry into another state or territory, which in turn requires the acquiescence of the authorities responsible for controlling immigration into that territory. Such access is not always easy to achieve or to maintain, particularly if the facilitators are nongovernmental actors.

Third, those in a position to block the emigration of the targeted individuals—the ‘captors’—must be interested in facilitative relocation as well. The captors must believe that the removal and relocation of the individuals in question will promote their own goals, be it ethnic homogeneity, political stability, or national security. The captors may also be motivated by the prospect of monetary payment or other concessions in exchange for their participation. Finally, the captors must be convinced that collaboration will not escape their control or undermine their political and economic position. The result is, at best, a very narrow and unstable overlap of interests: the captors will reject or withdraw from collaboration if they suspect that that the proposed arrangements will undermine their rule, while the facilitators will come under criticism if collaboration appears to promote the interests of the captors. Nevertheless, even a narrow and unstable overlap of interests may be sufficient for facilitative relocation to proceed, at least temporarily.

Finally, the interests of the intended emigrants themselves must also be taken into account, as must those of the residents of the territory in which the
emigrants are to be relocated. As noted above, for facilitative relocation to succeed, there must be an alternative destination for the relocated individuals. It is not enough, however, that the authorities governing access to that destination be willing to accept them. The destination also must be a place to which the emigrants are willing to go, and one into which existing residents are willing to accept them. In most cases, the prospective migrants and the residents of the ‘receiving’ territory are not helpless pawns: they are still able to make choices, albeit from a more limited menu than they might like. The collaborative arrangements negotiated in their name shape the menu of options available to them, but the individuals involved can make choices other than those fashioned for them. Consequently, both the would-be emigrants and their prospective neighbours may respond in ways not foreseen or desired by the architects of facilitative relocation.

**Emancipation Through Emigration: ‘African Colonization’ 1816–1866**

In December 1816, a diverse group of distinguished Americans gathered in Washington, DC to establish the American Colonization Society (ACS), an organization dedicated to the relocation of free blacks from the United States to as-yet-unestablished colonies in Africa. Among the luminaries in attendance were Henry Clay, Speaker of the House of Representatives; Francis Scott Key, prominent Washington attorney and author of ‘The Star-Spangled Banner’; Daniel Webster, Congressman and noted orator; and General Andrew Jackson, future President and hero of the Anglo-American war of 1812–1815. The ACS soon grew into a nationwide movement, with auxiliary chapters at the state and local level throughout the United States. Although the ACS was a nongovernmental organization, funded by private contributions, its founders set their sights on federal funding, as private contributions alone would be insufficient to finance the relocation of the 175,000 free blacks then living in the United States (Inter-university Consortium for Political and Social Research 1998). Indeed, this was the rationale for founding the organization in the fledgling national capital, Washington, rather than in a more established philanthropic centre such as New York, Boston, or Philadelphia (Staudenraus 1961: 12–35; Alexander 1971: 59–98).

The motivations of the ‘colonizationists’ were as diverse as their political and geographical backgrounds. Many of those who joined the colonization movement were motivated by racism and fears of economic competition. In the South, free blacks were associated with a variety of threats to the established social order: economic competition with whites, miscegenation, and slave revolts. Since all of these prospects were equally threatening to nonslaveholding whites, slaveholders welcomed colonization as a way to minimize slavery’s negative social and economic externalities, and so strengthen its long-run political and economic viability (Bancroft 1957: 156–163; Beyan 1991: 2–14). Thus, at the founding meeting of the ACS, Virginian John Randolph noted that free blacks were ‘one of the greatest sources of insecurity, and also of
unprofitableness’ to slave labour; therefore, the removal of them would ‘materially tend to secure’ the institution of slavery (Staudenraus 1961: 29). Many Northern colonizationists also embraced the belief that blacks were inherently inferior to whites, and associated the existence of free blacks with all sorts of social ills, such as poverty, alcoholism, crime, and moral decay. Moreover, if slavery were ultimately to come to an end in the South, the freedmen might flock to the North en masse—a prospect considerably more threatening to most Northerners than the indefinite perpetuation of slavery (Bancroft 1957: 155). Colonization thus promised not only to reduce the size of the North’s existing free black population, but also to ensure that any slaves emancipated in the future would migrate elsewhere.

Other leading colonizationists were motivated by more humane considerations. Some—including New Jersey clergyman Robert Finley, the individual most responsible for organizing the ACS—rejected the view that blacks were inherently inferior to whites, but argued that free blacks would never attain true equality and self-fulfilment so long as they remained in the United States, subject to persistent racial prejudice and legal and economic discrimination. The logical solution was the establishment of colonies outside the United States, preferably in Africa, the native homeland from which they had been so violently torn. There, with the help of the US Government, blacks could establish their own society and government, and ultimately determine their own fate (Staudenraus 1961: 15–22). While such arguments often provided a convenient cover for racism, there was certainly ample reason to expect racial prejudice and discrimination to persist indefinitely, and black nationalists like Martin Delany made similar arguments in the years preceding the American Civil War (Ullman 1971; Griffith 1975).

Still other colonizationists viewed colonization as a means of ending slavery, rather than strengthening it. Pro-slavery Southerners initially dominated the national chapter of the ACS, but more radical anti-slavery colonizationists dominated the chapters in the North and, after 1833, the national chapter as well. The anti-slavery colonizationists, in contrast to their Southern counterparts, viewed colonization not as a means to preserve slavery, but as a necessary condition for abolishing it. The anti-slavery colonizationists argued that the rapid growth of slavery in the United States had generated the primary obstacle to its abolition: an enormous population of potential wage earners who would, if emancipated, compete with whites for work and status. This pool of potential competitors dwarfed the existing free black community: by 1820, there were some 1.5 million slaves in the United States, over 15 per cent of the total population (Inter-university Consortium for Political and Social Research 1998). As a result of the perceived economic and social dangers associated with the emancipation of this group, opposition to the abolition of slavery was widespread not only among Southern slaveowners, but also among nonslaveholding whites throughout the United States. The key to ending slavery through peaceful means, then, was to assure the voting public that the vast majority of the freed slaves would be settled outside the United States.
‘Colonizationist’ solutions to the slavery issue—that is, gradual emancipation, accompanied by the relocation of freed slaves to the unincorporated western territories, the West Indies, or Africa—had been suggested by Thomas Jefferson, James Madison, and others as early as the late 1700s (Jefferson 1955: 137–138; Alexander 1971: 48–75). In the 1820s, Jefferson and others advocated the use of the proceeds from the sale of federal lands in the West to finance both the relocation of free blacks and the compensated emancipation of those that remained enslaved—a proposal that attracted considerable support from federal and state legislators from the North (Bancroft 1957: 168–172; Staudenraus 1961: 170–172). By the end of the decade, however, anti-slavery colonizationists recognized that Southern legislators would block any federal programme of gradual emancipation, even if it included compensation for slaveholders and the physical removal of the freed slaves. The anti-slavery colonizationists therefore pushed for a programme of voluntary colonization in advance of emancipation, arguing that the successful establishment of a colony for blacks who were already free was a necessary condition for the elimination of slavery later on. In the short run, the colonizationists argued, slaveholders would be more willing to voluntarily manumit their slaves if they could be assured that the freedmen would be removed from the United States at someone else’s expense, particularly if this were accompanied by a programme of public approbation for those who manumitted their slaves. In the longer run, voters in the Southern states would ultimately agree to end slavery voluntarily—presumably on a state-by-state basis, rather than all at once—once they were confident that the newly emancipated freedmen would not settle permanently in their midst. The problem was that this confidence could be expected to emerge only after the viability of colonization had been established. This conundrum led the anti-slavery colonizationists to join with their proslavery counterparts in pushing for the emigration of free blacks: given the low rate of manumission, any viable pilot colony would have to attract significant numbers of blacks that had been born free.

The logic of anti-slavery colonization will become clearer if we distinguish between two types of facilitative policies. Remunerative policies are designed to increase the attractiveness of ‘desirable’ behaviour by increasing the material rewards associated with that behaviour: ‘carrots’ or bribery. Generative policies, by contrast, are designed to remove obstacles to ‘desirable’ behaviour through the creation of new opportunities or policy options. Both strategies take the basic interests of the targeted actors as given; the difference is that generative strategies seek to transform the structure of the situation so that the targeted actors will ultimately adopt (and sustain) desirable behaviour of their own accord, even in the absence of external rewards (Mitchell 1997). Anti-slavery colonization was a generative rather than a remunerative strategy: its aim was not to directly reward manumission and emancipation—that would be impossible without massive federal funding—but to indirectly facilitate the end of slavery by removing the major structural obstacle that prevented Southerners from taking this step voluntarily. In the minds of anti-slavery
colonizationists, the only other solutions were the indefinite continuation of slavery, perhaps in tandem with the dissolution of the Union, or a bloody civil war to compel the Southerners to end slavery and to coexist with the freed slaves in the South (Staudenraus 1961: 121–126, 202–209).

These, then, were the conflicting motivations that underlay the colonizationist enterprise. How well did it fare in practice? In 1819, the ACS secured federal funding for the establishment of a pilot colony on the west coast of Africa, subsequently named ‘Liberia’. In the 1830s, several nearby colonies were established by individual state legislatures (Staudenraus 1961: 232–236; Campbell 1971). All these colonies were subsequently incorporated into the Republic of Liberia, which, with the blessing of the ACS, declared its independence from the United States in 1847. Despite these accomplishments, however, the Liberian experiment was not a success from the anti-slavery colonizationists’ perspective. By 1861, the ACS had organized and financed the relocation of only 10,517 colonists to its colony. Of these, slightly more than half were emancipated by their owners with a view to emigration; most of the others were born free (Staudenraus 1961: 251; Boley 1983: 22). Discounting Africans recaptured from slave ships, the total number of free blacks relocated to the various Liberian colonies prior to the outbreak of the Civil War—approximately 12,000—was but a small fraction of the 476,748 free blacks living in the United States in 1860, and further paled in comparison to the slave population of 3.95 million (Inter-university Consortium for Political and Social Research 1998).

Ironically, the high-water mark of the federal government’s interest in colonization coincided with the very disaster that the colonizationists sought to prevent: the American Civil War. In early 1862, Lincoln still hoped that some of the Southern states could be lured back into the Union through negotiation. Compensated emancipation, coupled with colonization, seemed a more promising basis for such a settlement that outright abolition or the persistence of slavery; in any case, Lincoln recognized the fears aroused in the North by the prospect of a sudden influx of newly emancipated freedmen. At Lincoln’s urging, Congress appropriated $600,000 for the colonization of the growing number of ex-slaves emancipated by the Union Army, and the Lincoln Administration launched a search for an appropriate site for relocation. In 1863, the Administration established a pilot colony of 453 freed slaves on Ile à Vache, a small island off the coast of Haiti. The Ile à Vache experiment proved to be a fiasco: not only were the unfortunate colonists promptly decimated by smallpox and starvation, but Lincoln failed to secure the consent of the Haitian government, without which the colony could not be expanded to absorb hundreds of thousands of additional freed slaves. This experiment came to an ignominious end in early 1864, when the US Navy was dispatched to rescue the 368 remaining survivors (Bancroft 1957: 196–258; Quarles 1962: 108–123; McPherson 1988: 508–509).

Any further prospects for mass colonization were crushed in 1866–1870 by the passage of three key pieces of legislation that ensured emancipation without
emigration: the Fourteenth Amendment to the US Constitution, which declared all persons born or naturalized in the United States to be citizens whose rights could not be abridged by any state law; the Reconstruction Act of 1867, which made congressional representation for the defeated Southern states contingent upon ratification of the Fourteenth Amendment; and the Fifteenth Amendment, which extended suffrage to all black male citizens (Foner 1988: 251–280, 446–449). This revolution was not entirely the result of the diminution of racism in the North; on the contrary, one of the chief arguments used to sell these Amendments in the North was that the newly freed slaves would remain in the South (rather than migrate to the North) only if they were guaranteed civil rights equal to those of Southern whites (Woodward 1971 p. 170). While the struggle to enforce those rights would continue for another century and more, the vast majority of American blacks chose to remain in the United States. After 1866, ‘African colonization’ continued on a voluntary basis—a further 4,700 American blacks emigrated to Liberia under the aegis of the ACS between 1865 and 1899 (Staudenraus 1961 p. 251)—but wholesale relocation never again emerged as a salient political prospect.¹

Explaining the Failure of African Colonization

The failure of the colonization experiment was overdetermined: almost all of those upon whom colonization depended for its success failed to support it. First, the Southern states actively resisted federally funded colonization. The only blacks that the Southern states wished to expel were those who were already free; these states had no interest in federal colonization schemes that might ultimately lead to emancipation. While the Southern states were happy to utilize colonization at the state level—either in cooperation with the ACS, or on their own—Southern Congressmen blocked all attempts to fund colonization through the federal budget or through the sale of federal lands. This, they reasoned, would only open the door to federal interference in the slavery issue, and ultimately the adoption of a nationwide scheme for gradual emancipation—an outcome that was, of course, precisely what the anti-slavery colonizationists were promising their audience in the North. And without federal funding, colonization could not move forward on the scale necessary to relocate hundreds of thousands of free blacks to Africa.

Second, from the 1830s onward, colonization came under increasingly harsh attack from abolitionists in the North. The abolitionists objected to colonization on three counts. First, they viewed it as instrument for strengthening slavery, rather than ending it—an understandable conclusion, given that this is precisely what the advocates of colonization were promising their audiences in the South. The abolitionists also argued that the promotion of colonization served merely to intensify the persecution of free blacks in the North as well as the South, as Northerners opposed to coexistence with free blacks were now emboldened by the prospect of their emigration to colonies outside the United States (Jay 1835: 30–53). Finally, on a more fundamental
level, the conflict between the anti-slavery colonizationists and the abolitionists reflected sharply differing visions of American national identity. The anti-slavery colonizationists promoted a vision of the United States as a ‘white man’s country’ in which national identity would be based in part upon the colour of one’s skin. The abolitionists vehemently rejected this vision, arguing that blacks were not temporarily displaced Africans, but *American citizens of African descent*—in contemporary parlance, African-Americans—with the right to remain permanently in the United States (Garrison 1968; Kraditor 1969; Dillon 1974). In other words, whereas the anti-slavery colonizationists embraced an *ethnic* definition of American national identity, the abolitionists defined national identity in *civic* terms. While abolitionism never attracted the support of the majority of the population in the North, the abolitionists’ stinging critique of colonization stripped the movement of many potential supporters above the Mason–Dixon line. Thus, instead of being all things to all people, the ACS increasingly found itself under attack from both sides of the slavery debate.

The third obstacle was external: no foreign state or territory was willing to accept large numbers of African-American colonists. Although the agents of the ACS were able to secure property on the west coast of Africa by literally putting a gun to the head of a local chief, the American colonists were never warmly welcomed. Consequently, in addition to persistent starvation and disease, the colonists faced continual attacks from hostile Africans (Staudenraus 1961: 62–65; Alexander 1971: 167–177; Moses 1998). As word of conditions in Liberia leaked back to US, this further decreased support for colonization among free blacks and white abolitionists. The reception was equally chilly in other sites. In 1824, for example, the Haitian government encouraged American blacks to come to Haiti, hoping that they would be a stimulus to the island’s economic development. But most of those who emigrated to Haiti soon returned, complaining of discrimination and oppression at the hands of the Haitian elite (Staudenraus 1961: 82–85). Subsequent efforts to establish colonies in the Western Hemisphere during the Civil War met with a similar lack of enthusiasm abroad.

Fourth, colonization never attracted support from free blacks themselves. The anti-slavery colonizationists were convinced that the establishment of a successful pilot colony was a prerequisite for a federally funded programme to relocate several million freed slaves; if such a colony were not established, the idea would never appear sufficiently plausible to attract large-scale support. Since the federal government was not prepared to forcibly expel all free blacks from the United States—or even to exert significant pressure upon them to leave—such a colony had to be established on a *voluntary* basis: that is, blacks who were *already* free had to be convinced to leave the US and try their fortunes in Liberia or elsewhere. However, very few free blacks were willing to do so (Ullman 1971; Griffith 1975; Miller 1975). On the contrary, free black leaders objected to colonization from the very outset, fearing that such a programme might at some point become mandatory. This opposition, in turn,
convinced leading abolitionists like William Lloyd Garrison to turn against colonization in the early 1830s (Staudenraus 1961: 32–33 188–193; Katz 1968; Dillon 1974 p. 36). Once Federal troops began to occupy large swathes of the South during the Civil War, free blacks and emancipated slaves had still less incentive to emigrate, as the end of slavery and the relaxation of racial discrimination now appeared within view.

Unintended and Undesired Consequences

Although the colonization movement failed either to remove free blacks en masse from the US or to facilitate the peaceful end of slavery, it was not without consequences. Two of these were, from the perspective of some of those affected, quite undesirable.

First, while the number of emigrants to Liberia was too small to have any appreciable impact upon racial demographics in the United States, it was sufficiently large to have a tremendous impact upon Liberia itself. In effect, the emigration of American blacks to Liberia resulted in the displacement of ethnic conflict from the United States to West Africa: only now the conflict was not between blacks and whites, but between the American immigrants and indigenous Africans. This was not an intended consequence; on the contrary, the proponents of colonization initially expected that the free black colonists would be welcomed by the indigenous inhabitants as the bearers of Christian civilization, economic development, and democratic political values (Bancroft 1957: 162–163; Staudenraus 1961: 119–135). However, just as many white proponents of colonization looked down upon American blacks as inherently inferior, so too the colonists from the United States viewed the indigenous residents of Liberia as 'heathens, infidels and savages' rather than co-nationals (Boley 1983: 27). The indigenous residents in turn viewed the colonists as dangerous competitors, not long-lost ethnic kinsfolk. The result was an often violent struggle for political power between the American colonists and the indigenous inhabitants. Even now, one of the main cleavages in Liberia remains that between the ‘Americo-Liberian’ descendants of the original colonists—a group that has historically enjoyed a grossly disproportionate share of economic and political power—and the ‘African-Liberian’ descendants of the indigenous inhabitants (Boley 1983; Gershoni 1985; Osaghae 1996; Huband 1998; Alao et al. 1999; Ellis 1999).

The second consequence was intensified persecution of free blacks within the United States. Once the prospect of African colonization achieved widespread circulation, those who objected to the presence of free blacks were encouraged to intensify the persecution of them, in the hope of driving them from the United States as quickly as possible. This persecution took official as well as private forms. In 1832, for example, the establishment of a school for free black children in Canterbury, Connecticut was opposed by town selectmen on the grounds that it would interfere with ‘the benevolent colonization system’. The Connecticut state legislature in turn passed a law banning the education of any
free blacks from outside the state—although no such impediments were placed in the way of the African Mission School in the state capital of Hartford, as its express goal was to prepare free blacks for their removal from the US altogether. The founder of the school in Canterbury, Prudence Crandall, defied the new law, and was subsequently arrested, jailed, and put on trial. Her trial resulted in a judicial ruling that the state’s free blacks were not citizens of the United States at all, a decision that prefigured the US Supreme Court’s notorious Dred Scott ruling of 1857. (Crandall herself was found guilty, a verdict later overturned on a technicality.) While not openly condoned by the national chapter of the ACS, many of these efforts to push out free blacks—including those in Connecticut—were led by members of the society’s state and local auxiliaries (Jay 1835: 28–51; McPherson 1988: 170–181). Even Ralph Gurley, the national secretary of the ACS and an ardent opponent of slavery, recognized the value of supplementing carrots with sticks: ‘should [the free blacks] be urged by any stress or circumstance to seek asylum beyond the limits of the United States, humanity and religion will alike dictate that they should be assisted to remove and establish themselves in freedom and prosperity in a land of their choice’ (Jay 1835 p. 53).

The broader point is that the advancement of plausible schemes for the facilitative relocation of an ‘undesirable’ ethnic group will generate increased persecution of the group, even if the relocation project itself is unsuccessful. The extent of this persecution depends in large part upon the nature of the national regime. In this case, the effect of the ‘stick’ wielded at the state and local level was checked by the federal government’s unwillingness to adopt a more coercive approach to colonization. The federal government never tried to compel the mandatory emigration of free blacks; it never sought to squelch the expression of anticolonization arguments by blacks or whites; nor—with the exception of a brief and futile effort by Lincoln to convince black leaders of the desirability of colonization in 1862—did the federal government actively promote a ‘Back to Africa’ ideology among the free black population. This reluctant attitude reflected not only the magnitude of the proposed project, but also the fact that the United States was a liberal democracy, if a highly imperfect one. Thus, Lincoln’s attempt to resurrect colonization in 1862–1864 came under harsh attack from many of his fellow Republicans, who rejected it not only as infeasible, but also as a gross violation of the basic human rights to which all black Americans should be entitled (Bancroft 1957: 211–212; Quarles 1962: 115–119; Dillon 1974: 253–255; Foner 1988: 176–280; McPherson 1988: 508–509). Had the United States not been a fledgling liberal democracy—had it instead been a highly authoritarian state, governed by an openly racist ideology—the outcome might have been quite different. In Germany in the 1930s, it was.

Parallel Ethnic Projects: The Nazi–Zionist Transfer Agreement 1933–1939

At the close of World War I, Great Britain was entrusted by the League of Nations with a Mandate to govern the territory of Palestine, and there to
facilitate the construction of a Jewish ‘National Home’. From the very beginning of its tenure as Mandatory Power, however, Britain found itself playing the role of chief arbiter between the conflicting interests and goals of the Jewish and Arab communities in Palestine. The basic outlines of British policy in Palestine were laid out in a 1922 White Paper that envisaged the creation of a Jewish National Home within a ‘bi-national’ Palestine, rather than the conversion of Palestine into a Jewish state. Furthermore, the White Paper decreed that Jewish immigration—the main vehicle by which the Zionists intended to build the basis for a future Jewish state—would not be allowed ‘to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals’. This was deemed essential in order to ensure that the influx of Jewish immigrants would not lead to any increase in unemployment among the Arab community. Thus the British hoped to reconcile moderate Arab leaders to the growth and consolidation of the Jewish community in Palestine, and to avoid further Arab uprisings such as that of May 1921 (Esco Foundation for Palestine 1947: 256–285).

The key to this system lay in the operationalization of the ostensibly apolitical concept of ‘economic absorptive capacity’. From the outset, the British authorities treated the Jewish community in Palestine—the Yishuv—as a separate economic entity: in other words, the permissive levels of Jewish immigration were determined in accordance with the anticipated capacity of the Yishuv (rather than the Palestinian economy as a whole) to absorb new arrivals without excess unemployment or economic recession (Peters 1984: 304–306; Smith 1993: 15–16). Toward this end, prospective Jewish immigrants to Palestine were divided into various categories, to which different entry restrictions were applied. Two of these were the most important. ‘Category A’ was composed of ‘capitalists’, or individuals of independent means. These individuals were not subject to a fixed quota, as they were presumed capable of self-absorption into the Jewish economy. ‘Category C’ was reserved for workers with a definite prospect of employment. This was, in most years, the largest category of immigrants, and its size was restricted in accordance with the principle of economic absorptive capacity. The annual quota, or ‘Labour Schedule’, was negotiated jointly by the British authorities and the Jewish Agency for Palestine, an organization established in 1921 to represent the interests of the Yishuv. The Jewish Agency naturally took a more optimistic view of the absorptive capacity of the Yishuv, while the British tended to be more conservative—an outlook reinforced by the desire to minimize further Arab discontent (Esco Foundation for Palestine 1947: 664–676; Hyamson 1950: 51–69; Halevi 1983; Smith 1993: 63–85; Metzer 1998: 59–83).

By the early 1930s, Zionists committed to the maximal expansion of the Yishuv were frustrated by the slow rate of Jewish immigration. The years 1924–1926 had witnessed a remarkable increase in immigration, due to a booming economy, liberal British immigration policy, and tighter restrictions placed upon entry into the United States. However, the resulting economic boom gave way in the second half of the 1920s to the worst economic depression of the
Mandatory period. Immigration dropped so precipitously that Jewish emigration from Palestine in 1927–1928 exceeded immigration. The influx of Jewish capital fell as well: immigrants in the ‘capitalist’ category declined from 31.7 per cent of all immigrants in 1924–1926 to 16.2 per cent in 1927–1931. In 1930, the British authorities, alarmed by this economic downturn as well as a second Arab uprising in 1929, doubled the minimum capital requirement for ‘Category A’ immigrants to £1,000 ($4,800), but otherwise British immigration policy remained fairly liberal. Net immigration recovered in 1929–1931 to a level of roughly 3,500 per year, then climbed in 1932 to 9,553. Even so, this was a far cry from the peak of 31,650 recorded in 1925, and was not a trend that augured a Jewish majority in Palestine anytime in the near future (Esco Foundation for Palestine 1947: 320, 595–660, 674, 742–750; Hanna 1942: 110; Black 1984: 142–153; Smith 1993: 65–83; Metzer 1998: 65–76).

This situation changed dramatically with the appointment of Adolf Hitler as German Chancellor in January 1933. Within two months of the Nazi seizure of power, representatives of the German Zionist Federation and the Jewish Agency for Palestine secretly opened negotiations with Nazi officials in Jerusalem and Berlin in order to facilitate the emigration of ‘capitalist’ Jews from Germany to Palestine. The resulting bargain was known as the Transfer Agreement, or Ha’avarah. German Jews who agreed to emigrate to Palestine placed their capital in special accounts, most of which was skimmed off by the Nazis. The remaining funds were used by the Jewish Agency to purchase German goods for resale in Palestine or for export elsewhere in the Middle East. A part of the proceeds was used to provide prospective immigrants with the £1,000 required by the British authorities for ‘capitalist’ (above-quota) entry into Palestine. After the immigrants arrived in Palestine, they received the remaining proceeds from the Jewish Agency, less an additional (but much smaller) deduction to finance the development of the Jewish National Home. The result was that the emigrants lost of most of their capital in process, but less than if they had emigrated to another destination. This made Palestine an attractive destination for middle-class German Jews fleeing Nazi persecution: from 1933 to 1939, the Transfer Agreement directly facilitated the emigration of 20,000 German Jewish ‘capitalists’ to Palestine, together with the transfer of £8.1 million in Jewish assets. These transfers—which translated into roughly $39 million, or $500 million in 2000 dollars—accounted for 18 per cent of all private capital imported into Palestine during this period (Bauer 1982: 128–129; Black 1984; Bauer 1994: 8–28).

Explaining the Success and Demise of the Transfer Agreement

The success of the Transfer Agreement cannot be explained by the pre-existing preferences of the German Jews themselves. When the Nazis came to power in 1933, few German Jews were enthusiastic Zionists. On the contrary, most German Jews viewed themselves as Germans, distinguished from other Germans by religion rather than nationality. Most wished to remain in
Germany, and if forced to emigrate would not necessarily have preferred Palestine to some alternative destination. In fact, prior to 1933, only one per cent of the *Yishuv* had immigrated from Germany (Black 1984: 167–169; Bauer 1994: 6–7). Instead, the Transfer Agreement succeeded because the Nazis and the Zionists collaborated to make the option of relocating from Germany to Palestine more attractive to beleaguered middle-class German Jews than it otherwise would have been. But why should such mortal enemies as the Nazis and the Zionists have agreed to collaborate in this fashion?

The Nazis were attracted to the Transfer Agreement for both political and economic reasons. First, the Nazis were determined to purge Germany of Jews, and so make Germany a racially pure state. The Nazis were able to exert a powerful push upon German Jews, through steadily intensified persecution, but this was only half of the battle. In 1933, Germany was not yet in a position to force its neighbours to take in German Jews, or to seize additional territory to which the Jews might be forcibly relocated. Instead, other states or territories had to be willing take in German Jewish emigrants in sufficiently large numbers. Increased emigration to Palestine served this goal. Second, the transfer scheme promoted German exports and promised further economic benefits in the future, such as the sale of compatible equipment and spare parts. Last but not least, Nazi support for the Transfer Agreement was motivated by the desire to undermine the concurrent international campaign to organize a worldwide boycott of German exports—a campaign which, in the conditions of 1933, might have posed a serious threat to the still shaky German economy (Black 1984: 198–199).

What of the Zionists who negotiated the Transfer Agreement with the Nazis? They were naturally motivated by concern for the welfare of German Jews, and by the desire to rescue them from Nazi persecution—which, the Zionists correctly surmised, would steadily grow more rather than less severe. However, from the Zionists’ perspective, not all solutions to the problem of Nazi persecution were equally desirable. The Zionists did not wish for German Jews to remain in Germany, or to emigrate to some destination other than Palestine. Instead, they *actively desired to attract German Jews to Palestine* to assist in the creation of an independent Jewish state. In other words, the Zionists took advantage of the Nazi campaign of ‘ethnic cleansing’ to engage in a parallel campaign of ‘ethnic bolstering’ in Palestine. Moreover, the Zionists were particularly interested in the immigration of educated Jews with capital, precisely the group that the Transfer Agreement was designed to attract. The was due not only to the direct contribution that this would make to the development of the *Yishuv*, but its *indirect* effect as well. Since the British authorities in Palestine set the Labour Schedule with an eye to the ‘economic absorptive capacity’ of the *Yishuv*, the influx of German Jewish capital meant higher levels of legal immigration for *all* Jews: German and non-German, with capital and without.

And, indeed, the indirect contribution of the Transfer Agreement to the expansion of the *Yishuv* was at least as great as its direct effect. The Transfer
Agreement accounted for approximately a quarter of all imports into Palestine in 1934–1935, and at least one-half of the value of all durable and capital goods imported in 1936. Moreover, the overall educational level of the new wave of Jewish immigrants was notably higher than that of any preceding wave (Metzer 1998: 80–82, 163–169, 225–243). The result was a new and more sustained economic boom. Between 1932 and 1936, Jewish net domestic product doubled, and the British authorities permitted a corresponding expansion of the Labour Schedule. Consequently, total Jewish immigration leapt to 30,327 in 1933, 42,359 in 1934, and 61,458 in 1935 (Esco Foundation for Palestine 1947: 674–680). It is impossible to calculate precisely how much of this growth was due to the Transfer Agreement, but its effects were certainly great. Black (1984 p. 379) estimates that 40,000 German Jews emigrated to Palestine indirectly with the help of the Transfer Agreement (in addition to the 20,000 ‘capitalists’ who did so directly), and that corollary commercial and banking transactions brought an additional $70 million into the country, bringing the total capital inflow to well over $100 million (an amount roughly equivalent to $1.2 billion in 2000 dollars).

Paradoxically, the Transfer Agreement was a victim of its own success. The combination of the Transfer Agreement and the persecution of Jews throughout Central and Eastern Europe generated a massive influx of Jewish immigrants to Palestine in 1933–1936. In 1933–1935 alone, the Jewish population in Palestine nearly doubled, rising from 192,000 to 355,000. In the process, the Jewish share of the Palestinian population rose from 17.9 per cent to 27.2 per cent (Wasserstein 1979: 11–12). This rapid swelling of the Jewish community alarmed the Arab population, as it raised the prospect of Jewish majority rule or the partition of Palestine—either of which would, from the Arab perspective, be much worse than the status quo. The result was a third Arab revolt, lasting from April 1936 until 1939.

The Arab revolt worked counter to the goals of the Transfer Agreement in two ways. First, the spreading violence reduced the attractiveness of Palestine as a destination for German Jewish emigrants. Second, the revolt led the British to sharply curtail legal Jewish immigration to Palestine. The British government was by no means opposed to the creation of a Jewish National Home in Palestine, but this was not its main concern. By 1936, the prospect of a general European war was all too real, and the last thing that Britain needed was a popular uprising on the edge of the Suez Canal, the jugular of the Empire. Yet this is precisely what occurred: at the height of the Arab revolt, 40 per cent of the British Army’s field force was tied down in Palestine (Wasserstein 1979: 15–16). The British government responded not only with military force, but also with efforts to redress the grievance that had sparked the revolt in the first place. While Britain did not eliminate Jewish immigration entirely, permissible levels contracted sharply after 1936. The number of legal Jewish immigrants to Palestine fell from 29,727 in 1936 to 10,536 in 1937, while the number from Germany sank from 7,896 to 3,280 (Wasserstein 1979: 26; Bauer 1982: 127).
The deceleration of emigration to Palestine greatly reduced the value of the Transfer Agreement to Nazi Germany. As Hitler’s timetable for launching war advanced, he grew ever more eager to clear Germany of Jews. Yet now Jewish emigration to Palestine—which by itself was not great enough to ‘purify’ Germany in any case—had been cut in half, virtually overnight. At the same time, criticism of the Transfer Agreement within the Nazi elite grew. Representatives of the Foreign Office and the Nazi Party Organization Abroad complained of opposition from Arabs and German settlers in Palestine: since the Jewish Agency enjoyed a monopoly on German imports into Palestine, non-Jews effectively had to subsidize the Jewish population whenever they imported German goods (Nicosia 1985: 127–130). Others complained that the Transfer Agreement encouraged the emigration of wealthy Jews, leaving the German state to take care of those too poor to take advantage of it (Bauer 1994: 22–26). Still others grew concerned that a Jewish state in Palestine might actually come into existence—a scenario that the Nazis had not taken seriously in 1933, but which now appeared increasingly plausible. Initially, the Nazis concluded that the concentration of Jews in Palestine was preferable to their dispersal to other states, where they would use their political and economic influence to promote policies hostile to Germany. As the realization of the Zionist project became a real possibility, however, a growing number of influential Nazis argued that the reverse was true: the creation of an independent Jewish state posed the greater threat to German interests. In June 1937, Referat Deutschland, the Foreign Office agency responsible for ‘Jewish affairs’, warned that ‘a Palestine state would not absorb Jewry, but would instead create for it—along the lines of the Vatican—an additional internationally recognized power base, which could have disastrous consequences for German foreign policy’ (Nicosia 1985: 122).

By late 1937, the Economics Ministry remained the lone supporter of the Transfer Agreement within the Nazi bureaucracy. Nevertheless, the agreement continued to survive thanks to Hitler’s personal intervention. Hitler’s over-riding concern remained the exodus of German Jews by whatever means possible; accordingly, in January 1938 he ordered that no further obstructions should be placed in the way of emigration to Palestine (Nicosia 1985: 136–144; Bauer 1994: 26–28). However, Hitler’s continued support did not translate into greater British willingness to accept Jewish immigrants. Consequently, in 1938–39 the Nazis changed tack: those German and Austrian Jews lucky enough to escape detention in the growing network of concentration camps were simply stripped of their assets and forcibly expelled as penniless refugees. The Nazi leadership hoped that this strategy would not only accelerate the exodus of the remaining Jews, but also intensify anti-Semitism abroad (Bauer 1982: 105–112; Bauer 1994: 27). In the United States, at least, this tactic appears to have been successful: according to public opinion polls, anti-Semitism in the United States reached its all-time peak in 1944 (Wyman 1998: 9). The Transfer Agreement continued to operate until the outbreak of war in September 1939, but by then it had all but ceased to function as an effective means of facilitative relocation.
Unintended and Undesired Consequences

What unintended or undesired consequences accompanied the Transfer Agreement? First, there is no evidence that the Transfer Agreement encouraged the Nazis to intensify the persecution of the Jews. The Transfer Agreement facilitated the Nazi goal of ethnic cleansing, but it was not essential to the achievement of that goal. From the very outset of his rule, Hitler was determined to remove all Jews from his sphere of influence by whatever means necessary, or, as he put it to Göring, ‘so oder so’: if not through facilitative relocation, then through forced expulsion and, ultimately, extermination (Bauer 1994: 36–37). On the other hand, the Transfer Agreement clearly shaped the methods that the Nazi regime employed to encourage Jewish emigration from the Reich. In the wake of the negotiation of the Transfer Agreement, the Nazis not only tolerated Zionist proselytizing among German Jews, but also actively encouraged it. In contrast to the increasingly harsh restrictions imposed upon other Jewish organizations in the mid-1930s, German Zionist organizations were permitted and encouraged by the Nazi regime to hold rallies, organize youth leagues, display their own uniforms and flags, publish their own newspapers, and organize schools for the instruction of Hebrew and other skills needed for emigration to Palestine (Nicosia 1985: 54–60). This tolerance was tactical, rather than the product of ideological sympathy. As the usefulness of the Transfer Agreement declined in 1937–38, so too did the regime’s willingness to exempt Zionists from persecution. In November 1938, the German Zionist Federation was disbanded and all Zionist newspapers ceased publication (Nicosia 1985: 54–60 157–163).

There is also no evidence that the Transfer Agreement encouraged the Nazi regime to demand ransom payments in exchange for Jewish emigration. In the first place, the payments that the Nazis received in exchange for the emigration of German Jews to Palestine were not external ransom payments at all, since the money in question came from the assets of the German Jews themselves. Since the Nazis had the option of simply expropriating these assets and expelling the German Jews with no capital whatsoever (the primary policy adopted in the wake of the Anschluss with Austria in March 1938), Nazi participation in the Transfer Agreement cannot be explained as a quest for ransom. Instead, from the Nazi perspective, the residual capital that German Jews were allowed to export to Palestine represented a payment by Nazi Germany: an inducement for the Jews to leave, and for Palestine to take them. When the Transfer Agreement failed to remove the Jews quickly enough, the Nazis intensified the persecution of those that remained, seized all of their property, and began to expel them as penniless refugees.

If anything, the precedent set by the Transfer Agreement actually worked counter to the rising attractiveness of penniless expulsion. In July 1938, the representatives of 29 countries gathered in the French resort of Évian-les-Bains to discuss the issue of emigration from Nazi Germany. The main goal of the governments represented at the conference—including the United States,
which had taken the initiative in the organizing it—was to forestall any further Nazi ‘dumping’ of penniless Jewish refugees. The negotiations launched at the Evian Conference ultimately resulted in a deal that closely resembled the Transfer Agreement, the main difference being that German Jewish assets were to be used to pay for the emigration of all German Jews of working age and their dependents. Unfortunately, the failure of this effort was foreordained: given the unwillingness of the US, Great Britain, and other states to admit large numbers of additional Jewish immigrants, there were virtually no welcoming destinations to which the 400,000 proposed emigrants might be directed. The United States and the United Kingdom sought to circumvent this problem through a variety of fanciful schemes for the colonization of European Jews elsewhere: just as the American Colonization Society and Lincoln had tried in the nineteenth century to create pilot colonies for free blacks in West Africa and the Caribbean, so the US and British governments established pilot colonies for European Jews in British Guiana and the Dominican Republic. As had been the case with the earlier efforts undertaken by the colonizationists, however, these ventures were unsuccessful, and could not have been expanded to accommodate tens of thousands of additional immigrants. In the end, the bargaining process set in motion at Evian was cut short by the outbreak of war in September 1939 (Wyman 1968: 43–63; Bauer 1994: 30–43; Darst 2002).

There were, however, two respects in which the Transfer Agreement did generate consequences that other parties found highly objectionable. First, as in the Liberian case, the Transfer Agreement did not eliminate the problem of ethnic conflict; it simply displaced that problem from Germany to Palestine. Conflict between Jews and Arabs in Palestine predated the Transfer Agreement, of course, but it was exacerbated by the massive growth in the size and wealth of the Jewish population facilitated by the agreement. While this was a welcome development for the Zionists—after all, from their perspective, this was the primary aim of the Transfer Agreement—the same cannot be said for the Arab residents of Palestine, hundreds of thousands of whom were later forced into permanent exile as a result. As in the Liberian case, this conflict has continued to the present day.

Second, the Transfer Agreement helped to stabilize the Nazi regime precisely at the time when that regime was most vulnerable. It did so by undermining the international boycott of German goods that other Jewish leaders and organizations around the world attempted to organize in 1933, immediately after the Nazis came to power. The chief impact of the Transfer Agreement upon the boycott was not the actual amount of German goods that went to Palestine—this never amounted to more than a small percentage of total German exports—but the wedge that the agreement drove into the boycott movement itself. The successful negotiation of the Transfer Agreement forced Jewish leaders around the world to make a choice between the protection of civil liberties for Jews in Germany (and by extension, those living elsewhere in the Diaspora) and the development of the Jewish National
Home in Palestine. In principle, these two goals were not mutually exclusive, but the available strategies for advancing them were. The goal of defending civil liberties in Germany might be advanced by means of a boycott, but such a boycott would fatally undermine the Transfer Agreement, and thus obstruct the construction of a Jewish state. While many Jewish leaders continued to support the boycott after news of the Transfer Agreement leaked out in mid-1933, others backed away; and even most of those who continued to support the boycott were unwilling to declare internecine war upon the Zionists who had negotiated the Transfer Agreement. In the end, when the boycott/transfer debate came to a head at two international Jewish congresses in August and September 1933, both voted against the imposition of a coordinated boycott against Nazi Germany (Black 1984: 259–362).

Would a well-coordinated international boycott of German goods have helped to topple the Nazi regime in 1933? Historians disagree. Bauer (1994: 12–16) argues that the boycott movement never posed a threat to the Nazi regime, as foreign trade played a relatively minor role in the German economy in 1933. On the other hand, Black (1984: 380–381) argues that if the world’s Jewish organizations had united behind a well-coordinated boycott during the first few months that the Nazis were in power, they would have attracted considerable support from Christian groups and Western governments. Since German industry was dependent upon foreign suppliers (particularly in the United States), such a boycott would have greatly exacerbated unemployment in Germany, which was still struggling to recover from the Great Depression, and the Nazis might not have been able to maintain control in the crucial months of mid-1933. By the fall of 1933, however, the Nazi regime was considerably more established, and it was too late for such a boycott to work.

There is nevertheless general agreement on two points. First, the negotiation of the Transfer Agreement contributed signally to the unravelling of the boycott campaign in 1933. Second, whether or not the boycott movement actually posed a serious threat to the Nazi regime, in mid-1933 leading Nazi economic officials feared that it might. Consequently, the desire to break the boycott was one of the Nazis’ primary motives—perhaps the most important motive—for agreeing to the Transfer Agreement in the first place. The supporters of the Transfer Agreement were therefore able to take advantage of the German government’s fear of a boycott in order to promote their own agenda, the expansion of the Yishuv in Palestine. From the very outset, the Zionist negotiators promised their German counterparts that the deal would undermine the boycott effort, and they pledged to do all within their power to disrupt the momentum building for a boycott within the international Jewish community—a pledge that they upheld in the months that followed (Black 1984). In other words, the fledgling boycott movement generated the window of opportunity that made the negotiation of the Transfer Agreement possible.
Underwriting Dissent: The Inter-German Human Trade 1963–1989

Of the three cases under consideration, the longest-running exercise in facilitative relocation was the ‘human trade’ (Menschenhandel) conducted between East and West Germany during the Cold War. Beginning in 1963, two years after the construction of the Berlin Wall, the Federal Republic of Germany (West Germany) paid the German Democratic Republic (East Germany) to release political prisoners and to allow them to emigrate to the West. The human trade soon expanded to include prisoners’ family members and many other would-be emigrants. Although the human trade was effectively an intergovernmental bargain, it was managed through intermediaries: the Protestant (Lutheran) Church in the West, and the lawyer Wolfgang Vogel in the East. Vogel in turn reported to the East German Ministry of State Security (the Staatssicherheit, or ‘Stasi’). The first payment was made in cash; subsequently, the West German government provided the East German government with credit vouchers that could be used to purchase a limited range of goods from a specified roster of West German firms. Over the course of nearly three decades, the human trade resulted in the release and relocation of 33,755 political prisoners, the emigration of 215,019 others, and the payment of DM 3.4 billion (the equivalent of $3.27 billion in 2000 dollars) to the East German regime (Garton Ash 1993: 141–149; Whitney 1993). (See Table 1.)

Explaining the Success of the Human Trade

The human trade was successful because it served the interests of all three parties involved—the West German government, the East German government, and the relocatees themselves—and because it did so without arousing opposition from any actors in a position to obstruct it. The West German government was interested in the release of political prisoners—the majority of whom had been imprisoned simply for attempting to flee to the West after the construction of the Berlin Wall in August 1961—and in facilitating the emigration of other East Germans desiring to relocate to the West. Second, social unrest in East Germany was undesirable. Should this lead to violent repression, the West German government would be under tremendous internal pressure to intervene, but would be unable to do so. Accordingly, the West German government also wished to ease the plight of the much larger number of East Germans who remained behind. Indeed, this ‘stability commandment’ was one of the cornerstones of the West German policy of Ostpolitik that emerged in the 1960s (Garton Ash 1993: 176–185). This interest in social stability partially explains why, after some initial fumbling, the West German government refused to pay cash for the released individuals, but instead provided East Germany with credits that could be used to purchase only fuel and consumer goods. The goal was to ensure that the payments made to the East German regime would be used to benefit the East German populace, rather than to subsidize the East German regime per se (Whitney 1993: 73).
The GDR, for its part, viewed the human trade as a convenient and harmless way to remove troublesome political dissidents, and as a limited escape valve for those particularly determined to flee. The East German leadership had already concluded that unrestricted emigration would destabilize the regime. Some 2.69 million East Germans fled to the West between the creation of the GDR in October 1949 and the construction of the Berlin Wall on 17 August 1961; among these were large numbers of essential personnel such as doctors, lawyers, teachers, and engineers (Naimark 1992: 77). After the construction of

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<td>1984</td>
<td>2,236</td>
<td>29,626</td>
<td>388.0</td>
<td>227.2</td>
</tr>
<tr>
<td>1985</td>
<td>2,669</td>
<td>17,315</td>
<td>302.0</td>
<td>163.9</td>
</tr>
<tr>
<td>1986</td>
<td>1,450</td>
<td>15,767</td>
<td>195.0</td>
<td>138.5</td>
</tr>
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<td>1987</td>
<td>1,209</td>
<td>8,225</td>
<td>163.0</td>
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<tr>
<td>1988</td>
<td>1,048</td>
<td>21,202</td>
<td>232.1</td>
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</tr>
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<td>1,775</td>
<td>69,447</td>
<td>267.9</td>
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<td>0</td>
<td>0</td>
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<tr>
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<td>31,676</td>
<td>215,019</td>
<td>3,437.0</td>
<td>3,272.2</td>
</tr>
</tbody>
</table>

the Wall, however, the East German leadership concluded that tightly controlled emigration would not undermine the regime, provided that life was made as difficult as possible for those who sought to leave. Political dissidents and those who attempted to flee illegally were imprisoned, while those who requested permission to emigrate legally were harassed and persecuted—and, even if their requests were granted, compelled to pay large exit fees and to sell their property at greatly reduced values. These arrangements proved very profitable for those most closely involved in the human trade, including Wolfgang Vogel.2

Second, the East German regime earned much-needed hard currency by selling political prisoners and other would-be emigrants to the West. Although the trade voucher system was designed to restrict the uses to which these proceeds could be put, the regime easily circumvented these constraints. Operating through front companies in Liechtenstein, the Stasi converted the West German trade vouchers into hard currency by selling the commodities on the world market, often before they had even been received. The proceeds from these sales went directly into a special account controlled by Erich Mielke (the Minister for State Security) and Erich Honecker (secretary of the Security Commission of the Central Committee and, after 1971, leader of the East German regime). The resulting hard currency could then be used as the leadership saw fit, from the provision of consumer goods to the acquisition of foreign computers, surveillance technology, and additional material privileges for the political elite (Whitney 1993: 74–75, 165–68).

Third, the human trade flourished because a growing number of East German citizens actively desired to emigrate to West Germany, either as an alternative to imprisonment, or as a goal in itself. In comparison with Liberia in the nineteenth century or Palestine in the early twentieth, West Germany was an exceptionally attractive destination: the standard of living in West Germany was considerably higher than in the East, and the cultural and linguistic barriers to resettlement were low. In effect, the existence of a ‘West’ Germany gave East Germans the option of emigrating without leaving their national homeland behind, an option not available to dissidents elsewhere in the Soviet bloc. As the human trade became increasingly institutionalized, the option of migrating to such a welcoming environment had dramatic consequences for the choices made by individual East Germans—consequences that neither the East nor West German governments had foreseen.

Finally, unlike African colonization and the Transfer Agreement, the inter-German human trade did not meet with opposition from actors in a position to obstruct it. First, although the West and East German governments maintained the fiction that the human trade was conducted by the Lutheran Church and the private lawyer Wolfgang Vogel, it was in fact an intergovernmental operation. This meant that the human trade enjoyed the support of both the actor capable of obstructing the exit of the migrants (the East German government) and the actor capable of obstructing their entry (the West German government). Second, the West German government was
fully in control of admission to its own territory; it did not, like the Jewish Agency for Palestine, need to secure the acquiescence of colonial immigration authorities or (as the Jewish Agency did from 1939 onward) circumvent those authorities by illegal means. Finally, there was no popular opposition to this limited influx of immigrants from the East. The overwhelming majority of West German citizens viewed East Germans as fellow nationals, a view in keeping with the long-standing German tradition of defining nationhood in terms of ethnic descent rather than place of birth or residence (Brubaker 1992). Significantly, the ‘human trade’ was not open to dissidents or would-be emigrants from other communist regimes, save for those who could make a claim to German ethnicity. Moreover, given the small numbers involved prior to late 1989, East German immigrants did not generate sufficient cultural friction or economic competition to arouse significant hostility among their West German counterparts. This would change after 1989, of course, but by then the human trade would be overtaken by events.

Unintended and Undesired Consequences

The inter-German human trade was accompanied by several consequences that were, from the perspective of one or the other of the parties involved, unforeseen and/or undesirable. First, once the precedent of West German ransom was established, the East German government successfully used the threat of ending the human trade to frustrate West German efforts to place emigration and political asylum on a less pecuniary footing. This was most evident after the signing of the 1972 Basic Treaty normalizing relations between the two Germanies. Now that West Germany had extended diplomatic recognition to the GDR, many West German parliamentarians argued that West Germany should no longer pay for emigration from the East. The East German government, loathe to lose the hard currency it earned through the West German ransom payments, responded by halting all releases until the West German government agreed to drop its demands for reform (Garton Ash 1993: 144–145; Whitney 1993: 127–139; Sarotte 2001: 155–160). Even in the second half of the 1980s, when the East German regime was anxious to dispose of the rising tide of would-be emigrants as quickly and noiselessly as possible, the East German government continued to insist upon ransom payments as a precondition for emigration to the West—a demand to which the West German government continued to accede until the final fateful haemorrhage of late 1989.

Second, the East German regime succeeded in gradually ratcheting up the ransom price, an embarrassing trend that the West German government sought to conceal through a variety of accounting gimmicks. The first eight political prisoners were ransomed in October 1963 for DM 340,000, or DM 42,500 per head ($58,000 in 2000 dollars) (Whitney 1993: 64–65). Vogel and his West German counterparts then negotiated a base rate of DM 40,000 per prisoner; this rate could be doubled, tripled, or even quadrupled based upon the length
of the prisoner’s sentence. As the GDR’s hard currency needs grew, however, the East Germans began to demand larger ransom payments. In 1966, the East Germans demanded that the base price be raised to DM 66,000 ($87,000 in 2000 dollars); the West German government crafted a compromise whereby the base price for the release of political prisoners would remain the same, but overall payments would be increased under the guise of paying the costs of allowing the prisoners’ families to join them (Whitney 1993: 104–104). Finally, in 1977, negotiators reached agreement on a new ransom price of DM 95,847 ($120,000 in 2000 dollars). This was a deliberately ‘irregular’ figure designed to mask the fact that this was the going ‘price per head’. The West German government also paid for ‘family reunifications’, a category that could be stretched to accommodate virtually any East German. The ‘price per head’ for family reunifications was much more modest; by the early 1980s, the going rate was DM 4,500, plus DM 1,000–2,000 in East German legal fees (Garton Ash 1993: 146; Whitney 1993: 69 168–169).

The most striking consequence of the human trade was one foreseen by neither side. Like any ransom scheme, the human trade raised the danger that the East German regime might round up additional ‘dissidents’ for sale to the West. And, indeed, from 1964 onward there was a steady rise in the number of individuals made available for ‘purchase’, particularly in the ‘family reunification’ category. However, this increase was driven primarily by changes in the incentives facing individual East Germans, rather than a deliberate scramble for hard currency on the part of the regime. Unlike German Jews and American blacks, the subjects of the human trade were to a considerable extent self-selected: most of these individuals had fallen foul of the regime not because of some set of ascriptive characteristics, but because they had chosen to oppose the regime (most often, simply by attempting to escape it). Because this group was constructed not on the basis of ascriptive characteristics, but on the basis of actual or alleged individual behaviour, its boundaries were not fixed. Individuals could choose to join this group, or try to avoid doing so—and the introduction and institutionalization of the human trade influenced that choice.

The impact of the inter-German ransom system upon the incentives facing disgruntled East Germans was a classic case of ‘moral hazard’. Potential dissidents and defectors now faced a situation in which West Germany underwrote the risks involved—and, as a consequence, they became more risk-acceptant. If an East German citizen engaged in political dissent, or attempted to escape illegally, he or she might be killed; but, on the other hand, he or she might be temporarily imprisoned, then bought free by the West German government. In fact, many would-be defectors cut out the attempt to flee altogether: after all, one might be shot (or drown) trying to cross the border. It was safer to commit some other political offence sufficiently serious to merit a short prison sentence, and in that way make oneself eligible for ransom by West Germany. Vogel reported precisely this phenomenon in an interview conducted after reunification:
People began risking more themselves, because in the back of their minds they were figuring, ‘If it goes wrong, I can always be bought free’. Somebody would hang out a banner saying ‘Long Live Gorbachev’, or go to the Friedrichstrasse Station and show an identity card without a visa and say ‘Let me go to the West’, hoping to be arrested and later bought free (Whitney 1993: 174).

By the late 1970s, Vogel reported, people were coming to him for advice about which laws to break in order to be condemned to short terms as political prisoners and so be included on the West German ransom lists (Whitney 1993: 170).

Until the mid-1980s, making oneself available for the human trade still involved a fairly high degree of risk. The prospect of an extended sojourn in an East German prison was not a pleasant one, and there was no guarantee that imprisonment would lead to immigration. The moral hazard effect intensified in the mid-1980s, however, after the East German government took deliberate steps to make the human trade more painless and expeditious. In January 1984, six East German dissidents entered the US Embassy in East Berlin and requested political asylum. After the embassy staff failed to convince the six to leave, they called the West German mission for advice; the West Germans called in Vogel. Vogel arrived and convinced the six to leave, promising that if they kept quiet and submitted applications to emigrate legally, he would see to it that these were approved within four weeks. Honecker proved even more accommodating, ordering (over Vogel’s strenuous objections) that the dissidents were to leave for West Berlin that same evening. As Vogel had feared, word of this episode quickly got around, and within a few weeks the West German missions in East Berlin and Prague were flooded by East Germans demanding to emigrate. Once again, Vogel was brought in to assure the would-be emigrants that their exit applications would be approved if they agreed to leave. Although Vogel publicly vowed that similar cases would not be handled in such a lenient fashion in the future, in fact Mielke and Honecker ordered him to do precisely that. Over the next four years, West German diplomats told asylum-seekers that if they went back home and applied for permission to emigrate, their applications would be handled with ‘good will’ by the East German authorities. The West Germans then telexed the names of the would-be emigrants to Vogel’s office, and the applications were quickly and quietly processed as promised (Whitney 1993: 242–254).

As the human trade grew increasingly painless, the numbers of ‘applicants’ steadily increased—and as the number of relocatees increased, so too did the demonstration effect exerted upon others. The result was a sharp rise in the volume of the human trade. In 1983, the human trade resulted in the relocation of 1,105 political prisoners and 5,487 others; in 1984, those numbers leapt to 2,236 and 29,626, a nearly fivefold aggregate increase. From Honecker’s perspective, this was merely the expansion of a system designed to stabilize the GDR by expelling a few malcontents in exchange for hard currency. But as Vogel pointed out with the benefit of hindsight, the East German leadership failed to appreciate the logical outcome:
It was a vicious circle. Nobody saw the momentum that was building up. The Stasi thought that they were bleeding off excess pressure. The security people thought that letting 40,000 people go would take care of it. That there would be another 40,000—that, they couldn’t foresee (Whitney 1993 p. 254).

In fact, there would be another 140,000 after that.

This brings us to the most crucial question raised by this case: Did the inter-German human trade contribute to the stability and longevity of the East German regime? Certainly, this was the intention of East German leadership: to ‘bleed off excess pressure’ and earn hard currency without any repetition of the mass haemorrhage of 1949–1961. Until the second half of the 1980s, the human trade performed this function to perfection: to use Albert O. Hirschman’s terminology, the option of externally subsidized ‘exit’ (emigration) to West Germany—whether by choice, or at the insistence of the East German regime—‘bled off’ dissatisfaction that might otherwise be expressed as ‘voice’: that is, internal expression of opposition to the regime (Hirschman 1970). (Needless to say, the relative attractiveness of ‘exit’ as opposed to ‘voice’ was further enhanced by the East German regime’s oft-demonstrated determination to repress any public display of dissent.) Accordingly, the citizens of the GDR exhibited a lower level of overt dissent than their counterparts in many other Soviet bloc regimes (Hirschman 1993: 178–186). From 1984 onward, however, the growing attraction exerted by the human trade began to eat away at the foundation of the GDR. As the costs of ‘boarding’ the human trade fell, there was a corresponding rise in the number of East Germans seeking to leave. In 1989, this rising tide merged with the liberalization of neighbouring socialist regimes to generate a mass exodus unprecedented since the construction of the Berlin Wall.

In May 1989, Hungary took down the barbed wire along its border with Austria. This led to a rush of East German ‘tourists’ into Hungary, determined to slip across the border into Austria and thence to West Germany. Under pressure from the East German government, Hungary agreed to intercept and repatriate East Germans attempting to cross into Austria, but this did not defuse the crisis: thousands of East Germans continued to escape via Hungary, while news of the obstruction of the Hungary–Austria route sent a new wave of East Germans pouring into West German embassies in Budapest, Prague, Warsaw, and East Berlin. At first, this flood was handled as it had been earlier: the West Germans telexed the names to Vogel, who in turn assured the would-be emigrants that they would be given permission to leave as soon as they returned home. Increasingly, however, those encamped at the West German missions—now numbering in the thousands—rejected Vogel’s assurances and demanded to leave directly for the FRG. After high-level negotiations between the East and West German governments, the East Germans occupying the West German missions were allowed to leave for the FRG on special sealed trains in October. The East German leadership insisted that these trains be routed through East German territory, in order to demonstrate that the human
trade was still functioning normally, despite the new restrictions imposed on travel to Hungary and Czechoslovakia. This proved to be a colossal miscalculation, however: instead of remaining contentedly at home, thousands of would-be emigrants converged on the train station in Dresden, hoping to board one of the sealed trains. The result was rioting, followed by daily protest demonstrations against the regime (Hirschman 1993: 187–192; Whitney 1993: 258–271).

The demonstrations in Dresden were not the first to be sparked by the prospect of relocation to the West. As early as May, crowds began to gather in Leipzig, chanting ‘We want out’. This rallying cry was soon joined by the counter-chant ‘We’re staying here’—a still more radical slogan, for it expressed a determination to stay and transform the country altogether. Ultimately, both merged in the chant ‘We are the people’ (Hirschman 1993: 189–200). The East German leadership, faced with its own inability to stem the refugee flow and by the USSR’s clear determination to avoid military intervention, ultimately conceded defeat. On 18 October, Erich Honecker was ousted by the Politburo; on 27 October, his successor, Egon Krenz, lifted the ban on travel to Czechoslovakia and announced an amnesty for all who had fled or had attempted to flee the GDR. Still, the haemorrhage continued: approximately 300,000 more East Germans left the country between 27 October and 9 November, when the Politburo finally announced that all those who wished to leave the GDR were free to do so. With the 27 October announcement of the amnesty for attempted escapees, the human trade lost most of its raison d’être; any further utility dissipated along with the opening of the Wall on 9 November. In December 1989, West Germany agreed to a final payment of DM 75 million on the condition that no further political arrests be made (Whitney 1993: 271–281).

In retrospect, the human trade contributed to both the stability and the destabilization of the GDR. From 1963 until 1984, the human trade helped to stabilize the GDR by bringing in hard currency and channelling dissent into emigration to the West. That being said, it would be difficult to argue that the human trade was essential to the stability of the GDR, as its effect was negligible compared to that of internal repression and Soviet military occupation. On the other hand, the human trade ultimately had dramatic consequences that neither the West nor East German governments had foreseen. Although the human trade did not cause the downfall of the GDR, the spark that ignited its collapse was the overwhelming surge of East Germans seeking to flee to the West—a surge for which the groundwork had been carefully laid by the increasingly painless and well-oiled mechanism of facilitative relocation.

Lessons
What lessons can we draw for the employment of facilitative relocation in the contemporary world? At first glance, these three cases would seem to offer little
guidance. The age of colonialism is largely over, so it is no longer possible to
direct ‘relocatees’ to territories not yet incorporated into the sovereign state
system. Over, too, is the Cold War, and with it the shadowy border exchanges
of prisoners and defectors immortalized by countless spy novels and political
thrillers.

Yet the salience of facilitative relocation has by no means passed. On the
contrary, there are at least three ways in which facilitative relocation has been,
or might be, employed in the contemporary world. First, the post-Cold War
world has no shortage of authoritarian regimes dedicated to the imprisonment
(or worse) of political dissidents. Second, humanitarian organizations and
foreign governments will continue to find themselves engaged willy-nilly in the
messy business of facilitating the relocation of ‘undesirable’ persons forced to
flee communal conflict. In Bosnia, for example, the UN High Commissioner
for Refugees (UNHCR) facilitated the relocation of threatened populations,
despite criticisms that in doing so UNHCR was aiding and abetting ethnic
cleansing (Cutts 1999). Similarly, in the wake of the 1999 war in Kosovo,
NATO and the United Nations have been widely criticized from all sides for
facilitating the de facto ethnic partition of Kosovo, despite repeated pledges to
avoid doing precisely that. Third, more robust facilitative relocation would
presumably figure prominently in any internationally brokered partition of
ethnically disputed territories such as Bosnia, Kosovo, and the Israeli-occupied
West Bank (e.g., O’Hanlon 1998; Friedman 1999; Mearsheimer and Van Evera
1999; Mearsheimer 2001). Such plans would almost surely involve not only the
facilitation of voluntary relocation, but participation in the orchestration of
involuntary relocation as well: since it is exceptionally difficult to devise
defensible, contiguous borders that also correspond to the existing distribution
of ethnic groups, then effective partition will almost certainly entail further
ethnic cleansing, even if by kinder and gentler means (Kaufmann 1998).

The three cases examined here suggest several lessons that future architects
of facilitative relocation should bear in mind. First, if facilitative relocation
involves external ransom payments, then it will inevitably be accompanied by
vulnerability to exploitation. To begin with, the prospect of external ransom
may encourage ‘captors’ to round up additional victims in order to secure
larger payments. This does not appear to have occurred in the cases examined
here, but the possibility certainly cannot be dismissed—particularly since we
already have anecdotal evidence of this type of behaviour. Since the early
1990s, for example, an international nongovernmental coalition spearheaded
by Christian Solidarity International has engaged in the redemption and
internal resettlement of slaves in Sudan. At the relatively modest cost of
approximately $50 per person, this campaign has reportedly freed tens
of thousands of slaves and facilitated their return to their original
places of residence (Christian Solidarity International 2000). At the same time,
this effort has come under fire from other human rights advocates who argue
that the prospect of external ransom simply fuels the slave trade by providing a
new incentive for the seizure (or faked seizure) of additional victims (Fisher
Facilitators may respond to exploitation of this sort by withdrawing from cooperation (or by threatening to do so), but this too will come with unpleasant consequences attached. First, withdrawal will do nothing to aid ‘genuine’ victims, i.e., those that will continue to be imprisoned, enslaved, or otherwise persecuted in the absence of facilitative relocation. Second, the captors may respond to threatened withdrawal by intensifying persecution, in order to force the facilitators back to the bargaining table. Thus, when West German politicians began to question the continuation of the human trade in the wake of mutual diplomatic recognition, the East German regime deftly responded by shutting down East-to-West emigration altogether. There is no reason to suppose that other captors would behave any differently.

Second, if pre-existing inhabitants within the receiving territory view the relocatees as undesirable competitors, then facilitative relocation may generate or intensify a new round of political conflict within that territory. The inter-German human trade was open only to ethnic Germans: political prisoners or would-be emigrants from other states in the socialist bloc need not apply, unless they could make a credible claim to German ethnicity. By contrast, the majority of the inhabitants of precolonial Liberia and Mandatory Palestine viewed the relocatees as undesirable aliens, and resisted the relocation of them. Consequently, facilitative relocation in both cases resulted in the territorial displacement of ethnic conflict. Moreover, the resulting intensification of intergroup violence in these territories long outlived the circumstances that had given rise to facilitative relocation. Nevertheless, while this consideration limits the set of cases to which facilitative relocation might plausibly be applied, it does not eliminate that set entirely. This approach remains politically feasible not only for those nations that remain divided, such as China and Korea, but also for states with well-established and politically influential populations of previous immigrants from the target state. There is no reason to assume, for example, that an expansion of the US government’s policy of facilitating the release and emigration of Chinese political prisoners would generate widespread public outrage in the United States.

At this point, it is important to differentiate between two types of situations in which facilitative relocation may emerge as a salient policy option. The first is one in which repression is motivated by actual or alleged individual behaviour. Of the three cases under consideration, only the inter-German human trade was of this type. The second type of situation is one in which repression is based on ascriptive characteristics, as it was with respect to black Americans in the antebellum United States and Jews in Nazi Germany. The potential consequences and ethical implications of facilitative relocation are different in each of these situations.

If human rights abuses are motivated by putative individual behaviour rather than ascriptive characteristics, then there is the danger that facilitative relocation will extend the ‘service life’ of a repressive regime by ridding it of troublesome dissidents and infusing it with hard currency. After all, the leaders
of a repressive regime would not agree to participate in facilitative relocation in the first place if they did not believe that this would help consolidate their hold over the state and society. On the other hand, the inter-German case suggests that facilitative relocation may lead indirectly to the destabilization of a repressive regime by lowering the risks associated with political dissent—a side-effect that would not necessarily be advantageous to the captors, nor unwelcome to the facilitators. Moreover, facilitative relocation may have this effect even if the number of relocatees involved is relatively small. Fewer than 250,000 East Germans were processed by the human trade over the course of three decades, in contrast to a pre-unification population of over 16 million. This suggests that facilitative relocation could be a cost-effective means of encouraging dissent and ‘exit’ in authoritarian states. This conclusion is tentative, and subject to an important caveat: facilitative relocation will not necessarily exert a subversive effect in all cases. The Castro regime in Cuba, for example, weathered an impressive succession of mass exoduses—all orchestrated by the regime—without crumbling (Masud-Piloto 1996; Engstrom 1997). Consequently, more research is needed to develop a better understanding of the effects of the facilitative relocation of political dissidents and would-be emigrants upon regime stability.

The dilemmas attending facilitative relocation are much more knotty where repression is motivated by ascriptive characteristics rather than individual behaviour. The facilitative relocation of such a group is tantamount to abetting ethnic cleansing: a much more fundamental transformation of the underlying political and demographic landscape than the relocation of individual political dissidents, and one that cannot easily be ‘undone’ after the downfall of the perpetrating regime.

In this respect, the Transfer Agreement and the colonization movement stand out in sharp contrast to the inter-German case in three important ways. First, in both cases, the leading proponents of facilitative relocation were motivated by a positive interest in resettlement, above and beyond humanitarian concern for the welfare of the individuals involved. The Zionists who negotiated the Transfer Agreement sought to enlist German Jews in the construction of a Jewish nation-state in Palestine, while the anti-slavery proponents of African colonization sought not only to end slavery, but also to make the United States a ‘white man’s country’ by purging it of its black population, free and slave. In other words, both groups sought to harness facilitative relocation to a broader project of ethnically defined nation-building—and, as a consequence, viewed the wholesale relocation of the group in question as not only acceptable, but positively desirable.

Second, facilitative relocation gave rise in both cases to heated debates between rival definitions of national identity. American abolitionists, both white and black, opposed colonization not only because they believed it would strengthen the institution of slavery, but also because they articulated a civic definition of American national identity: the United States should be a multi-ethnic nation, with citizenship open to all, regardless of race. The international
debate among Jews over the relative merits of the boycott versus the Transfer Agreement also reflected, in part, an analogous tension between competing definitions of Jewish national identity. Those who supported the boycott focused primarily on the fight to secure equal rights for Jewish citizens of Germany and other states—an inherently civic definition of national identity—while those who supported the Transfer Agreement focused upon the struggle to create an ethnically defined Jewish state in Palestine.4

A third common consequence was intensification of the ‘push’ exerted upon the members of the group targeted for relocation. Once the colonization project attracted widespread attention in the United States, state and local governments in both North and South subjected the free black population to ever-increasing restrictions upon their freedom of movement, residency, and access to education. These measures were motivated by racism and fears of economic competition, but they were justified as measures necessary to encourage free blacks to participate in the colonization movement. In keeping with this philosophy, those blacks who agreed to go ‘back to Africa’ were exempted from some of the restrictions placed upon travel, residence, and education (Jay 1835). The push exerted by the Nazis in the wake of the Transfer Agreement was still more systematic and repressive, as all the powers of the totalitarian state were brought to bear to ‘encourage’ Jews to leave. The key difference here was the nature of the national state: the Nazi regime was willing and able to crush the expression of any form of German Jewish political identity other than Zionism, while the US federal government was neither willing nor able to impose analogous restrictions upon the competing vision of civic national identity articulated by free blacks and white abolitionists.

If facilitative relocation involves the removal and resettlement of ascriptively defined groups, then, it is likely to have two additional consequences: the reinforcement of ethnic rather than civic definitions of citizenship and national identity, and intensified persecution of the remaining members of the groups targeted for relocation. Many observers, particularly those committed to the promotion of multicultural integration in deeply divided societies, will object to facilitative relocation on precisely these grounds (e.g., Woodward 1998). These drawbacks notwithstanding, however, it is possible that facilitative relocation in such a case may sometimes be the lesser of two evils. In hindsight, for example, it is difficult to argue that the externally financed relocation of the Bosnian Muslims caught in the Eastern Bosnian enclaves of Srebrenica and Žepa would have been worse than external acquiescence in the violent cleansing of them by the Bosnian Serb Army in the summer of 1995. Likewise, it is entirely possible that the current NATO/UN effort to reconstruct a multi-ethnic Kosovo could do more to prolong death and suffering than would the partition of the province and the facilitative relocation of those Serbs and Albanians caught on the ‘wrong’ side of the resulting dividing line, even taking into account the undesirable consequences that would attend the latter policy (Friedman 2000). It might therefore be wise to keep facilitative relocation in reserve as a tool of last resort: if a situation has deteriorated to the point at
which ethnic partition has emerged as the ‘least bad’ of the available options, then the time for facilitative relocation may have arrived.

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1. That being said, the idea of the wholesale ‘return’ of African-Americans to Africa continues to enjoy support among self-styled ‘white separatists’, most notably ex-Ku Klux Klan Grand Wizard and perennial Republican candidate David Duke (Duke 1998).

2. After reunification, Vogel was prosecuted for his alleged profiteering from the proceeds of the human trade—specifically, for the charge of blackmailling would-be emigrants into selling their property to him and his friends at greatly reduced values in exchange for helping them to leave—as well as perjury and falsification of notarized documents. In January 1996, a state court in Berlin found him guilty on several counts of blackmail, perjury, and forgery, sentencing him to a 14-month suspended sentence and a DM 92,000 fine. In 1998, the blackmail convictions were reversed by the federal judiciary on the grounds that the former government of the GDR, not Vogel, was responsible for the policy of extorting property and payment in exchange for permission to leave (Whitney 1993: 176–185, 296–312; Whitney 1998).

3. In insurance terminology, a ‘hazard’ is any condition that increases the probability of loss. Physical hazards are those that arise from the relatively immutable nature of the insured property or person (e.g., age). Moral hazards, on the other hand, are those that arise due to the deliberate actions or attitudes of the insured person. Moral hazards can be subdivided into those that exist prior to the purchase of insurance (a person may be inherently careless or slovenly) and those that arise only after, and because of, its purchase (Heimer 1985). The focus here is on the latter type of moral hazard.

4. The boycott/transfer debate cannot be reduced to a conflict between civic and ethnic definitions of national identity. First, many of those who opposed the boycott did so on the grounds that it would lead to intensified persecution of the German Jews, and thus the loss of additional civil liberties. The debate over the Transfer Agreement also reflected factional strife and power struggles within the Zionist movement itself. The Transfer Agreement was negotiated and backed by representatives of Labour Zionism, while the rival Revisionist Zionists led by Vladimir Jabotinsky rejected negotiations with the Nazis and sought (unsuccessfully) to use criticism of the Transfer Agreement to discredit Labour and undermine the latter’s dominant position in Palestine and the World Zionist Organization (Black 1984: 142–159, 287–310).


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