



Past–Present Differential Inclusion: Australia’s Targeted Deportation of Pacific Islanders, 1901 to 2021

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Abstract

In Australia, past and present, Pacific Islanders have been labelled as *undesirable others*, included to temporarily fill labour shortages as *required*, controlled while resident in the country and removed when no longer *deemed necessary*. Pacific Islanders’ experiences in Australia reveal the inception, continuity and durability of differential inclusion produced by border control mechanisms. This paper traces Australia’s history of deporting Pacific Islanders over more than a century: from indentured labour and blackbirding, colonial occupation of Pacific Islands and the White Australia Policy, to more recent patterns of selective inclusion, such as the labour mobility schemes, to the disproportionate effects on Pacific Islanders of modifications to the criteria for deportability introduced in 2014 with the amendments to Section 501 of the *Migration Act 1958* (Cth). By tracing the past–present circular border policies, this paper argues that the high number of Pasifika New Zealanders deported from Australia represents a continuation of a regime of differential inclusion.

Keywords: Deportation; differential inclusion; circular migration; migration policy; Pacific Islands; bad character.

Introduction

The Pacific Islands have long been geographically and strategically important to Australia, including as a source of resource extraction. One such resource is Pacific peoples, who, over the past century, have been harshly subjected to a process of ‘differential inclusion’ within (or exclusion from) Australia’s borders (Mezzadra and Neilson 2013: 251). This paper identifies the ‘continuity and durability’ of Australia’s differential inclusion of Pacific Islanders through its border control mechanisms, which produce different subject positions in line with state interests (Marmo, 2022: 240; see also, Banivanua-Mar, 2007; Segrave, 2019).

Applying this theoretical lens reveals a continuum of the deportability of Pacific Islanders over time, dating back to the Federation of British colonies to form the independent Commonwealth of Australia (Australia) in 1901. Pacific Islanders are over-represented in Australian deportations, including as the first cohort to be deported from Australian shores in 1906. This paper identifies historical parallels between past colonial deportation practices and contemporary deportations of Pacific Islanders under Section (s) 501 of the *Migration Act 1958* (Cth) (the Migration Act), including people of Pacific heritage deported to New Zealand. These parallels show how colonial power connects race, labour and mobility within the continuum of differential inclusion produced by the border regime.



We understand Pacific Islanders to be citizens of the island states of the Pacific Ocean¹ and their descendants. Due to historical colonial sub-regional divisions and governance structures (Kabutaulaka, 2015), Australia has closer relations with Melanesian states, and likewise, New Zealand with Polynesia, affecting direct and onward migration channels. The term *Pasifika* refers to people of Pacific Islands heritage residing in New Zealand or who possess New Zealand passports, inclusive of those born in territories (Tokelau) or freely associated states (Niue and Cook Islands), migrants, naturalised New Zealand citizens and New Zealand-born descendants.

In Australia, past and present, Pacific Islanders have been subjected to contradictory treatment at the border: labelled as *undesirable others* while also being selectively included to temporarily fill labour and other shortages as required. Pacific Islanders' experiences reveal the inception, continuity and durability of constructions of undesirability shaping Australia's border control regime. Migration and forced exclusion have established links to colonialism, racism and global mobility of people under capitalism: Golash-Boza (2015: 218) argued that deportability is a strategy to 'keep labour compliant and to get rid of people whose labour the economy no longer can use'. Likewise, Stead and Altman (2019: 3) stated that:

complex colonial histories and power relations inflect the contemporary encounters of both Pacific and Indigenous peoples with capitalist industry in Australia, as well as with the Australian state ... they reverberate through past and present-day reckonings of class and race that posit certain types of work as undesirable for 'local' (white) labour, and through migration regimes that enact forms of precarious labour market access that are, for some, uncoupled from any possibility of citizenship.

The application of this label of *undesirable other* centres on a three-part framework, tracing and perpetuating forced circular migration: (1) through selective inclusion by the Australian Government to address labour or other shortages; (2) through controlled access to rights and protection while residing in Australia; and (3) through removals once their presence is no longer deemed necessary. The continued plight of Pacific Islanders within a context of forced circular migration illustrates the relevance of historically punitive border practices.

By theorising about historical antecedents, we can better understand contemporary border policies and practices targeting undesirable others or the 'social enemy' (Weber and Powell 2020: 248). Being undesirable does not cause a priori rejection but instead involves selective and sometimes aggressive inclusion, limited access to rights and justice, and/or abrupt exclusion. Pacific Islanders provide a useful case study, as their undesirable otherness in Australia has deep historical, sociocultural and legal roots; however, we acknowledge that this cohort is not the only migrant group subjected to historical differential inclusion that continues in a contemporary form globally.²

While the harsh consequences of contemporary deportations to Pacific states have been recognised in some studies (McNeill 2021a; Weber and Powell 2018), such examinations of the treatment and removal of Pacific Islanders have not tracked the historical context in which Pacific peoples were deemed *undesirable others* under Australian immigration policies and practices. Similarly, historical accounts of Pacific labour being exploited to develop the Australian economy have noted aspects of force, deception and unfairness but have failed to draw comprehensive contemporary connections, with limited analysis of seasonal workers. There are shortcomings in only adopting a contemporary lens to examine forced removals, as this may 'turn a blind eye' to the personal and institutional knowledge of deportations over time and can deny the deep-rooted histories of ongoing exploitation (Nicholls 2009: 10; see also Stead and Davies 2021). Instead, we trace a genealogy of the 'fractured, partial and uneven' (Stead and Davies 2021: 404), yet circular, policies aimed at deporting Pacific Islanders and apply the three-part framework of differential inclusion.

In colonial Australia, alongside exploiting otherness for economic and non-economic outcomes, the border was used to maintain patriarchal whiteness and should be understood 'in the context of the state's violent settler colonialism and the forced dispossession of Aboriginal people' (Sharples and Briskman 2021: 202; see also Moreton-Robinson 2015). Although often ignored, Australia was not only a former colony of Britain but also a coloniser of the now-independent Pacific states of Papua New Guinea (PNG) until 1975 and Nauru (in shared trusteeship with New Zealand and Britain) until 1968. The narrative of white patriarchal possession, which positions migrants of colour as doing the *dirty work* or being deviant, continues to intersect in contemporary migration, labour relations and the criminalisation of others (Moreton-Robinson 2015; Stead and Davies 2021).

This paper focuses on the legal implementation of differential inclusion. Therefore, to simplify a century of relevant migration policy iterations and events, Table 1 provides a summary of such.

Table 1: Relevant events, legislation and policies in Australia, 1901 to 2021

Year	Relevant legislation, policy or event
1900	<i>Commonwealth of Australia Constitution Act</i>
1901	<i>Post and Telegraph Act 1901</i> (Cth)
1901	<i>Pacific Island Labourers Act 1901</i> (Cth)
1901	<i>Immigration Restriction Act 1901</i> (Cth)
1908	<i>Quarantine Act 1908</i> (Cth)
1911	<i>Native Labour Ordinance, 1911</i> (Cth)
1958	<i>Migration Act 1958</i> (Cth) (remains in force)
1973	White Australia Policy officially ends
1973	Trans-Tasman Travel Arrangement initiated
1975	Papua New Guinea gains independence from Australia
2008	Seasonal Worker Programme pilot commences
2014	Section 501 of the <i>Migration Act 1958</i> amended
2018	Pacific Labour Scheme established

The remainder of this paper is divided into four parts, followed by a brief conclusion. First, we discuss early cases of forced inclusion of Pacific Islanders through indentured labour, known as blackbirding, and the subsequent regime of forced exclusion via deportation. Second, we examine Pacific Islanders' limited access to Australia under the White Australia Policy (WAP) from the beginning of the twentieth century to the 1980s, despite the colonial ties between Australia and the Pacific Islands. Third, we chart a trajectory of Australian policies enabling the ongoing abuse and deportation of Pacific Islanders between 1990 and 2014, and we determine that contemporary events follow a historical pattern of selective exclusion, particularly in the case of the labour mobility programs that precede what now known as the Pacific Australia Labour Mobility (PALM) scheme.³ Finally, we examine the effects of s 501 modifications to the Migration Act on the deportation of Pacific Islanders from 2014 to 2021, and, in turn, we argue that the high number of Pasifika New Zealanders deported from Australia represents a continuation of the differential inclusion regime.

Establishing Differential Inclusion: Blackbirding and the First Deportations (1860 to 1906)

Since the 1860s, migrants have been brought to Australia to work in the 'burgeoning' sugar industry in Queensland, Australia (Banivanua-Mar, 2007: 1). Merchant traders described the Pacific region as 'literally swarm[ing] with humans' and considered that the Queensland economy could be bolstered through an indentured labour trade from the Pacific—later referred to as blackbirding (Sydney Morning Herald, 1847 cited in Banivanua-Mar 2019: 63). From 1863 to 1906, ships trawled the Pacific Islands now known as Vanuatu, Tonga, Tuvalu, Solomon Islands and PNG, transporting approximately 60,819 indentured labourers to Queensland (Banivanua-Mar 2007; Scarr 1967).

There has been significant debate about whether blackbirding was voluntary or undertaken through force and deception. Summy (2009) argued that regardless of whether consent was gained, blackbirding constituted a system of violence. The *Masters and Servants Act 1861* (Qld) clarified that Pacific Islanders were, as the title suggests, servants and, therefore, were not able to negotiate their own contracts, and any insubordination was heavily punished (Saunders 1978). Former prime minister Edward Barton (Parliament of Australia 1901) referred to indentured labour as 'limited slavery', although slavery was never formally legalised in Australia (Stead and Davies 2021).

At Australia's Federation in 1901, the border was immediately understood and seized as a place of power and whiteness, with Australia adopting a 'culture of control' regarding who could stay and on what basis, immediately ostracising Pacific Island workers and other non-white migrants (Cronin 1993). This occurred through three key pieces of legislation. First, s 15 of the *Post and Telegraph Act 1901* (Cth) determined that only white labour could travel on ships carrying Australian mail. Second, the *Pacific Island Labourers Act 1901* (Cth) (PILA 1901) imposed entry restrictions on and established the deportability of Pacific Islanders. Third, introduced only days later, the *Immigration Restriction Act 1901* (Cth) played a key part in designing border restrictions for non-white peoples seeking to enter Australia. The two later Acts were discussed in the newly formed Parliament of Australia contemporaneously, and similar anxieties animated the discussions of both (Nicholls 2007). In these

three key Acts, especially the PILA 1901, we can trace the inception of a differentially inclusive border regulatory regime centred on punitiveness and total control over non-white subjects.

Deporting Pacific Islanders had been prioritised. Indeed, when introducing the Pacific Island Labourers Bill 1901 (Cth) (ultimately the Act), Barton ‘spoke bluntly of “deporting” Islanders—perhaps encouraged by the immigration bill—and the phrasing was amended accordingly’ (Barton 1901, cited in Nicholls 2007: 35). He also freely spoke of the superiority of the white Australian race when compared to Pacific Islanders.

The PILA 1901 declared its aim as the ‘Regulation, Restriction, and Prohibition of the Introduction of Labourers from the Pacific Islands and for other purposes’. A minister could remove ‘a Pacific Island labourer found in Australia’ after 1 December 1906 under s 8(2), and the Act placed a cap on the number of Pacific Islanders permitted entry into Australia (Lake and Reynolds 2008). Unambiguous terminology of discipline and punitiveness introduced the undesirable other as a subject to be controlled and rejected, thereby establishing white people’s racial superiority and the right to possession (Banivanua-Mar 2007; Moreton-Robinson 2015). Indeed, it was on ‘them’ to prove that they were *not* Pacific Islanders (PILA 1901: s 10), providing that any ‘look-alike’ could be captured under this category: ‘a person alleged to be a Pacific Island labourer shall be deemed to be a Pacific Island labourer until the contrary is shown’. The legislated act of rejection via deportation can be theorised as an act of abjection—where ejection and repulsion are crucial (Kristeva 1982; Marmo 2022; Marmo and Smith 2012).

In 1906, the Australian Government commenced the deportation of Pacific Islanders brought into Australia for the purposes of indentured labour. Ironically, the first deportation was ordered by Barton—by then a judge (Nicholls 2007). It was clear that Pacific Islanders were not considered central to Australia’s economy as business owners;⁴ instead, they were considered disposable labourers who could be easily replaced. The government pursued the racially motivated migration policy, incentivising Queensland businesses with payments for sugar from businesses that solely used white labour, increasing the proportion of white labourers in the sugar industry to 94 per cent by 1911 (Moore 1999, 2021). The government promoted a White Australia narrative by subsidising white labour, thereby intimately linking race and economic development.

Whether or not to deport Pacific Island labourers became the first major migration debate in Australia’s history. Migration remained governed by state governments, and Queensland business owners wanted to retain cheaper Pacific Island labourers to boost the growth of their sugar businesses (Moore 2000). Another argument in Pacific Islanders’ favour was made by the missionaries, who believed that deportation would return them to deprived circumstances and that the local people might ‘kill and probably proceed to eat them’ (Onslow 1902 quoted in Moore 2000: 25), thereby furthering the *savage other* narrative about Pacific Islanders (Banivanua-Mar, 2007; Kabutaulaka 2015). The debate led to court proceedings, and the eventual ruling on the PILA 1901 was a Queensland Government regulation that required Pacific Islander workers to return to their state of origin within a month of their indentured labour contract ending, or find another contract that did not end after 1906 (Queensland Royal Commission 1906).

However, much of the debate centred on the welfare of the workers themselves and the fact that deportation regulations negatively affected Pacific Islanders who had established families and ‘managed to plant the seeds of a newly forged community’ (Banivanua-Mar 2019: 1). An organisation of Pacific Island labourers who had completed their indentured contracts and since found reasonable waged contracts petitioned that they too should be allowed to remain (Moore 2000). This petition stated, ‘we are as law-abiding, honest, sober and industrious as the white colonials’ having lived in Queensland for up to 21 years and learnt to read and write in English (Kanaka Petition 1902 cited in McKinnon 2019).

Their petition led to changes that provided a possible exemption from deportation. When deciding on an individual’s deportation under the PILA 1901, judges were to consider ties established in Australia and compliance with Australian values. Exemptions were to be granted if labourers ‘had lived continuously in Australia since 31 December 1886, were aged or infirm, had children educated at State schools, owned freehold land, were (before 31 October 1906) married to a person not from their own island, or could prove that they would be in danger if they returned home’ (Moore 2021: 1).

Ultimately, only 1654 Pacific Islanders received an exemption to remain in Australia: some due to their ties, and approximately 700 under provisions allowing stay for those who resided in Queensland for five years prior to 1884 (Moore 2021; Nicholls 2007). An estimated 900 people hid in the bush to avoid deportation (McKinnon 2019). Estimates of the total number of Pacific Islanders deported range from 4500 to 7000, including children (McKinnon 2019; National Archives of Australia [NAA] n.d.). Notably, 17 of those deported would have otherwise met the criteria to remain, except that they had married Aboriginal and/or Torres Strait Islander people, a policy distinction whereby living with or having married Aboriginal or Torres Strait Islander women did not stop the deportation (see Marmo et al. 2023). In some cases, a few men, like Keall of Tanna and Tabool, had lived in Australia for 20 years, meaning that the marriage was not considered an impediment to deportation (NAA 1907; 1908).

In another example, a man, Suker, was almost deported to Solomon Islands but was stopped due to his marriage to a pregnant Indigenous Australian; however, he was deported only one month later on assault charges (Nicholls 2007). Nevertheless, there are some exceptions. The many who stayed and married into Aboriginal or Torres Strait Islander families lived through a ‘double erasure of the Islander identity—cast out of white societies and lumped in with Indigenous ones’ (McKinnon 2019, para 3). Those who remained continued to be confined, reidentified within the frame of otherness, and disciplined through mechanisms of control, highlighting the reach of colonial power when imposing its border regime on people of colour.

The framing of the Pacific region during this period as *out of control* and populated by so-called *savages* served the purpose of othering the region’s inhabitants sufficiently that they were both undesirable yet of some utility (Kabutaulaka 2015). Australia’s colonial history saw it ‘misplaced far away [from Britain] on the edges of the Asia-Pacific region ... [which was] represented as dense, teeming, violent, threatening and thoroughly “other”’ (Jindy Pettman 1996: 262). Such deeply historical narratives, including that of blackbirding, continue to have a significant effect on the relationships between Australians and Pacific Islanders today (Newton Cain et al. 2020).

Selective Inclusion: The White Australia Policy and its Legacy (1907 to the 1980s)

Rendering Pacific Islanders alien in one legislative stroke ushered in the new differential inclusion regime. Border policies and practices became a tool for imposing—suddenly and with remarkable results—a new type of otherness via restrictions and prohibition of people who had lived and worked in the country for decades. The Acts established at the Federation demonstrate a deep awareness by the first Australian Government of the importance of regulating the border (and labour) in a way that served Australian interests. Alongside the *Quarantine Act 1908* (Cth), the Acts formed the basis of the WAP, filtering migrants who arrived in Australia between 1901 and 1973 by race. Indeed, over the twentieth century, when migration patterns changed as a result of the two world wars and globalisation, issues of race remained fundamental to Australian border policies and legislative developments.

Even as colonised citizens of Australia, Papuans and New Guineans were excluded from mainland Australia under the WAP because they were not deemed ‘constituent members of the Australian community’—a euphemism for ‘white’ (Denoon 2012: 8). Their movements became tightly regulated under the *Native Labour Ordinance, 1911* (Cth), representing another example of colonial border control. Formal requests to the Department of Immigration were required for Papuans and New Guineans to travel to colonial Australia under rules regulating ‘the Removal of Native People from the Territory’ (Denoon 2012: 8). Through this mechanism, some Papuans and New Guineans were transported to Australia as domestic workers for returning colonial administrators until the mid-1950s (Davies, 2019; Stead and Davies 2021). However, a language of infantilisation was adopted (replacing that of open servitude), with Australian employers described as ‘guardians’ of domestic workers (Davies 2019: 82). Exemptions to travel were given on the basis that employers would be responsible for their workers’ movements while in Australia and their mandated return (Stead and Davies 2021). Invariably, some workers had their ability to remain removed by the Department of Immigration and were deported on the next available ship (Davies, 2019).

Under the WAP, very little Pacific migration was possible—even as Pacific states gained independence from the 1960s, Australia was slower and more reluctant than other Pacific-receiving states to open direct migration pathways for Pacific Islanders (Lee 2009), which indicates a mentality, entrenched in colonialism, of aversion. When Nauru and PNG gained independence from Australia, Australia did not grant any special immigration allowances for former colonial subjects, as many other former colonial powers had (Nicholls, 2007).⁵

Differential and selective inclusion of Pacific Islanders was occurring even as the government introduced measures to dismantle the WAP in 1966. In a 1971 Cabinet submission, Pacific Islanders were described as ‘unsophisticated’ and ‘unsuited’ to settle in Australia (NAA 1971; Nishitani and Lee 2019), leading Cabinet to maintain existing strict controls over Pacific Islanders’ entries into Australia, even if they held a New Zealand passport. Hamer (2014: 105) declared this decision as ‘one of the last surviving vestiges’ of the WAP and at odds with the broader dismantling process. Pacific Islanders (including those holding New Zealand passports) were not able to travel to Australia until legislative changes, including the introduction of the *Racial Discrimination Act 1975* (Cth), which officially removed the WAP and reset the selective border regime.⁶

Nevertheless, the WAP left a legacy of racial selectivity by means of border policies and practices that remained deeply entrenched (Jupp 2002). The Department of Immigration demonstrated persistent suspicion in 1975 when it stated that ‘11 Pacific Islanders were being held by Australia for deportation, including one Tongan who had entered the country by “posing as a Māori”’. An immigration official said that it was impossible to know how many others were entering by similar means’ (Canberra Times 1975 quoted in Hamer 2014: 108).

The gradual dismantling of the WAP over 15 years, in addition to multiple legislative and executive interventions and diplomatic negotiations (Tavan 2005), did lead to a small increase in Pacific migration to Australia in the 1970s and 1980s, mostly from Fiji, Tonga and Samoa (Harris 1993). Some Pacific Islanders who migrated through skilled migrant and student visas settled in Australia and sponsored relatives' visas, creating chains of migration (Lee 2009).

However, the open-door policy established when the WAP ended has since gradually been eroded via a number of policy and practice interventions, particularly aimed at Pacific Islanders. These affected Tuvaluan and I-Kiribati citizens' access to Australia, which tightened in the 1980s (Harris 1993). Such interventions were driven by concerns regarding 'back-door' migration through New Zealand (discussed later) and potential national security threats (Ruddock 1994 quoted in Hamer 2014: 111).

Under the pretext of national security, Pacific Islanders endured further scrutiny, and a renewed deportation strategy was adopted and reoriented. Australia has long-used deportations against those considered a 'social enemy' (Weber and Powell 2020: 248), particularly those considered 'disloyal in a period of national crisis' (Nicholls 2007: 40). Crises and underdevelopment in Pacific Islands came to be perceived as potential threats to Australia's security and, therefore, we argue that their nationals were labelled as 'social enemies' *as if* a conflict between Australia and the Pacific Islands were occurring. Security interests dominated Australia's migration policy discussions, particularly regarding its near neighbours, PNG and New Zealand, both with growing populations who, if they sought migration to Australia, could place pressure on the country's limited resources (Harris 1993). Domestic conflicts were also considered a security threat to Australia's borders; for example, a surge in Fijian and Indo-Fijian arrivals to Australia was linked to a series of coups (Lee 2009). Indeed, the regional threat perception has intensified in Australian border security operations in recent years through an increased focus on people smuggling and illicit drug trafficking routes, particularly via PNG (Bergin and Bateman 2018).

Since the beginning of the twentieth century, the WAP has shown degrees of continuity and durability when applied to Pacific Islanders, highlighting the past–present continuum of Australian selective inclusion (Marmo 2021). The WAP was designed to build sociocultural cohesiveness around whiteness, from which Pacific Islanders have always been selectively included/excluded. Further, even since the end of the WAP, the connections between the rhetoric of threat and/or savages and the ongoing exploitation of Pacific Islanders have remained obvious. The migration regime has continuously been used as a tool to advance Australia's interests, including its economic interests,⁷ and, in turn, migration has been restricted for some in the name of national security.

Regulated Entry and Control: Pacific Islander Migration (1990 to 2014)

In 1993, prime minister Paul Keating requested detailed statistics on the Pacific population in Australia, as even 80 years on from those first deportations, the government was still not recording sufficient data (Nicholls 2007). Since the first deportations, the Pacific Islander population in Australia has grown: in 1966, there were just over 3000 people born in the Pacific Islands residing in Australia; by 2006, there were 100,000; and in 2016, 0.88 per cent of the Australian population claimed Pacific ethnicities (Batley 2017). Of the 166,272 Pacific Islanders residing in Australia, 35 per cent are Melanesian, 64 per cent are Polynesian, and 1 per cent are Micronesian (Pryke 2014). These are primarily Indo-Fijians, followed by Samoans, Tongans and Cook Islanders (Lee 2009: 11). It is notable that through the New Zealand route (discussed later in the paper), Polynesians have more access than citizens of Australia's closer Melanesian neighbours, among them the former colony of PNG (Pryke 2014). However, with (albeit limited) migration to Australia, the widespread differential inclusion, limited access to rights and forced exclusion of Pacific Islanders has continued, including via labour mobility programs.

Australia's Pacific Labour Mobility Programs

Australia's labour mobility programs, in 2022 subsumed into the PALM, are circular mobility schemes designed to bring Pacific Islanders to Australian regional and remote areas to work in the horticulture and agriculture industries. With an initial Seasonal Worker Program (SWP) piloted in 2008, by 2012, Pacific nation-states had negotiated access for workers from Fiji, Kiribati, Nauru, PNG, Samoa, Solomon Islands, Timor-Leste, Tonga, Tuvalu and Vanuatu. The expanded Pacific Labour Scheme (PLS) was made available to all Pacific states in 2018. Labour mobility programs are designed and framed by the concept of a triple win: for migrants through skill development and family earnings; for their home communities and states through remittances; and for Australia through addressing labour shortages (Stead and Petrou, 2022).

However, labour mobility programs can be problematic (Petrou and Connell 2018): migrant workers enter Australia to benefit the Australian economy, yet the workers have severely limited rights and are heavily controlled. The SWP selectively included Pacific Islanders for contract periods without providing them with access to a pathway to permanent residency. It is notable that migrants on Working Holiday visas (mostly from the Global North) often work in similar sectors, and 20 per cent of those

visa holders become permanent residents, but Pacific Islanders do not have access to those visas (Howes and Sharman 2022), reflecting their discriminatory treatment under Australia's border regime.

Moreover, echoing blackbirding requirements, labour mobility visas *require* a return following the contract's completion, forcing the worker's exit in a new phase of forced circular migration (Stead and Davies 2021). A failure to abide by the visa's requirements can mean a worker jeopardises their ability to return for the following season and may lead to deportation. Further, the SWP and PLS had additional criteria, including the inability of workers to bring family with them to Australia, including their children, despite the obvious societal effects of taking workers away from their families for up to three years.⁸ Severe underpayments and other exploitative conditions akin to slavery are reported in Australia's labour mobility programs, including the retention of wages to pay for overpriced accommodation and transport (Marmo 2019; Petrou and Connell 2018; Stead and Davies 2021).

There are very few employment opportunities for Pacific migrants (directly from Pacific states) outside formal labour mobility programs, highlighting their differential inclusion in two ways: Pacific Islanders are perceived to be useful only insofar as they benefit the Australian economy (in horticulture and agriculture), and they are only considered 'temporary' in the eyes of the Australian Government (Curtain 2019).

In rural Australia, Pacific Islanders sometimes overstay their visas and turn to other mechanisms to remain, such as marrying Australians or claiming asylum (Aualiitia 2021; Schubert 2009). Such compromises can lead to workers accepting exploitative work conditions or risking deportation. Indeed, avoiding surveillance and detection is part of everyday life for many Pacific Islanders in Australia, according to Schubert (2009: 136), who identified that a favourite topic of conversation among overstaying Fijians was 'who has been caught by ... who is on the run from ... who is waiting to get their papers from ... Immigration'. The Australian Government launched a poster campaign in 2021 directed at workers absconding from labour mobility programs (Aualiitia 2021).⁹ The posters highlight the consequences for workers of 'absconding' from their designated employer: visa cancellations (enabling deportation); and the individual, their family and community members not being able to work in Australia in future (Aualiitia 2021). The 'fear-driven' posters are translated into five Pacific languages, clearly targeting Pacific Islanders (Aualiitia 2021).

Thus, there are several policies not only limiting the number of Pacific Islanders in Australia but also controlling the nature of their residence through the temporality of their visas and the limited access to rights otherwise granted to temporary visa holders. Therefore, contemporary labour mobility programs are reminiscent of Australia's exploitative colonial labour practices, in particular differential inclusion. Sharples and Briskman (2021: 212) claimed that SWP workers 'represent a highly visible aspect of the racial-colonial project and occupy a hyper-precarious position in the temporary migrant hierarchy'. There is also a striking comparison between the requirement to remain with a designated employer despite provable exploitative conditions and the indentured nature of blackbirding based on the legislated relationship between *master* and *servant*.

In relation to the exploitative working conditions within labour mobility programs, even the Australian Government recognises that 'history is repeating with vulnerable workers from Pacific Nations' (2017 quoted in Stead and Davies 2021: 406). The recent parliamentary inquiry, *Strengthening Australia's Relationships in the Pacific*, collected numerous pieces of evidence of the past-present continuum of the exploitation of Pacific Islanders: 'As someone whose ancestors who were brought here as indentured labourers, *this continues to be an issue for us*. The minute we heard Seasonal Worker Programme and Pacific Labour Scheme, our minds went back to the issue around blackbirding' (Reverend James Bhagwan 2020 quoted in Joint Standing Committee on Foreign Affairs, Defence and Trade 2022: 109, emphasis added).

Hence, contemporary differential inclusion (and thereby exclusion) targeting Pacific Islanders forms yet another 'dark echo' of blackbirding in Australia (Stead and Davies 2021: 410). This speaks to the durable policies and practices of the border regime whereby race, labour and mobility are intimately connected to colonial power.

Exclusion: Pacific Islander Deportation (2014 to 2021)

A legislative change made in 2014 was deliberately designed to increase the deportability of those deemed of 'bad character' and had a particularly negative effect on Pacific Islanders residing in Australia (McNeill 2021a; O'Regan 2018; Weber and Powell 2018): mandatory visa cancellations were introduced through an amendment to the visa cancellation powers in s 501 of the Migration Act. It was aimed at those who fail a 'character test', including on account of a (cumulative) 12-month prison sentence. The severity and scale of these modifications were immense: the 2014 amendments led to a tenfold increase in total deportations from 2014 to 2015 alone (Hoang and Reich 2017), and deportations have continued to rise since (Department of Home Affairs [DHA] 2020b).

Likewise, the amendments resulted in a rise in the number of deportations of Pacific peoples. From 1998 to 2008, only three criminal deportees were sent to each Samoa and Tonga; however, by contrast, in 2017 alone, Australia detained 57 Tongan-born individuals in custody for deportation, showing a substantial increase (McNeill 2021b). Between 2010 and 2019, 102 Pacific Island nationals were deported to Fiji (61), Tonga (31) and Samoa (10) (DHA 2020a). Fiji is recognised as one of the larger deportation destinations from Australia, while PNG and Tonga saw the highest number of Pacific deportations from 2012 to 2020 (DHA 2020b). While alone, this does not evidence the disproportionate deportation of Pacific peoples overall, when compared to total migrant populations residing in Australia, deportations to less-populous Pacific states like Fiji rank alongside that of more-populous nationalities, like China and the United Kingdom (DHA 2020a).

Historical parallels with contemporary deportation practices include the onus of proof about being a *suspected Pacific Islander* resting with the *undesirable other*. Currently, s 188 of the Migration Act, titled ‘Lawful Non-Citizen to Give Evidence of Being So’, replicates the onus set in the PILA 1901, where the burden to prove that one is lawfully present lies with the suspected non-citizen. Further, s 501 reflects a continuation of the racialised assumptions underlying the old dictation test, where ‘Dangerous or Loathsome Character’ was an allowable reason for exclusion under s 3 of the Immigration Restriction Act 1901. Hence, in Australia, past and present, Pacific Islanders are constructed in law as permanent suspects. In these cases, a policy of deportation returns in present times, feeding a circular motion of inclusion and exclusion that indicates a normalisation of the border control regime over Pacific Islanders.

In 1906, the deportation risk effectively increased for Pacific Island labourers if they were married to Aboriginal and/or Torres Strait Islander peoples; and in 2018, the government continued to attempt to deport people of both Indigenous and Pacific heritage, albeit those born overseas. It took until 2020 for the courts to reverse the government’s ability to deport those Pacific Islanders with Aboriginal and/or Torres Strait Islander heritage (Byrne and Robertson 2020). Despite being born in PNG to a Papua New Guinean mother and Aboriginal father, Daniel Love had lived in Australia for most of his life and was recognised as a member of the Kamilaroi people, although he had not formally claimed Australian citizenship (Byrne and Robertson 2020). Love was sentenced for assault in 2018 and became subject to deportation (Byrne and Robertson 2020). Upon appeal, the High Court of Australia eventually ruled that he could not be considered an alien under the *Australian Constitution* based on his deep ancestral roots in Australia (Byrne and Robertson 2020). While the High Court decision was also initially appealed, demonstrating the government’s adamant stance on Pacific exclusion, in 2022, the newly elected Australian Government decided not to pursue the appeal and let the ruling stand (Karp 2022). Love’s exclusion, as an Aboriginal man of PNG citizenship, reflects constructs of colonial whiteness and differential inclusion and denies his deep ancestral ties to Australia. It also confirms the past–present continuum of the border regime applying a colonial lens to race and mobility, in line with the cases discussed earlier.

Pasifika New Zealanders

The targeting of Pacific Islanders through migration policies can also be observed in actions not directly aimed at Pacific Island states. While much of the literature has recognised the disproportionate deportation of New Zealanders under s 501 (Migration Act) compared to the total migrant population in Australia, the effects on Pasifika New Zealanders, in particular, have not always been recognised. Annually, between half and three-quarters of all s 501 deportations from Australia are to New Zealand, despite New Zealanders only comprising 7.6 per cent of the Australian overseas-born population; 60 per cent of those deported identify as Māori (*tangata whenua*/Indigenous people of New Zealand) or Pasifika (Billings and Hoang 2019; O’Regan 2018; Weber and Powell 2020). The high deportation rate of Pasifika New Zealanders is the culmination of many migration policy factors aimed at their differential inclusion—this is clear when the migration policy trajectory is charted.

Under the Trans-Tasman Travel Arrangement (1973), New Zealanders are eligible for a Special Category visa (subclass 444) upon entry into Australia. The Special Category visa gives New Zealand citizens many of the rights of permanent residents, including the right to reside and work in Australia indefinitely, though not many social welfare benefits or the right to vote. However, as the Pasifika population increased in New Zealand, Australia sought to limit the privileges afforded to New Zealanders.

Given the challenges for Pacific Islanders travelling directly to Australia, ‘the special migration relationship between New Zealand and Australia offers some reprieve from the regulatory regimes otherwise enacted at the border for Pacific Islanders seeking access to Australia’ (Stead and Altman 2019: 14). New Zealand heralds itself as a Pacific nation, and its residents include a large (mostly Polynesian) Pasifika population (Ministry of Foreign Affairs and Trade, 2021). Thus, it is not surprising that of the approximately 685,000 New Zealand citizens who reside in Australia, many are Pasifika (Faleolo 2020). Indeed, New Zealand-born Pasifika exceed the total number of direct arrivals to Australia from the Pacific Islands, creating so-called ‘step-migrants’ (Brown 2012 quoted in Faleolo 2020: 29). Over 98 per cent of Samoan-born migrants to Australia first gained citizenship in New Zealand, and more than half of Pacific-born Pacific Islanders migrating to Australia had first resided in New

Zealand (Howes and Surandiran 2021a, 2021b). In Queensland alone, there are more than 70,000 New Zealanders of Pacific descent—mostly New Zealand-born Samoans and Tongans (Faleolo 2020).

In 1983, a change in the legislative terminology from ‘aliens’ to ‘non-citizens’ included New Zealanders among migrants who could be deported if they committed crimes within their first 10 years of residence in Australia (Hamer 2019). Further legislative changes in the 1990s made it more difficult for New Zealanders to access social welfare or citizenship after 2001 (Hoadley 2002). The status of New Zealand children who were born in Australia or arrived near 2001 became precarious, with limited or no pathways to Australian citizenship. The removal of entitlements or provisions of only partial entitlements is a common precursor to increased deportation (Gibney 2013): subsequent changes to the Migration Act allowed for deportation at any point, regardless of the non-citizen’s length of residency (Hamer 2019). Weber and Powell (2020: 251) suggested that this policy ‘constructed New Zealander residents of Australia as precarious and vulnerable members of the community’.

These migration policy interventions clearly echo historical policies targeting Pacific Islanders. In the early 2000s, concerns were raised about ‘back-door’ migration of those born in third countries entering Australia via New Zealand (Ruddock 2000 quoted in Hamer 2014: 111). A number of factors converged to create this perception, among them an influx of New Zealanders to Australia, ‘the non-New Zealand origins of many of the migrants’ and heightened anxiety around human trafficking and asylum seekers (Hoadley 2002: 119). Consequently, Australia reduced the possibility for New Zealanders to sponsor non-New Zealand family members’ visas. This particularly affected Pasifika families sponsoring their relatives, whom the Australian Government considered ‘back-door entrants to Australia’ (Mares 2014 cited in Weber and Powell 2020: 250). Indeed, Hamer (quoted in O’Regan 2018) stated that changes to citizenship access for New Zealanders in 2001 were in part ‘aimed at filtering out Pacific Island migrants’.

From 2001 to 2016, there were essentially no pathways for New Zealanders to gain Australian naturalisation—creating differential inclusion and making deportation easier for those who arrived during this period. The Skilled Independent visa (subclass 189) introduced in 2016 allows New Zealanders who meet a certain income threshold and residence terms to apply for citizenship. However, in its first year, only 4080 people received the visa (Love and Klapdor 2020). The visa has had a particular effect on Māori and Pasifika living in Australia, who are less likely to meet the income threshold and more likely to be deterred by the high application cost (Hamer and Markus 2017).

Living in precarity with limited access to citizenship, Pasifika New Zealanders are particularly vulnerable to the effects of s 501 deportations under the Migration Act. Arguing against s 501 deportations to New Zealand, Prime Minister Jacinda Ardern (cited in O’Regan 2018, para 15) stated that ‘it makes no sense for someone to be deported here, such as when they have little or no links to New Zealand, or have never even been here’. This includes Pacific Island-born migrants who have never lived in New Zealand. One such migrant is Alex Viane, a New Zealand citizen (via his uncle) born in American Samoa who had never stepped foot on New Zealand soil—he had moved to Australia at age 14 but was deported to New Zealand at age 41 (O’Regan 2018).

A similar high-profile case was that of Edward McHugh (*McHugh v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (No. 2)* [2020] FCA 843). A Cook Islander (New Zealand citizen) by birth, McHugh was brought to Australia in 1975 at age six by a family who then adopted him—although he did not learn of his own adoption until 2013 (*McHugh v Minister 2020*). McHugh ‘thought of himself as Australian’ and was issued a passport by the Australian Government in 2017; however, this was later revoked in 2018, as it was supposedly issued in error (*McHugh v Minister 2020*: 9). After 43 years in Australia, including residence in Aboriginal communities, in 2018, McHugh was scheduled to be deported under s 501 of the Migration Act to New Zealand—a country to which he had never been—following a sentence of nine months for aggravated assault and threatening to kill. Despite holding an Australian birth certificate (via adoption) and a (later revoked based on administrative error) Australian passport, McHugh was informed by immigration that ‘an Australian passport is not evidence of a person’s citizenship’ (cited in *McHugh v Minister 2020*: 12). The Federal Court later determined that the minister had not engaged with the circumstances that led to McHugh’s belief that he was Australian, since he held an Australian birth certificate and an Australian passport (albeit erroneously) and ordered the minister to reconsider the decision (Truu, 2020). While the minister did not change their mind and McHugh’s case ultimately failed on another appeal (SBS News 2021), his case demonstrates the arbitrary, deliberate and harsh nature by which s 501 is applied to *get rid of the undesirable other*, even one who is demonstrably Australian.

The modification of s 501 of the Migration Act has created the ‘emergence of New Zealanders constructed as social enemies of Australia in visa cancellation and deportation decision-making’ (Weber and Powell 2020: 253), which has disproportionately affected Pacific Islanders. This is no accident—Australia’s policy of control and prohibition has historically differentially included Pacific Islanders and is now deliberately targeting Pasifika who reside in Australia on New Zealand passports.

Conclusion

The ‘fractured, partial and uneven’ genealogy of Australia’s exclusionary migration policies on Pacific Islanders demonstrates the historically rooted racial constructions permeating Australian border policies and practices over time (Stead and Davies 2021: 404). By highlighting the historical trajectory of deportations of Pacific Islanders from Australia and current deportation practices targeting Pacific Islanders and Pasifika New Zealanders, we reflect on the past approaches giving rise to current policies of exploitation and differential inclusion. We do not argue that there has been a relentless attack on Pacific Islanders since the colonial period, but rather that the narrative of their undesirability—as *out of control* and racially inferior—has persisted and never been openly rejected by the government. This undesirability supports any legislative or executive revisions of selective inclusion and, thereby, the ongoing precariousness and forced exclusion of Pacific peoples.

The parallels between past and present Australian migration practices flesh out the time continuum of the three-part framework of differential inclusion: forced or selective entry, controlled and disposable labour, and exclusion when required. At Federation, Australia established its racially selective differential inclusion policies, which have enabled the nation’s circular immigration practices ever since. This is evidenced by Pacific Islanders’ experiences of being the first cohort of deportees in 1907, controlled access under the WAP, restricted entry and disproportionate deportation under s 501 of the Migration Act, both directly to Pacific Island states and indirectly to New Zealand. Put simply, the Australian Government ‘is trying to get rid of as many of us as they can’ (quoted in Weber and Powell 2020: 259).

Historical parallels help us identify the continuity and durability of the selective inclusion/exclusion of Pacific Islanders in Australia, which represents a deliberate cycle of deportability that has persisted over time.

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¹ Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Nauru, New Caledonia, Niue, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tokelau, Tuvalu, and Vanuatu.

² Differential inclusion is also applicable to Chinese migrants to Australia, subjected to legislation restricting their entry prior to 1901. There is opportunity to examine past–present differential inclusion through deportation and circular migration programs more broadly in the Global North.

³ The PALM scheme was established in 2022 by merging the Seasonal Worker Program (piloted in 2008) and the Pacific Labour Scheme (established in 2018). Given that this paper covers the period 1901–2021, we will refer to the schemes collectively as labour mobility programs, unless referring to a specific scheme.

⁴ Unlike the Japanese pearl farmers in Australia who were considered business owners. It is also in explicit contrast to white migrants brought to Australia for work, such as the Jennings Germans (builders), and allowed to remain on racial grounds.

⁵ Those born in Papua under Australian colonisation (until 1975) were entitled to Australian citizenship, although lost most travel and residency rights at the time of independence; however, those born in New Guinea at the same time were not entitled to citizenship or special travel rights (Leben 2022).

⁶ In particular, s 9(1) made it unlawful to discriminate on the basis of race, colour, descent or national or ethnic origin.

⁷ In addition to neo-colonial exploitation of Pacific Islanders in Australia, there have been many examples of Pacific land and resources being exploited by Australia, particularly in the Autonomous Region of Bougainville, Nauru and PNG. While out of scope, broader exploitation is deeply linked to the concept of the selective border regime.

⁸ Notably, these criteria are currently being reviewed under the PALM

⁹ This expands the ‘moral panics permanency’ towards undesirable others via the Australian ‘stop the boat’ poster campaigns used in Indonesia (Martin 2015).

References

- Aualiitia T (2021) Australian government to review Pac seasonal worker absconding posters after public backlash. *ABC Pacific Beat*, 19 November. <https://www.abc.net.au/radio-australia/programs/pacificbeat/pac-seasonal-abscond-update/13638586>
- Banivanua-Mar T (2007) *Violence and colonial dialogue: The Australian–Pacific indentured labor trade*. Honolulu: University of Hawai'i Press.
- Banivanua-Mar T (2019) 'Boyd's blacks': labour and the making of settler lands in Australia and the Pacific. In Stead V and Altman J (eds) *Labour lines and colonial power: Indigenous and Pacific Islander labour mobility in Australia*: 57-74. Canberra: ANU Press.
- Batley J (2017) *In Brief 2017/23: What does the 2016 Census reveal about Pacific Islands communities in Australia?* Canberra: Australian National University. <https://dpa.bellschool.anu.edu.au/experts-publications/publications/5671/ib201723-what-does-2016-census-reveal-about-pacific-islands>
- Bergin A and Bateman S (2018, 16 November) PNG border security a key strategic interest for Australia. *Policy Forum*. <https://www.policyforum.net/png-border-security-a-key-strategic-interest-for-australia/>
- Billings P and Hoang K (2019) Characters of concern, or concerning character tests? Regulating risk through visa cancellation, containment and removal from Australia. In Billings P (ed.) *Crimmigration in Australia: law, politics and society*: 119-148. Singapore: Springer.
- Byrne E and Robertson J (2020) High Court rules Aboriginal people cannot be deported for criminal convictions, cannot be 'alien' to Australia. *ABC News*, 11 February. <https://www.abc.net.au/news/2020-02-11/high-court-rules-aboriginal-people-cant-be-deported/11953012>
- Cronin K (1993) A culture of control: an overview of immigration policy-making. In Jupp J and Kabala M (eds) *The politics of Australian immigration*: 83–104. Canberra: Australian Government Publishing Service.
- Curtain R (2019) Few non-seasonal work opportunities in Australia for the Pacific. *DevPolicy*, 15 November. <https://devpolicy.org/few-non-seasonal-work-opportunities-in-australia-for-the-pacific-20191115/>
- Davies L (2019) A Regulated Labour Trade across the Torres Strait: Papuan and New Guinean Domestic Workers in Australia, 1901–50. In Stead V and Altman J (eds) *Labour lines and colonial power: Indigenous and Pacific Islander labour mobility in Australia*: 75-101. Canberra: ANU Press.
- Denoon D (2012) *A trial separation: Australia and the decolonisation of Papua New Guinea*. Canberra: ANU Press.
- Department of Home Affairs (2020a) *Number of deportations to Fiji, Samoa, Tonga, Cook Islands, Federated States of Micronesia under s201 & s501 (2009–2019) broken down by year*. Freedom of information request: FA 20/05/01069. Australian Government. <https://www.homeaffairs.gov.au/foi/files/2020/fa-200501069-document-released.PDF>
- Department of Home Affairs (2020b) *Revised statistics regarding Section 501 refusals and cancellations by country, and Section 116 cancellations by country*. Freedom of information request: FA 19/12/01189-R1. Australian Government. <https://www.homeaffairs.gov.au/foi/files/2020/fa-191201189-r1-document-released.PDF>
- Faleolo RL (2020) Pasifika well-being and trans-Tasman migration: a mixed methods analysis of Samoan and Tongan well-being perspectives and experiences in Auckland and Brisbane. PhD Thesis, The University of Queensland. <https://doi.org/10.14264/uql.2020.511>
- Gibney M (2013) Deportation, crime, and the changing character of membership in the United Kingdom. In Aas KF and Bosworth M (eds) *The borders of punishment: migration, citizenship, and social exclusion*: 218-236. Oxford: Oxford University Press.
- Golash-Boza TM (2015) *Deported: Immigrant policing, disposable labour, and global capitalism*. New York: New York University Press.
- Hamer PA (2014) 'Unsophisticated and unsuited': Australian barriers to Pacific Islander immigration from New Zealand. *Political Science* 66(2): 93-118. <https://doi.org/10.1177/0032318714554495>
- Hamer PA (2019) Deportation across the Tasman Sea. *Australian Outlook*, 17 April. <https://www.internationalaffairs.org.au/australianoutlook/deportation-across-tasman-sea/>
- Hamer PA and Markus A (2017) Australian census data show collapse in citizenship uptake by New Zealanders. *The Conversation*, 23 August. <https://theconversation.com/australian-census-data-show-collapse-in-citizenship-uptake-by-new-zealanders-81742>
- Harris S (1993) Immigration and Australian foreign policy. In Jupp J and Kabala M (eds) *The politics of Australian immigration*: 23-41. Canberra: Australian Government Publishing Service.
- Hoadley S (2002) Trans-Tasman migration: issues and politics. In Catley B (ed) *NZ-Australia relations: Moving together or drifting apart? Papers from the 36th Otago Foreign Policy School*: 111-128. Wellington, NZ: Dark Horse Publishing.
- Hoang K and Reich S (2017) Managing crime through migration law in Australia and the United States: A comparative analysis. *Comparative Migration Studies* 5(1), Article 12. <https://doi.org/10.1186/s40878-017-0056-0>
- Howes S and Sharman E (2022) Labor promises to inaugurate a new era of Pacific labour mobility. *DevPolicy*, 28 April. <https://devpolicy.org/labor-promises-to-inaugurate-new-era-of-pacific-labour-mobility-20220428/>

- Howes S and Surandiran S (2021a) The NZ pathway: How and why Samoans migrate to Australia—part one. *DevPolicy*, 1 February. <https://devpolicy.org/the-nz-pathway-how-and-why-samoans-migrate-to-australia-part-one-20210201-1/>
- Howes S and Surandiran S (2021b) The NZ pathway: How and why Samoans migrate to Australia—part two. *DevPolicy*, 1 February. <https://devpolicy.org/the-nz-pathway-how-and-why-samoans-migrate-to-australia-part-two-20210201-2/>
- Jindy Pettman J (1996) Border crossings/shifting identities: minorities, gender, and the state in international perspective. In Shapiro MJ and Alker HR (eds) *Challenging boundaries: global flows, territorial identities*: 261-284. Minneapolis: University of Minnesota Press.
- Joint Standing Committee on Foreign Affairs, Defence and Trade (2022) *Strengthening Australia's relationships in the Pacific*. Parliament of the Commonwealth of Australia: Canberra. https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/PacificRelationships/Report
- Jupp J (2002) *From white Australia to Woomera: the story of Australian immigration*. Cambridge: Cambridge University Press.
- Kabutaulaka T (2015) Re-presenting Melanesia: Ignoble savages and Melanesian alter-natives. *Contemporary Pacific* 27(1): 110-145.
- Karp P (2022) Labor drops Coalition bid to overturn high court ruling that Indigenous Australians can't be aliens. *The Guardian*, 28 July. <https://www.theguardian.com/australia-news/2022/jul/28/labor-drops-coalition-bid-to-overturn-high-court-ruling-that-indigenous-australians-cant-be-aliens>
- Kristeva J (1982) *Powers of horror: An essay on abjection*. New York: Columbia University Press.
- Lake M and Reynolds H (2008) *Drawing the global colour line: White men's countries and the international challenge of racial equality*. Cambridge: Cambridge University Press.
- Leben W (2022) Australia should look back to go forward in the Pacific. *The Strategist*, 19 July. <https://www.aspistrategist.org.au/australia-should-look-back-to-go-forward-in-the-pacific/>
- Lee H (2009) Pacific migration and transnationalism: historical perspectives. In Lee H and Tupai Francis S (eds) *Migration and transnationalism: Pacific perspectives*: 7-42. Canberra: ANU Press.
- Love S and Klapdor P (2020) *New Zealanders in Australia: A quick guide*. Department of Parliamentary Services. https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/pubs/rp/rp1920/Quick_Guides/NewZealandersInAustralia
- Marmo M (2019) *Slavery and slavery-like practices in South Australia: A report*. Adelaide: Flinders University. <https://researchnow.flinders.edu.au/en/publications/slavery-and-slavery-like-practices-in-south-australia-a-report>
- Marmo M (2022) Continuity and durability of violent border policies and practices directed at undesirable migrants in Britain and Australia: Some reflections on the past–present continuum. *Immigrants & Minorities* 40(1-2): 240-274. <https://doi.org/10.1080/02619288.2021.1984234>
- Marmo M and Smith E (2012) Female migrants: sex, value and credibility in immigration control. In McCulloch J and Pickering S (eds) *Borders and crime: pre-crime, mobility and serious harm in an age of globalization*: 54-71. London: Palgrave Macmillan.
- Marmo M, Smith E and Varnava A (2023) Historicising Australian deportation of 'suspect' and 'undesirable' migrant communities. *International Journal for Crime, Justice and Social Democracy* 12(1): 1-16. <https://doi.org/10.5204/ijcjsd.2740>
- Martin G (2015) Stop the boats! Moral panic in Australia over asylum seekers. *Continuum* 29(3): 304-322. <https://doi.org/10.1080/10304312.2014.986060>
- McKinnon A (2019) Blackbirds: Australia's hidden slave trade history. *The Monthly*, July. <https://www.themonthly.com.au/issue/2019/july/1561989600/alex-mckinnon/blackbirds-australia-s-hidden-slave-trade-history#mtr>
- McNeill H (2021a) Oceania's 'crimmigration creep': Are deportation and reintegration norms being diffused? *Journal of Criminology* 53(3): 305-322. <https://doi.org/10.1177/00048658211008952>
- McNeill H (2021b) The problem of criminal deportation and reintegration in the Pacific. *Pacific Migration Research Workshop*, 17 June. Canberra: Australian National University. https://devpolicy.org/Events/2021/Pacific-Migration-Research-Workshop-17June/McNeill.Henrietta_WP_Problematising_criminal_deportation_and_reintegration_in_the_Pacific.pdf
- Mezzadra S and Neilson B (2013) *Border as method, or, the multiplication of labour*. Durham: Duke University Press.
- Ministry of Foreign Affairs and Trade (2021) Pacific regional four year plan. <https://www.mfat.govt.nz/assets/Aid/4YPs-2021-24/Pacific-Regional-4YP.pdf>
- Moore C (2000) 'Good-bye, Queensland, good-bye, white Australia; good-bye Christians': Australia's South Sea Islander community and deportation, 1901-1908. *New Federalist* 4: 22-29.
- Moore C (2021) *Information Sheet 5: the deportation of Australian South Sea Islanders by the Commonwealth Government, 1901–1908*. Australian South Sea Islanders Port Jackson. <http://www.assipj.com.au/australian-south-sea-islander-historical-information-sheets/>

- Moreton-Robinson A (2015) *The white possessive: Property, power, and Indigenous sovereignty*. Minneapolis: University of Minnesota Press.
- National Archives of Australia (1907) *Re Deportation Order for Pacific Islanders*. A1, 1907/8941, Item ID 8575.
- National Archives of Australia (1908) *Deportation of Kanakas [Pacific Islanders] at Geraldton, Queensland [now Innisfail]*. A1, 1908/2939, Item ID 9140.
- National Archives of Australia (1971) *Control of entry to Australia of non-European New Zealanders*. Cabinet submission. National Archives of Australia, File A5909, 183.
<https://recordsearch.naa.gov.au/SearchNRetrieve/Interface/DetailsReports/ItemDetail.aspx?Barcode=4290843&isAv=N>
- National Archives of Australia (n.d.) *Pacific Island Labourers Act (1901)*. <https://www.naa.gov.au/learn/learning-resources/learning-resource-themes/society-and-culture/migration-and-multiculturalism/pacific-island-labourers-act-1901>
- Newton Cain T, Cox J and Presterudstuen GH (2020) Pacific perspectives on the world: Listening to Australia's neighbours in order to build strong, respectful and sustainable relationships. *Whitlam Institute*, 17 February.
<https://www.whitlam.org/publications/2020/2/13/pacific-perspectives-on-the-world>
- Nicholls G (2007) *Deported: A history of forced departures from Australia*. Sydney: UNSW Press.
- Nicholls G (2009) Gone with hardly a trace: Deportees in immigration policy. In Neumann K and Tavan G (eds) *Does history matter? Making and debating citizenship, immigration and refugee policy in Australia and New Zealand*: 9-23. Canberra: ANU Press.
- Nishitani M and Lee H (2019) Becoming 'overstayers': The coloniality of citizenship and the resilience of Pacific farm workers. In Stead V and Altman J (eds) *Labour lines and colonial power: Indigenous and Pacific Islander labour mobility in Australia*: 159-184. Canberra: ANU Press.
- O'Regan SV (2018) Why New Zealand is furious about Australia's deportation policy. *New York Times*, 3 July.
<https://www.nytimes.com/2018/07/03/world/asia/new-zealand-australia-deportations.html>
- Parliament of Australia (1901) *Pacific Islands Labourers Bill: Second reading*. 2 October 1901 (Barton E).
<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;db=HANSARD80;id=hansard80%2Fhansardr80%2F1901-10-02%2F0024;query=Id%3A%22hansard80%2Fhansardr80%2F1901-10-02%2F0029%22>
- Petrou K and Connell J (2018) 'We don't feel free at all': Temporary ni-Vanuatu workers in the Riverina, Australia. *Rural Society* 27(1): 66-79. <https://doi.org/10.1080/10371656.2018.1443415>
- Pryke J (2014) Pacific Islanders in Australia: Where are the Melanesians? *DevPolicy*, 28 August.
<https://www.devpolicy.org/pacific-islanders-in-australia-where-are-the-melanesians-20140828/?print=print>
- Queensland Royal Commission (1906) *Report of the Sugar Industry Labour Commission 1906*. Parliament Paper Vol. 2. Brisbane. <https://www.archivessearch.qld.gov.au/series/S10569>
- Saunders K (1978) Masters and servants. *Labour History*, special issue: Who are our enemies? Racism and the working class in Australia, 35: 96-111 <https://doi.org/10.2307/27508338>
- SBS News (2021) Man who thought he was Australian loses appeal in fight against deportation. *SBS News*, 24 August.
<https://www.sbs.com.au/news/article/man-who-thought-he-was-australian-loses-appeal-in-fight-against-deportation/ui5vxpkcr>
- Scarr D (1967) Recruits and recruiters: A portrait of the Pacific Islands labour trade. *Journal of Pacific History* 2(1): 5-24.
<https://doi.org/10.1080/00223346708572099>
- Schubert M (2009) Griffith's transnational Fijians: Between the devil, the deep blue sea ... and their pastors. In Lee H and Francis ST (eds) *Migration and transnationalism: Pacific perspectives*: 133-141. Canberra: ANU Press.
- Segrave, M (2019) Theorizing sites and strategies of differential inclusion: Unlawful migrant workers in Australia. *Theoretical Criminology* 23(2): 194-210. <https://doi.org/10.1177/1362480619827527>
- Sharples R and Briskman L (2021) Racialized citizenship: Challenging the Australian imaginary. In Weber L and Tazreiter C (eds) *Handbook of migration and global justice*: 202-221. UK: Edward Elgar Publishing.
- Stead V and Altman J (2019) *Labour lines and colonial power: Indigenous and Pacific Islander labour mobility in Australia*. Canberra: ANU Press.
- Stead V and Davies L (2021) Unfree labour and Australia's obscured Pacific histories: Towards a new genealogy of modern slavery. *Journal of Australian Studies* 45(3): 400-416. <https://doi.org/10.1080/14443058.2021.1956571>
- Stead V and Petrou K (2022) Beyond the 'Triple Win': Pacific Islander farmworkers' use of social media to navigate labour mobility costs and possibilities through the COVID-19 pandemic. *Journal of Ethnic and Migration Studies*
<https://doi.org/10.1080/1369183X.2022.2138288>
- Summy HH (2009) Fiji's forgotten people: The legatees of 'blackbirding'. *Social Alternatives* 28(4): 39-44.
- Tavan G (2005) *The long, slow death of white Australia*. Carlton North, Vic: Scribe.
- Truu M (2020) Court orders re-think on decision to deport man who thought he was Australian citizen. *SBS News*, 18 June.
<https://www.sbs.com.au/news/article/court-orders-re-think-on-decision-to-deport-man-who-thought-he-was-australian-citizen/fr6odfc64>
- Weber L and Powell RJ (2018) Ripples across the Pacific: Cycles of risk and exclusion following criminal deportation to Samoa. In Khosravi S (ed.) *After deportation: Ethnographic perspectives*: 205-229. Switzerland: Palgrave Macmillan.

Weber L and Powell RJ (2020) Crime, pre-crime and sub-crime: Deportation of 'risky non-citizens' as 'enemy crimmigration'. In Pratt J and Anderson J (eds) *Criminal justice, risk and the revolt against uncertainty*: 245-272. Cham: Palgrave Macmillan.

Cases cited

McHugh v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (No. 2) [2020] FCA 843

Legislation cited

Commonwealth of Australia Constitution Act (Cth) <https://www.legislation.gov.au/Details/C2013Q00005>

Immigration Restriction Act 1901 (Cth) http://classic.austlii.edu.au/au/legis/cth/num_act/ira1901171901304/

Masters and Servants Act 1861 (Qld)

Migration Act 1958 (Cth) <https://www.legislation.gov.au/Details/C2021C00156>

Native Labour Ordinance, 1911 (Cth), *Port Moresby*

Pacific Island Labourers Bill 1901 (Cth)

Pacific Island Labourers Act 1901 (Cth) <https://www.legislation.gov.au/Details/C1901A00016>

Post and Telegraph Act 1901 (Cth)

http://www5.austlii.edu.au/au/legis/cth/num_act/pata1901121901213/pata1901121901213.pdf

Quarantine Act 1908 (Cth) http://classic.austlii.edu.au/au/legis/cth/num_act/tqa19083o1908207/

Racial Discrimination Act 1975 (Cth) <https://www.legislation.gov.au/Details/C2016C00089>

Treaties cited

Trans-Tasman Travel Arrangement [1973]