

Control of Enemy Alien Civilians in Great Britain
1914-1918

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ABSTRACT

Few domestic issues in Great Britain during the First World War proved more politically sensitive or more difficult to resolve than the question of how to deal with the generally perceived threat posed by enemy alien residents. At the beginning of the war they numbered more than 70,000, excluding British-born women who had acquired enemy nationality through marriage, and children under the age of 14. Ultimately over 32,000 enemy alien men, mostly of military age, were interned, more than 20,000 men, women and children repatriated, and the remainder allowed to remain at liberty but subject to numerous restrictions. The latter group consisted mainly of women, children, elderly men or men who, although technically enemy aliens, were members of races, such as the Poles, Czechs and Alsations, deemed friendly to the allied cause.

This thesis is concerned with the origins, development and implementation of the policies of wartime governments in relation to enemy aliens, taking account of the aims of the decision makers, the factors which influenced them, and the principle results of their actions. The historic precedents and pre-war contingency planning of aliens controls to be introduced in the event of war are briefly considered and an assessment is made of the emergency legislation, most notably the Aliens Restriction Act, introduced in the early days of the war and subsequently extended and strengthened.

The study traces the fluctuations of internment and repatriation policy and the operation of the internment camp system. Also examined are the key measures affecting those enemy subjects who retained their freedom; the way in which the property and business interests of enemy aliens were dealt with; the attempts by the authorities to find work of 'national importance' for enemy subjects or, in some cases, to place them in military service, usually with a non-combatant labour unit; wartime naturalisation policy; the operation of port controls and the work of the Aliens Branch of the Home Office.

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PREFACE

This study of the way in which Great Britain dealt with its enemy alien population during the First World War is based primarily on material held at the Public Records Office and the Home Office, Hansard reports of parliamentary debates and official publications. Contemporary newspapers and periodicals were also a useful source, particularly as an indication of popular reaction to government policies, or lack of them, but relatively modest returns were derived from the private papers of leading politicians involved in the events described, or from memoirs, biographical material and secondary sources.

In thanking the many individuals and institutions who have helped me during my research, I would first like to record my gratitude to Professor James Joll, Stevenson Professor of International History at the London School of Economics, for his unfailingly wise counsel and encouragement.

As a Home Office civil servant during the first three years of my research, I must acknowledge a special debt to those colleagues who gave generously of their time and expertise to assist me. The staff of the library were constantly helpful, and those of the Departmental Records Officer and the Immigration and Nationality Departments always responded promptly and unstintingly to my requests for aid. I am particularly grateful to Mr. W.R. Perks, CBE, and Mr. C.J.P. Ruck, CBE, both retired Chief Inspectors of

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I must acknowledge the assistance given by librarians and archivists at the Universities of London, Birmingham and Warwick; the British Library of Economic and Political Science; the Bodleian Library, Oxford; Churchill College, Cambridge; the British Library Newspaper Library; the Institute of Historical Research; the Ministry of Defence; the Imperial War Museum and the Royal United Services Institution. I am grateful for permission to consult private papers held at some of those institutions. Similarly my thanks are due to the Keeper of the Public Records and the Controller of Her Majesty's Stationary Office for use of material in the Public Records Office and in official publications.

Finally I must thank my wife and family for their forbearance and support during a period in which they were entitled to expect far more of my time and attention than they received.

ABBREVIATIONS USED IN REFERENCES

Adm.	Admiralty
AP	Asquith Papers
ARA	Aliens Restriction Act
ARO	Aliens Restriction Order
BNSA Act	British National and Status of Aliens Act
BT	Board of Trade
Cab.	Cabinet
CID	Committee of Imperial Defence
DORA	Defence of the Realm Acts
FO	Foreign Office
HC	House of Commons
HL	House of Lords
HO	Home Office
HOR	Records held at the Home Office
KP	Kitchener Papers
PP	Parliamentary Paper
SP	Simon Papers
WO	War Office

INTRODUCTION

In the vast corpus of scholarship devoted to Great Britain's involvement in the First World War one of the more intriguing byways of domestic policy which has previously attracted little more than cursory attention from historians is the treatment of the small minority of the population - estimated at between 70,000 and 75,000, excluding British-born women and children under the age of 14¹ - who found themselves classified as enemy aliens.

This study examines the evolution and application of the policies of wartime governments designed to nullify the danger to national security thought to be posed by enemy alien residents, and considers the social and political forces which helped shape those policies. The scope of the powers assumed by the authorities to regulate the entry, departure, movement, employment, business activities and many other facets of the lives of aliens were unprecedented in war or peace.

Many of the enemy nationals living in Great Britain when the war began had been domiciled in the country for decades, some since infancy, had British-born wives (who through marriage also acquired enemy nationality) and children, and retained few, if any, ties with the state to which they nominally owed allegiance. Their failure to

1. The basis of the figures is discussed in ch. 1.

obtain British nationality before the war, undoubtedly in many cases because there seemed few compelling practical reasons to do so, was for many to have harsh and far reaching consequences. They were to become subject to a level of parliamentary attention, press coverage and popular controversy out of all proportion to their numbers and their potential threat to the state. And they were to face internment, deportation, restrictions on their civil rights infinitely more severe than those imposed on the general population, and become the target of vilification, harassment and sometimes violence. The popular suspicion that the enemy alien population was dedicated to the disruption of the British war effort and the provision of clandestine assistance to the enemy helped give rise to the remarkably virulent spy mania which gripped the country, particularly during the early period of the war.

The climate of anti-alien feeling which existed in Britain during the war with varying degrees of intensity undoubtedly owed much to the intemperate and xenophobic propaganda poured out by self-proclaimed patriotic organisations, extremist politicians and some sections of the popular press. The government's propaganda machine, in that part of its output directed at maintaining national morale and support for the war effort, probably helped to inflame hatred of enemy alien residents by focussing public attention on the alleged 'frightfulness' of the enemy, or more particularly the Germans, their sole responsibility

for the war and its consequences.² Whatever the government's intentions, the hatred and prejudice which its propagandists helped foment turned upon the 'enemy within', the easily accessible and vulnerable members of the enemy alien population. Propaganda, both official and unofficial, undoubtedly played a part in inspiring the anti-alien riots in the East End of London and elsewhere, which were related to events or conditions attributable to the enemy, such as the sinking of the *Lusitania* in May 1915, air raids on British cities and food shortages. The propagandists found a receptive audience as frustration and weariness with the war mounted in the face of restrictions, hardships and a growing realisation by the public of the scale of carnage at the battle front.

The hostility of British attitudes towards aliens during the war was partly rooted in history. The admission of alien immigrants had been a source of recurring controversy for centuries and the relatively heavy influx of Eastern Europeans in the late 19th century had given rise to fears of an 'alien invasion' and led to the passage of the Aliens Act of 1905³ which formed the basis of aliens

2. For a modern assessment of the uses of propaganda during the war see C. Haste, Keep the Home Fires Burning (1977). Earlier works which provide useful insights are H.D. Lasswell, Propaganda in the World War (1927) and J.D. Squires, British Propaganda at Home and in the United States from 1914-1917 (1935). An insider's account of some aspects of official propaganda operations is contained in Sir Campbell Stuart, The Secrets of Crewe House (1920).

3. 5 Edw. 7, c. 13.

control policy up to the war.

The 1905 legislation was largely superseded by the Aliens Restriction Act⁴ rushed through parliament on the first day of the war, which, with an accompanying comprehensive order in council, became the cornerstone of Britain's wartime aliens control policy. The act had its origins in the pre-war deliberations of the Aliens Restriction Sub-committee of the Committee of Imperial Defence. Further powers to regulate the activities of enemy aliens were provided by the Defence of the Realm Acts and other wartime statutes.

The most fundamental and contentious questions of aliens policy which wartime governments faced were those concerned with the criteria to be applied in deciding which enemy aliens should be interned, which repatriated and which allowed to remain at liberty. While a vociferous body of opinion called on the government to 'intern them all', such an indiscriminate policy was always resisted on the grounds that it would be both unjust and illogical. Many who were technically enemy aliens were not only long standing residents with British-born wives and children but had sons fighting in the British Army. Others who on paper owed allegiance to enemy nations, such as Czechs, Poles, Alsations and members of the Ottoman subject races, had powerful nationalist reasons for opposing the countries of which they were subjects, and were firmly committed to the allied cause. But not all members of these so-called

4. 4 & 5 Geo. 5, c. 12.

'friendly' races were able to satisfy the authorities of their pro-allied sentiments and many were interned.

During the first nine months of the war, in so far as any semblance of an internment policy may be identified, it was concerned with removing from circulation enemy aliens who were considered likely to pose a danger to the state. From May 1915, under a stricter aliens control regime introduced by Asquith, with some misgivings, internment policy became based broadly on the premise that an enemy alien should be interned unless he could show cause why he should not be. Apart from women, who were not subject to internment (although some hardliners argued that they should be), most of those exempted were either not of military age or were members of the friendly races, usually vouched for by officially recognised committees made up of their compatriots. The rest were long-term residents with strong British family ties, and the infirm or mentally ill.

Despite the ostensibly stringent measures introduced by Asquith in May 1915 internment policy under the first coalition government was often ambivalent and underwent numerous changes of direction which sometimes caused confusion both in parliament and among those responsible for implementing policy. The second coalition, which assumed power under Lloyd George in December 1916, did not, as many had anticipated, introduce a significantly harsher and more indiscriminate internment policy.

The more than 32,000 enemy alien civilians who were

interned during the war, the vast majority for no other reason than their nationality, were in the main treated humanely and reasonably well fed, although the quality of their diet deteriorated markedly in the last 18 months of the war. While some prisoners were able to obtain better food and accommodation by virtue of their wealth or social standing, few escaped the pervasive problems of boredom, frustration and apathy. Many also had to reconcile themselves to the fact that their families were not only suffering from the severe social pressures of being enemy aliens in a hostile community but were living in destitution.

Of the more than 20,000 enemy subjects who were repatriated, mainly women, children and men over military age, most left voluntarily, but some were compelled to go. Protracted negotiations took place in a series of attempts to arrange mutually agreeable terms for the exchange of British civilians interned in enemy countries and subjects of those countries held ⁱⁿ civilian internment camps in the United Kingdom. The British government, strongly influenced by the advice of the War Office, resisted German proposals for a general exchange. The War Office argued that such an arrangement would give too great a numerical advantage to Germany, who could receive about 10 men for every one returned to Britain and her empire. While repatriation was in many cases a more humane and more economical policy than internment, military considerations and later transport shortages placed considerable limitations on its application.

Those enemy aliens who were not interned or repatriated had significant restrictions placed upon their liberty. In addition to curbs on their legal rights, they were subject to wide-ranging limitations on their movements, place of residence, employment, possessions, and on many other facets of their every-day lives. Certain restrictions also applied to aliens of allied and neutral nationality. From the beginning of the war enemy aliens were required to register with the police at prescribed intervals and were unable to travel more than five miles from their homes without a police permit. They were in principle barred from living in strategically sensitive areas designated as 'prohibited areas', and, in some cities, most notably London, were subject to curfews.

Stringent controls were imposed at the ports and the powers of the Aliens Branch of the Home Office were greatly expanded during the war. Initially controls at many ports, particularly London, fell far short of what the Home Office and the intelligence authorities believed was necessary to secure them against illegal entrants. A series of measures were introduced to improve security arrangements and the growing ranks of aliens officers were backed up by members of the Special Branch and the security service. Enemy aliens could enter the country only through 'authorised ports' and the main strategic harbours were declared 'prohibited'.

Attempts by the government to place enemy aliens, whether interned or at liberty, in work beneficial to the war effort met many difficulties, not the least of which

was the initial resistance of employers and trade unions. Relatively few internees were found worthwhile work but some were able to follow their pre-war occupations in the camps or were released on parole to work in agriculture or other industries short of labour. Most uninterned enemy aliens were ultimately faced with the alternatives of either undertaking work of 'national importance' or fulfilling some form of military service, usually in a non-combatant infantry works unit. A few enemy subjects of the 'friendly' races, almost all Czechs, were permitted to enlist in combatant units.

At the outbreak of the war many British businesses were managed or financially controlled by enemy aliens resident either in the United Kingdom or abroad. Most of these companies were placed under the supervision of Board of Trade managers or their assets liquidated and placed in the safe keeping of government-appointed custodians until after the war. But in attempting to excise enemy influence from British business, the government had to weigh the potential effects on shareholders, employees and, in the case of large organisations, on the nation's economy. It was such considerations which resulted in the survival of the large German controlled merchant bank Schröders despite bitter criticism in parliament. Attempts by enemy aliens to continue in business by changing the names of their companies were discouraged by legislation enforcing the registration of all name changes from the first day of the war.

Many enemy aliens attempted to obtain British nationality after the war began, but few were successful. After November 1916 no enemy subjects were naturalised except British-born widows applying for re-admission to their original nationality. The status of naturalised subjects proved to be a mixed blessing for those born in enemy countries. While they were not subject to the same stringent restrictions or to the internment and repatriation policies imposed on enemy aliens, they were a target of popular suspicion and abuse. Some politicians and newspapers insisted that such subjects were a greater danger to the state than enemy nationals because of their much greater freedom to engage in subversive activity. Some naturalised subjects were, however, interned under article 14b of the Defence of the Realm regulations which applied to persons of hostile origin or association.

This study places special emphasis on the role of the Home Office because of its central responsibility for aliens matters. Its work in this area proved the largest and most complex of its wartime tasks and its operations were often the subject of controversy. No Whitehall department had to endure more criticism and abuse from politicians and the press, much of it patently undeserved. Senior officials of the department, headed by the powerful figure of Sir Edward Troup, Permanent Secretary from 1908 to 1922,⁵ were

5. Joined Home Office 1880 through open competition. The first man to enter the department as a clerk and rise to Permanent Secretary, he was an outstanding administrator whose innovations left a lasting imprint on the department. An absence of private papers has hampered attempts to make a full assessment of his work.

generally of a high calibre and almost certainly exerted a significant influence on the four wartime Home Secretaries, McKenna, Simon, Samuel and Cave, in the development of aliens policy. But while the Home Office was generally recognised as the department most closely concerned with the broad spectrum of aliens affairs, a number of other departments, including the War Office, Foreign Office, Local Government Board, Board of Trade, and the Ministries of Labour and National Service, also had responsibilities for different aspects of the subject.

The position of the War Office was particularly significant because enemy aliens were considered to pose a military threat to national security, as potential spies and saboteurs, and civilian internees were classified as military prisoners of war subject in the same way as combatants to the terms of the Hague Conventions. Some of the consequent responsibilities of the War Office for certain aspects of internment policy and the operation of the civilian internment camps were eventually transferred to the Home Office. Throughout the war the military intelligence authorities, working closely with the police, were concerned with the 'screening' of enemy aliens and the movements and activities of those allowed to remain at large. Relations between the War Office and the Home Office were sometimes strained, particularly during the early war period when there were a number of disagreements and misunderstandings over aspects of internment policy. Some of the difficulties arose over the dearth of senior staff

at the War Office with experience of aliens matters.

In addition to considering inter-departmental relations, the study pays careful attention to the treatment of aliens issues in parliament and, to a lesser degree, the press since they not only reflected the developing pattern of government policy, but also the fluctuations of popular opinion.

CHAPTER ONE

EMERGENCY MEASURES

Long prepared contingency plans to deal with the potential danger from subjects of enemy states living in Great Britain were ready for immediate implementation on the outbreak of the First World War. A brief but highly flexible measure, the Aliens Restriction Bill, was rushed through parliament on the first afternoon of the war, 5 August 1914, and followed immediately by the signing of an order in council giving practical effect to the legislation, and the issue of operational instructions to the police and port authorities responsible for enforcing the new regulations. A round-up of aliens suspected of espionage had begun even before a formal state of war existed.

The passage of the Aliens Restriction Act (ARA)¹ was a notable landmark in the history of British aliens controls since it finally swept away the vestiges of the traditional laissez faire approach which had generally prevailed during periods of peace, had flourished during the 19th century, and was not wholly destroyed by the ill-conceived Aliens Act of 1905.

The ARA, based on a blueprint prepared by the Committee of Imperial Defence (CID),² was the keystone of

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1. See appendix I.
 2. The CID was formally established in May 1904. Chaired by the Prime Minister, its membership included cabinet ministers with particular responsibility for aspects of defence and senior departmental officials. The CID was suspended during both world wars and finally wound up in 1946.

Britain's aliens policy throughout the war. It largely superseded the 1905 Aliens Act and, together with powers under other legislation not primarily concerned with aliens, notably the Defence of the Realm Acts (DORA)³ and the Official Secrets Act of 1911,⁴ and also the common law,⁵ provided the government with a formidable armoury of legal weapons to restrict or remove the liberty of aliens. Both the ARA and DORA were framed in very general terms to provide flexibility in making orders, and each spawned a flood of regulations as controls over aliens, and also the general population, progressively increased during the war. Other wide-ranging restrictions and obligations were also imposed on aliens under legislation concerned with nationality and citizenship, employment, military service and trade. The practical applications of these various measures will be examined at appropriate points in following chapters.

This chapter is in the nature of a prologue, being primarily concerned with the evolution and implications of the critical emergency measures introduced at the beginning of the war, and the historical precedents and influences which helped shape them. A consideration of the

3. 4 & 5 Geo. 5, c. 29.

4. 1 & 2 Geo. 5, c. 28.

5. The common law was sometimes obscure on the subject of admission of aliens, but gave the government wide powers in time of national emergency which could be applied to the control of aliens.

historical aspects of the aliens question, particularly with regard to the decades immediately preceding the war, is also important to an understanding of the hostile attitudes and reactions of the British people to enemy aliens during the war.

If the essential details of wartime aliens control policy were worked out in the years immediately preceding 1914, its fundamental philosophy was much more deeply rooted in history. The entry, assimilation and control of aliens has been a subject of recurring conflict and controversy for centuries and British policy has ranged between harsh restrictions in times of war, international tension or severe economic difficulties to almost casual indifference during periods of peace and prosperity.

The principal motivation of most immigrants has been to seek economic betterment, or to find a haven from religious persecution. Sometimes, depending on his origins and skills, the alien has been welcomed; at others, as during the First World War, he has found himself a virtual outcast. But the economic and cultural contribution of the alien immigrants to British society has clearly been incalculable and there can be little doubt that they have made their adopted country 'a richer, economically more advanced, more cultivated and livelier place.'⁶ The gradual process of assimilation has meant, however, that the skills and labours of the majority of immigrants have gone largely unnoticed and unappreciated, and have sometimes even been

6. Charles Wilson, introduction to W. Cunningham, Alien Immigrants to England, (1897), p. xxii.

treated with disdain.

When we consider how much we have gained from aliens, we cannot but admire the calm sense of superiority which Englishmen have always exhibited towards their teachers.⁷

It is probably true that the native Briton's attitude to the alien has always been tinged with apprehension if not fear, which has sometimes turned into unreasoning hatred and violence. For a nation whose people are 'clearly among the most ethnically composite of Europeans'⁸ the British have sometimes shown themselves, as they did in 1914-18, to possess a remarkably virulent strain of xenophobia. Yet the most dedicated xenophobe is virtually certain to be descended from alien stock, and more than one historian has pondered the question of when the invader or settler of the past might be said to have ceased to be an alien and become a native. If it was thought to have any value to select an arbitrary date before which alien arrivals might be considered natives, it would 'surely precede the Norman conquest, when there was already a dim sense of nationality among the people.'⁹

As an island nation Britain has been in a strong position to impose immigration controls, and most of the familiar aspects of control - passports, visas, registration, naturalisation and deportation - were applied long before

7. Cunningham, op. cit., p. 264.

8. J. Geipel, The Europeans: An Ethnohistorical Survey (1969), pp. 163-4.

9. Cunningham, op. cit., p. 3.

they became enshrined in the various aliens statutes.¹⁰

The subject of wartime aliens control did receive some attention in a number of treaties between Great Britain and other countries from the seventeenth century onwards which attempted in the main to deal with aliens fairly and humanely.¹¹ Generally they were allowed to continue their residence unmolested or to leave if they wished, taking their possessions with them. A period of grace was usually allowed to enable them to wind up their affairs before departing.¹² It became almost a rule of international law to allow departure to their own countries of all enemy aliens who were not combatants, either active or reservists, in the enemy forces.¹³ With the notable exception of Napoleon's detention of Englishmen in the French Empire after England's declaration of war against France in 1803, wholesale internment of enemy aliens was not a feature of wars during the nineteenth century. These historical precedents were taken into account by the sub-committee of the C I D which was established in March 1910 under the chairmanship of the then Home Secretary, Winston Churchill, to draw up contingency plans for control of aliens in time of war or national emergency.

10. L.F. Field, 'Ten Centuries of Aliens Control', unpublished collection of notes, undated, HOR.

11. Unsigned article, 'The Treatment of Aliens', Quarterly Review, vol. 224, 445, Oct. 1915, pp. 415-25

12. See C.F.C Oppenheim, International Law (1950), pp. 306-7.

13. Lord McNair and A.D. Watts, The Legal Effects of War, (Cambridge, 1966), p. 76.

Probably the most useful precedents from the sub-committee's point of view were the aliens control measures imposed under legislation enacted during the war with France.¹⁴ The important 1793 Aliens Act,¹⁵ passed at a time when the threat of invasion by the French hung over England, gave the Secretary of State the authority to expel aliens, imposed on each foreigner the legal responsibility to register with the authorities and provide good and acceptable reasons for their presence, and established a formal passport system. Even after the Peace of Amiens in 1802 Britain did not allow the wartime controls to lapse. Following the resumption of the war in May 1803 the government stepped up the severity of the restrictions and, in August, with invasion a distinct danger, measures were introduced to provide wider powers to deport and imprison aliens and to impose stricter registration requirements, a ban on the possession of firearms, and powers to search the homes of aliens.¹⁶ But these measures and a battery of controls over the landing, departure and movement of aliens within the country, were essentially temporary and were rapidly eased after 1815. The final vestiges of the wartime control legislation were removed by the Registration of Aliens Act of 1836.¹⁷ Penalties under that measure were relatively minor; there was no power of expulsion in peace-

14. CAB 17/90.

15. 33 Geo. 3, c. 4.

16. 43 Geo. 3, c. 155.

17. 6 & 7 Will. 4, c. 11.

time, except on specific criminal charges, and little supervision of alien residents. Later measures brought a further easing of controls, and even during the Crimean War Russian subjects were permitted to continue living and working in Great Britain without disturbance. British nationals were similarly allowed to remain in Russia if they wished, although those living in the vicinity of strategic ports were compelled to move inland.

Even if a host country is initially generous in its treatment, however, the enemy alien in wartime remains highly vulnerable to the caprice of politicians and the vagaries of public opinion. The alien's first reaction is often to try to secure his position by applying for naturalisation. Even that status, however, failed to protect many people of enemy origin from harassment and abuse in Britain during the First World War.

Thousands of European refugees became British subjects in the decades before the war under the terms of the Nationality Act of 1870,¹⁸ but the sheer size of the influx of foreigners quickly began to undermine the liberal climate in which the act had been conceived. The subject of immigration became a progressively more emotive political issue with powerful anti-semitic undertones. The xenophobia and racialist attitudes which helped foment the violent reaction against enemy aliens during 1914-18 were nurtured in the decades before the war when fears of an 'alien

18. 33 & 34 Vic. c. 14.

invasion' and of 'dumping' of 'undesirables' by other European countries were rife. The public outcry against unrestricted immigration, which rapidly gained momentum after 1880, was based partly on the genuine concern of British workers that their livelihoods were being threatened by 'cut-price' alien workers, partly on misinformation based on a dearth of accurate statistics, and inflamed by anti-alien propaganda, much of it racially inspired.¹⁹ Defenders of the traditional liberal aliens policy frequently got the worse of the propaganda battle, and it became clear towards the end of the 19th century that the government would almost certainly be forced to impose radical legislative restrictions on immigration. While international law seemed clearly to give a nation the right to bar the entry of large numbers of aliens,²⁰ the leading restrictionists were less concerned with world opinion or legal niceties than with what they saw as the economic, social and even biological objections against alien immigration.

The restrictionists remorselessly exploited the fears of British workers that mass immigration threatened their jobs, depressed wages and held back improvements in working

19. See B. Gainer, The Alien Invasion: The Origins of the Aliens Act of 1905 (1972); J.A. Garrard, The English and Immigration, 1880-1910 (Oxford, 1971), and L.P. Gartner, The Jewish Immigrant in England, 1870-1914 (1973).

20. A valuable study of the alien in relation to international law is contained in G.S. Goodwin-Gill, International Law and the Movement of Persons Between States (Oxford, 1978).

conditions. There were undoubtedly some cases where foreign workers were prepared to tolerate low pay and poor working conditions, but it seems clear that the problem was substantially exaggerated by those seeking more stringent immigration controls.

Perhaps the most insidious argument of the restrictionists was the Social Darwinist contention that allowing in 'inferior stock' would lead to degeneracy of the native population, which was often coupled with warnings against 'mixed marriages' and calls for sterilization of unfit aliens.²¹ The biological arguments were often associated with sociological objections that alien immigrants fostered lower moral standards in the communities in which they settled.

The alien, notwithstanding many virtues, seems to bring a sort of social contagion with him which has the effect of seriously deteriorating the life of those who are compelled to be his neighbour... the neighbourhood in which he settles speedily drops in tone, in character and in morals.²²

Even Sir Edward Troup, the generally moderate Permanent Secretary at the Home Office during the First World War, whose career in the department began in 1880, believed that the habits of alien workers 'had a demoralising effect in the crowded areas in which they settled.'²³ But clearly the

21. See Gainer and Garrard, op. cit., for discussion of the activities of such Social Darwinists as Arnold White, Robert Reid Rentoul, Francis Galton and F.W. Headley.

22. Rev. G.S. Reaney, 'The Moral Aspect', in A. White (ed.), The Destitute Alien (1892).

23. Sir Edward Troup, The Home Office (1925), p. 142.

aliens did not create the social conditions for which they were popularly blamed; their accusers confused cause and effect. Despite the absence of proof it became a widely accepted generalisation that aliens were at the root of most of the nation's vice. It was a myth that died hard, and as late as 1919 a member of parliament could assert,

Vice ! Why aliens are at the bottom of one half, at least, of the vice of this Metropolis and of this country. The white slave traffic, unnatural vice, the exploitation of English girls whom they marry, and then live upon the proceeds of their prostitution; the brothel keepers who are too clever to be caught, because they keep in the background; the people with gambling hells who lead young men to destruction, and who bring in such horrible practices as doping and unnatural offences - that is the sort of atmosphere that has been introduced into this country by these people.²⁴

The actual level of criminality among aliens is difficult, if not impossible, to assess from statistics available up to the early years of this century. The only relevant figures are those relating to aliens imprisoned, and, as the Home Office later admitted, these were 'in reality no more than a skeleton index.'²⁵ This source indicates that the number of aliens in prison rose steadily from 1893 (the first year for which figures are available) to 1904, when the total reached 4,396, or 2.2 per cent of all prisoners. If the population figures from the 1901 census are used in conjunction with prison statistics for that year, it appears that 1.22 per cent of the alien population served prison sentences compared to only 0.75 per cent of the native population. On closer examination this comparison,

24. Sir E. Wild, 114 HC 5s, 2778, 15 Apr. 1919.

25. HO 45/10641/206332/2.

which provided useful ammunition for the restrictionists, can be seen to be significantly misleading. The percentage figure for natives who served prison sentences was based on the entire population, men, women and children; that for aliens was derived from the number of aliens returned as such in the census, which was not only incomplete for adults, but did not include children born to resident aliens. Such children were recorded in the census as members of the native population. After 1904 the number of aliens in prison declined consistently (with the exception of a slight upturn in 1908) due in large measure to the effects of the Aliens Act of 1905 under which many aliens convicted of criminal offences were expelled from the country.

While the lack of accurate evidence did not inhibit the propaganda of the restrictionists, it was a distinct handicap to the moderate politicians attempting to present a truer picture of the scale and effects of alien immigration. It was not known precisely how many aliens were living in the country or how many were arriving each year to settle permanently. The figures provided by the 10-yearly censuses must be treated with caution since, for a variety of reasons, many aliens did not declare themselves as such.²⁶ But apart from the somewhat rough and ready records of alien traffic into and out of the country compiled by the Board of Trade on the basis of information voluntarily provided by shipping lines, the censuses

26. HO 45/10641/206332/2. The Royal Commission on Alien Immigration, which reported in 1903, viewed the censuses of 1881, 1891 and 1901 as incomplete and untrustworthy (Cd. 1741).

were the only official guide to the growth of the alien population in the critical quarter of a century after 1880. The number of foreigners enumerated in the censuses from 1871 to 1911 showed a consistent rise, with the most dramatic surge in the decade after 1881.²⁷

Foreigners born abroad			
Census	No.	Increase %	Per 1,000 of total pop.
1871	100,000	19.7	4.4
1881	117,999	17.3	4.5
1891	198,113	67.9	6.8
1901	247,758	25.1	7.6
1911	284,830	15.0	7.9

Whatever the precise increase in the alien population in the late 19th century and its effect on the social and economic welfare of the nation as a whole, the government clearly could not ignore the popular fears of an 'alien invasion'. The mounting clamour for controls resulted in the Royal Commission on Alien Immigration, chaired by Lord James of Hereford, which reported in August 1903.²⁸ The deliberations of the commission were the subject of heated debate in the country and two of its members, Lord Rothschild and Sir Kenelm Digby, Permanent

27. Census of England and Wales, vol. IX, table XI (Cd. 7017)

28. Cds. 1741, 1742, 1743.

Secretary at the Home Office, wrote a minority report opposing the restrictions proposed by their colleagues. The controversial but not unexpected sequel to the James Commission was a bill designed to curb the entry and facilitate the removal of 'undesirable' aliens. Socialist groups condemned the measure on ideological grounds while the Liberal Party was divided both over its moral and practical implications. Many Liberal politicians, particularly those whose constituencies had high alien populations, adopted a cautious and often ambivalent position, but some, including Dilke and Churchill, offered uncompromising and eloquent opposition. Churchill saw the bill as an attempt by the Conservative government to gratify a small but noisy section of their supporters and to buy popularity in the constituencies by dealing harshly with a minority which had no voting power. In a letter to 'The Times', Churchill wrote,

It will commend itself to those who like patriotism at other people's expense and admire imperialism on the Russian model. It is expected to appeal to insular prejudice against foreigners, to racial prejudice against Jews and to labour prejudice against competition; and it will no doubt supply a variety of rhetorical phrases for the approaching election...²⁹

A fundamental aim of the bill was clearly to keep out East European immigrants whose number included a substantial percentage of Jews. Its passage, albeit in a much revised form, gave the country a system of aliens controls which was blatantly class and racially oriented.

29. The Times, 31 May 1904.

The legislation not only represented a government bowing to popular prejudice, but a nation that had lost much of the confidence of the years of vigorous imperial expansion and prosperity.

The 1905 Aliens Act provided the formal basis of Great Britain's aliens policy up to the outbreak of the war and bequeathed much of the organisational structure on which the wartime system of controls was established. The act differed from the last major aliens control legislation, during the Napoleonic period, in that it was concerned essentially with the entry and removal of aliens rather than with their activities and movements within the country. Also, unlike most previous aliens statutes - those of 1826 and 1836 were exceptions - the 1905 act was a permanent measure rather than one introduced for the duration of a war or national emergency. The main avowed purpose of the act was to bar the entry of 'undesirable' aliens, ie criminals, persons suffering from mental or chronic physical diseases, and those likely to become a public charge. There were also powers to deport aliens who engaged in crime or were found to be destitute, and provision was made for the regulation of transmigrant traffic and the collection of statistics on alien passengers entering and leaving the United Kingdom. The legislation made one notable concession to liberal consciences by enshrining the principle of asylum:

...any arrival who proves that he is seeking admission to this country sole to avoid persecution or punishment on religious or political grounds, or for an offence of a

political character, or persecution, involving danger of imprisonment or danger to life and limb, on account of religious belief, leave to land shall not be refused on the ground merely of want of means, or the probability of his becoming a charge on the rates.³⁰

In March 1906 Herbert Gladstone, the Home Secretary, advised immigration officers and the immigration appeal boards established under the act that,

...in all cases in which immigrants coming from parts of the continent which are at present in a disturbed state, alleging that they are flying from political or religious persecution, the benefit of the doubt will be given.³¹

Campbell-Bannerman's government inherited with little relish the task of launching the new regulations, and as one scholar has noted, Gladstone 'advanced upon the Aliens Act with a demeanour that was at once resigned, contemptuous and patronising.'³² Senior officials at the Home Office also had grave misgivings about the legislation and Troup condemned it as 'from the administrative point of view one of the worst Acts ever passed.'³³ Whitehall civil servants and port officials never had any illusions that the new regulations would provide a realistic bar to an alien, however undesirable, who was determined to enter the country. Only those arriving steerage class on vessels carrying more than 20 passengers were subject to inspection at the 14

30. Section 1(3), Aliens Act of 1905.

31. HO 45/10641/206332/2.

32. Garrard, *op. cit.*, p. 103.

33. Troup, *op. cit.*, p. 143.

'immigration ports' designated under the act.³⁴ Nearly 80 other ports also received some immigrant arrivals but had no formal machinery for inspection. although statistics were recorded. Clearly the door was open to any alien who was able to raise the fare to travel in a class above steerage or who could find a berth on a ship with a passenger complement under 20, or who arranged to arrive at a port without inspection arrangements. The only alternative in the view of one Home Office official was

...the perfectly inconceivable plan...of subjecting every single passenger, or indeed every single passenger who may be suspected of being an alien, to a rigorous examination and process of identification on his arrival in this country.³⁵

The imposition of the new regulations at the ports proved a frustrating task for the new corps of immigration officers, recruited mainly from the customs and excise service. Not only were the controls riddled with loopholes, but the officers found their decisions frequently overruled by the immigration boards established to hear appeals from excluded aliens. It was common practice for a board to allow aliens in on the strength of promises of employment by the aliens' friends or relatives, even where an immigration officer had decided there were strong grounds for exclusion. There were inconsistencies in the rulings of the boards in different areas, variations in procedures, and frequently

34. The designated ports were Cardiff, Dover, Folkestone, Grangemouth, Grimsby, Harwich, Hull, Leith, Liverpool, London, Newhaven, Plymouth, Southampton and the Tyne ports.

35. Memo., J. Pedder, 2 Feb. 1911, HO 45/10641/206332/2.

lengthy delays in dealing with cases. Where the decisions of immigration officers were reversed by the boards the Home Secretary had no power to intervene. In practice the activities of the boards 'made enforcement of the restrictions almost impossible.'³⁶ Despite its obvious deficiencies and their dislike of the act, Home Office officials believed that it was instrumental in keeping out a considerable number of destitute aliens and that it had 'a great effect in excluding disease.'³⁷ The legislation also facilitated the expulsion of a number of aliens convicted of criminal offences or who became a public charge and made it possible to maintain more accurate records of the movement of aliens into and out of the country, although it was not until 1908 that a statutory duty was placed on masters of ships to provide a return of passengers carried.³⁸

An excess of arrivals over departures between Great Britain and Europe was matched by an opposite pattern in movements between the UK and other parts of the world, principally North America. The majority of all arrivals were transmigrants en-route to other countries, visitors, tourists and alien residents returning from abroad. It has been estimated that the balance of alien immigrant settlers over alien residents leaving the country was between 20,000

36. Troup, op. cit., p. 143.

37. HO 45/10641/206332/2.

38. This duty was imposed under the Merchant Shipping Act of 1906. Before Apr. 1912 returns did not distinguish between immigrants and emigrants.

and 30,000.³⁹ The absence of any formal system of registration rules out any precise assessment of changes in the size, geographic distribution and ethnic composition of the alien population before the First World War. There is little doubt, however, that, notwithstanding popular fears of the country being 'swamped' by aliens, both before and after the passage of the 1905 Aliens Act, the proportion of aliens to the total population was lower than in many other Western European countries and a fraction of that in the United States. During the first three decades of this century the number of aliens and naturalised British subjects remained below one per cent of the total population.⁴⁰

Britain remained essentially a country of emigration rather than immigration,⁴¹ and the general effect of the 1905 Aliens Act can hardly have significantly affected this traditional pattern. Troup believed that 'undoubtedly some effect was produced in the direction of stopping the mass immigration of aliens, however easy it was for individual undesirables to evade requirements,⁴² and Gartner has

39. Return of passenger movements from and to the UK by the Board of Trade, 13 Jan. 1915; tables compiled by the Board relating to emigration and immigration from and into the UK, issued 25 June 1914. See also HO 45/10641/206332/2.

40. See J. Isaac, 'The United Kingdom', in O. Handlin (ed.), The Positive Contribution of Immigrants, UNESCO.

41. P.E.P., Population Policy in Great Britain (1948) estimates that not less than 17 million people left the British Isles in the century up to the First World War.

42. Troup, op. cit., p. 144.

suggested that the effect of the legislation was more psychological than legal with many potential immigrants being deterred from coming to Britain. The reduction in immigration during the decade before the war was, he believed, greater than the terms of the act warranted.⁴³

It was shown in practice to be a crude, badly designed measure, which moved one former senior member of the Immigration Service to write that the war, 'which put a stop once and for all to this tragic farce, came almost as a welcome relief.'⁴⁴ For all practical purposes the 1905 act, although remaining on the statute book until 1919,⁴⁵ was supplanted by the Aliens Restriction Act passed at the beginning of the war.

In the short term the 1905 measure may have helped abate fears of an alien invasion, but it did little to diminish the racialist and xenophobic sentiments which had been a significant factor in forcing the government to introduce the legislation. Anti-semitism and hostility towards German subjects continued to mount in the immediate pre-war years. Traditional cultural ties and the links between the British and German royal families were not strong enough to halt the deterioration in Anglo-German relations and the souring of British public opinion towards a nation seen increasingly as a threat and a potential enemy. The principle developments which contributed to this

43. Gartner, op. cit., p. 279.

44. T.W.E. Roche, The Key in the Lock: Immigration Control in England from 1066 to the Present Day (1969), p. 78.

45. The act was repealed by Section 16 (2) of the Aliens Restriction (Amendment) Act of 1919.

dangerous trend were Germany's growing ambition as a trading nation, its naval building programme, suspicions that it was using Britain as a dumping ground for unwanted aliens within its empire, notably Poles, and the belief, not without foundation, that efforts were being made to establish a German espionage network in this country. According to Haldane, who served as War Minister from 1905 to 1912, the Germans had 'a most highly organised and systematic arrangement for obtaining secret information...not for a few months but for years before the war.'⁴⁶

The jingoists and Germanophobes found a responsive audience in the immediate pre-war period, and their shrill warnings were encouraged and augmented by such popular fictional works as William Le Queux's 'The Invasion of 1910' published in 1906 and 'Spies for the Kaiser: Plotting the Downfall of England' (1909). The former book, serialised by the 'Daily Mail', depicted German forces invading England and being helped by fellow countrymen who had entered the UK in earlier years, found work and established themselves as members of the community. As one contemporary observer noted, the dread of spies during that period came to be 'one of the commonest manifestations of the suspicious neurotic temper of nationalism which took possession of the countries of the West.'⁴⁷

The question of espionage both as a prelude to war

46. 18HL 5s., 48, 11 Nov. 1914. See CAB 16/8 X/M 07297 for account of the work of the Committee on the Question of Foreign Espionage in the UK set up in 1909 under Haldane's chairmanship.

47. C.E. Playne, Society at War 1914-1916 (1931), p. 265.

and after its outbreak, and the ostensibly related question of aliens control in wartime, were given increasing priority by the contingency planners of the Committee of Imperial Defence with the appointment of the Aliens Sub-Committee in March 1910. It was accepted that powerful new legislation would be required in the event of war because the 1905 act was principally concerned with exclusion of 'undesirables' and, in the view of the War Office, was 'of little or no value for the purpose of national defence.'⁴⁸ Moreover the Crown possessed no statutory powers to deal with resident aliens who were considered a danger to the community unless there was evidence which would bring them under the provisions of the law of treason.

Reports were constantly being received by the War Office about alleged suspicious conduct of German subjects who appeared to be reconnoitring in minute detail those parts of Britain most suitable for landing invasion troops. Germans were to be found in places which afford facilities for obtaining early information on the movement of ships. The military authorities noted such examples as a German manager of a hotel which commanded the entrance from the west to Spithead and the Solent; a German waiter, who was an artillery reservist, at a hotel overlooking Dover harbour, and a German photographer at Sheerness.⁴⁹ To provide what it considered adequate safeguards the War Office recommended that,

48. Memo., WO to CID, 20 Apr. 1910, CAB 17/90.

49. Ibid.

- i) The Official Secrets Act of 1889 should be amended to give power of arrest without previous reference to the Attorney-General, and power to search.
- ii) All aliens arriving in Great Britain should be registered.
- iii) Powers similar to those contained in the Aliens Act of 1803 should be provided for use in wartime.⁵⁰

Most of the War Office's proposals were in line with thinking at the Home Office, but an important question on which the departments diverged was that of registration of aliens. The Home Office view was that if, as the War Office suggested, all aliens were registered as they entered Britain it would impose 'an enormous and useless task.' Only a relatively small proportion of the estimated 500,000 - 600,000 arrivals each year settled in the country and registration would not enable the authorities to trace them afterwards since many of them did not know in advance where they would permanently settle. Moreover registration of all alien arrivals would hamper ordinary traffic to an intolerable degree, particularly at channel ports. The Home Office also believed that a general register of aliens for the whole country was unnecessary and that it would be impossible to compile without incurring expense far greater than was justified by the potential value of such a list. All that was required was for the government to have the power to order the registration of aliens or of persons of a particular nationality if the circumstances warranted such action.⁵¹

50. Memo., WO to CID, 20 Apr. 1910, CAB 17/90.

51. Memo., HO to CID, 23 May 1910, CAB 17/90.

The Home Office considered that on the outbreak of war 'There would be great advantage in getting rid at once from the country all adult males belonging to the enemy and capable of creating or taking part in disturbances.' Failing this, it might, in the event of invasion, be desirable to require enemy aliens to reside in specially designated areas under police protection. It was felt that the large concentration of aliens in London would cause special problems, and that it would simplify maintenance of public order in the capital if, within three days of the outbreak of war, all adult enemy aliens were required to leave the area. Permits could be granted in special cases of persons of long residence who could obtain three or more British subjects to act as sureties.⁵² Sir Edward Henry, Commissioner of the Metropolitan Police, vigorously supported the Home Office recommendations.⁵³ More than half of Britain's alien population lived in London, with the heaviest concentration in the East End boroughs. Outside the County of London aliens were located mainly in the surrounding suburbs, the larger industrial centres, major seaports and south coast towns.⁵⁴ Russians (including Russian Poles) formed the largest single ethnic group, followed by Germans, French and Italians. These four countries accounted for two-thirds of the 285,060 foreigners in England and Wales enumerated in the 1911 census.⁵⁵

52. Memo., HO to CID, 23 May 1910, CAB 17/90.

53. Henry to CID, 3 June 1910, CAB 17/90.

54. See appendix III.

55. Census vol. IX, table XIV (Cd. 7017)

No very accurate figure is available of the number of foreigners living in the United Kingdom when the war began who were subjects of Germany and her eventual allies.⁵⁶ There was no official or comprehensive system of registering aliens before the war and after 1914 conflicting figures were sometimes given by ministers and used by officials in departmental documents. The most up to date official figures were those from the 1911 census, which recorded the presence of 53,525 Germans, 14,750 Austro-Hungarians and 2,428 Turks. The precise number of Bulgarians is not known because they were grouped in the census with residents of other Balkan countries, but it could not have exceeded a few hundred.⁵⁷ Not all aliens included in the census were necessarily permanent residents and some undoubtedly left Britain during the immediate pre-war period. Taking account of the figures announced periodically by the government during the war of the number of enemy aliens interned, repatriated and at large, it seems probable that at the outbreak of the war there were between 70,000 and 75,000 Germans, Austro-Hungarians, Turks and Bulgarians living in Britain, excluding British-born women married to subjects of those countries (between 10,000 and 11,000) and children under the age of 14. It is estimated that 75 per cent of the total were Germans and about 21 per cent Austro-Hungarians.

56. Great Britain declared war on Germany 4 Aug. 1914; Austria-Hungary 8 Aug. 1914; Turkey 5 Nov. 1914, and Bulgaria 19 Oct. 1915.

57. Cds. 6663, 7017 and 7163.

The case for stringent wartime controls over aliens was readily endorsed by the CID Aliens Sub-Committee, and in July 1910 they recommended that:

- i. A bill should be drafted to deal with aliens in time of grave national danger.
- ii. Regulations should be made regarding registration and surveillance of aliens in certain naval and military centres in peacetime.
- iii. The Admiralty and War Office should define those centres.
- iv. The Admiralty and War Office should formulate a scheme to carry out the sub-committee's recommendations.⁵⁸

The military departments did not, however, feel competent to carry out the tasks suggested by the sub-committee and the work was done by the Home Office.⁵⁹ The first draft of the proposed bill was unveiled on 3 March 1911 and it included provisions for the registration of aliens, inspection of all ships bringing aliens to the country, increased powers to expel convicted aliens, a ban on the possession of firearms without police or court permission, and the authorisation of house searches for firearms. These provisions formed the basis of the Aliens Restriction Act of 1914 and its accompanying order in council. Other bills drafted in 1911 and largely subsumed in the 1914 statute were an Aliens Removal Bill, which gave a general power to the government to expel all aliens from the country and prohibit them from entering during time of war or national emergency, and an Aliens (Restricted Areas) Bill designed to provide safeguards against possible dangers from

58. CAB 17/90.

59. Ibid.

foreigners in areas where military and naval bases were located.

While the legislative ground work for wartime aliens controls was being prepared the War Office and the police concerned themselves with the work of counter-espionage, using the extended powers provided under the Official Secrets Act of 1911. An unofficial register of aliens was compiled by the Military Operations Directorate of the War Office with the assistance of the police, identifying those who were considered actual or potential spies. Suspect aliens were kept under surveillance until 'cleared' or designated as likely to prove dangerous in wartime. In the latter case they were placed on a list of persons against whom 'special action' would be taken when the need arose and their movements and activities continued to be carefully monitored.⁶⁰ The War Office warned the police that

...Continental Secret Service Departments spare neither trouble nor money in acquiring information and intelligence on all manner of subjects, and ... matters which to many might seem hardly worthy of consideration, are studied by them in the minutest detail.⁶¹

In addition to gathering personal information on aliens the police were asked by the War Office to supply details of foreign-owned or controlled factories or businesses in which the majority of employees were foreign, specifying the position of the works, particularly in relation to their access to railways or other forms of communication and their

60. CAB 17/90.

61. Confidential circular, WO to chief constables, Oct. 1912, CAB 17/90.

general strategic value.⁶²

By July 1913, as a result of the unofficial registration project, which had not been made public because of the government's fear of offending sensitive liberal consciences, the War Office (MO 5g) had details of nearly 29,000 aliens in its records, including 11,000 Germans and Austro-Hungarians, and several aliens had been brought to trial on charges under the Official Secrets Act.

Detailed recommendations, taking account of the views of the Whitehall departments concerned, were presented by the CID to the government in August 1913. The proposals, drafted by the Aliens Sub-committee, headed by the Home Secretary Reginald McKenna,⁶³ suggested that all enemy aliens except those definitely suspected of espionage should be allowed to leave the country in the event of war, and they should be given a period of grace in which to do so. Compulsory expulsion or internment were not proposed, but resident aliens would be registered and subject to restrictions as to their place of residence, their movements outside their home areas and possession of such items as fire-

62. Secret circular, WO to chief constables, Oct. 1912, CAB 17/90.

63. McKenna (1863-1943) was a Liberal MP 1895-1918. Served at Treasury, Board of Education, Admiralty before becoming Home Secretary in October 1911. He served as Chancellor of the Exchequer from May 1915 until December 1916 and lost his parliamentary seat at the 1918 general election. He became chairman of the Midland Bank in 1919 and held the post until his death.

arms and motor cars.⁶⁵

Neither the CID nor Asquith's cabinet envisaged a punitive regime of controls but, given the size of the alien population, the pattern of Anglo-German relations during the pre-war years, and the strength of anti-German feeling in the country, it was perhaps inevitable that the fairness and moderation generally shown towards enemy aliens in the past would be difficult to sustain in the war which threatened. It was clear that the government would lack neither popular support nor strong legal powers to back whatever action it decided was necessary to control the alien population. In the event scant regard was paid to past international practice and, in addition to the imposition of wide-ranging restrictions on all enemy aliens, a policy of wholesale internment of enemy alien men of military age was eventually introduced.

The Aliens Restriction Act passed on 5 August 1914, although it ignored the subject of internment, gave the Asquith government a virtual carte blanche in aliens matters, enabling

His Majesty in time of war or imminent danger of great emergency by order in council to impose restrictions on aliens and make such provisions as appear necessary or expedient for carrying such restrictions into effect.

In the powers it conferred on the Home Secretary the measure closely resembled the Aliens Act of 1793, which also was designed specifically to cope with a period of national emergency. The only significant points of difference were

65. WO 32/5368/0103/3757

that enforcement of the earlier statute was, in the absence of an organised police service, left to magistrates, and an expelled alien who returned was liable on first conviction to transportation and on a second to capital punishment.⁶⁶

The objects of the 1914 act were effected by an order in council (Aliens Restriction Order),⁶⁷ which was divided into three parts; the first related to restrictions to be imposed on aliens entering and leaving the United Kingdom; the second was concerned with controls over alien residents, and third dealt with penalties for contraventions of the order, provided for the arrest of such offenders without warrant by the police or aliens officers, and contained supplementary provisions. Initially all subjects of the German Empire were designated as alien enemies and all other aliens, until otherwise notified, as alien friends. The Aliens Restriction Order contained different provisions for the two classes of aliens.

Despite the formidable powers it gave to the executive, the Aliens Restriction Act passed virtually without challenge through parliament. Only two MPs indicated concern at the implications of the legislation and no peers attempted to interrupt its progress through the House of Lords. Sir William Byles (Labour) interjected twice during the introduction of the bill by McKenna to express reservations that dangerous powers would be placed in the

66. Troup, op. cit., pp. 21-22 and 142.

67. See appendix II.

hands of the Home Secretary,⁶⁸ and Joseph King (Liberal) pointed out that there was 'a great deal of apprehension' among German subjects with whom he was acquainted, some of whom had lived in Great Britain for many years.⁶⁹ McKenna assured the House of Commons that the legislation would continue in effect only as long as the war or 'a state of national danger or grave emergency' existed. The fundamental aim, he said, was to restrict as far as possible the opportunities for enemy aliens to engage in subversive activities. There had been numerous cases of espionage in the immediate pre-war years, and in the previous 24 hours 21 spies or suspected spies had been detained in various parts of the country. The arrests occurred chiefly in important military or naval centres, and some of those taken into custody had been known to the authorities to be spies long before the war (As far as can be ascertained, however, only one of those arrested was brought to trial and it seems possible that lack of sufficient evidence deterred the government from prosecuting the others.⁷⁰) While the aliens restriction legislation was designed to impose stringent controls over those thought to pose a threat to the security of the state, McKenna said the government intended to cause as little inconvenience as possible to friendly aliens.

68. 65HC 5s., 1990, 5 Aug. 1914.

69. Ibid., col. 1989.

70. See D. French, 'Spy Fever in Britain 1900-1915', The Historical Journal, vol. 21, 2, 1978, pp. 355-70.

Alien enemies against whom there is no reason whatever to suppose that they are secretly engaged in operations against this country will be subjected to nothing further than registration and provisions that they may not live in prohibited areas.⁷¹

McKenna's speech was interspersed with cheers and, during, his reference to the arrest of spies, one member shouted 'they ought to be shot.'⁷²

The rapid and easy passage of the Aliens Restriction Act through both houses of parliament was matched by that of the Defence of the Realm Act which was passed on 8 August. Like the Aliens Restriction Act, DORA was prepared before the war by the CID in consultation with the appropriate Whitehall departments. It was designed specifically

- i. to prevent persons communicating with the enemy or obtaining information for that purpose or any purpose calculated to jeopardise the success of the operations of any of His Majesty's Forces or to assist the enemy; and
- ii. to secure the safety of any means of communication, or of railways, docks or harbours.

The brief statute, which provided the foundation for more detailed successors, gave the government virtual powers of martial law and in effect suspended civil rights. The act was strictly a wartime measure which employed military principles. It provided for trial by court martial and punishment by penal servitude for life (but not by death) of offenders against some regulations.

71. 65HC 5s., 1989, 5 Aug. 1914.

72. The Times, 6 Aug. 1914.

There is little doubt that Asquith, McKenna and most of their cabinet colleagues saw the emergency controls over aliens as a regrettable necessity to be applied with fairness and humanity in the national interest for the duration of the war, after which, like similar measures in the past, they would be discarded. Then, although restrictions over the entry and powers to expel 'undesirable' aliens would remain, there would be a return to something like the liberal and humanitarian policy which had generally characterised Britain's approach to aliens policy in past periods of peace and prosperity. The reality was to prove harshly different, with considerations of political expediency coming increasingly to dictate policy. However sincere the Asquith government may have been in their assurances as to the limitations of the emergency legislation and its temporary nature, future developments were to belie their words. Thousands of harmless enemy aliens were interned, restrictions over aliens allowed to remain at liberty were progressively tightened,⁷³ and, far from being discarded at the end of the war, the Aliens Restriction Act was adapted and strengthened.⁷⁴

73. The extension of controls is reflected in 27 amendments to the original Aliens Restriction Order made on 5 Aug. 1914. Amendments to the order were supervised by the Aliens Restriction Sub-committee appointed by the CID under the chairmanship of Troup. Members included representatives of the Home Office, War Office, Admiralty, Board of Customs and Excise and the Metropolitan Police. Lt. Col. Sir Maurice Hankey, Secretary of the CID, was secretary.

74. The Aliens Restriction (Amendment) Act of 1919 continued and extended the government's powers under the 1914 act.

CHAPTER TWO
INTERNMENT POLICY

The Asquith government's initial approach to the question of interning enemy aliens was tentative and ambivalent. In so far as a policy can be said to have existed during the early months of the war, it was to arrest and intern only those thought likely to be a danger to the state. Later the Liberal administration approved the general internment of male enemy aliens of military age, but before the first coalition government was established in May 1915 this policy was never seriously implemented and the question of internment continued to be approached haltingly and in an atmosphere of mounting confusion and controversy.

A blurred division of responsibility for aliens matters between the Home Office and the War Office created considerable misunderstanding and sometimes abrasiveness between the departments and prompted a growing demand in parliament for a clear-cut allocation of powers. Such was the confusion that attempts by the police and local military authorities to implement policy guidance and directives from Whitehall led to inconsistencies in practice between one area and another, and many enemy aliens found themselves interned on totally unfounded suspicions. A substantial proportion were subsequently released only to be re-arrested as the government's internment policy became more indiscriminate in the face of growing

public agitation and demands in parliament and the press for a more stringent internment policy.

The ill-defined and ad hoc nature of the government's early approach to the internment question served only to exacerbate well entrenched anti-alien attitudes in the country. The main focus of public prejudice and abuse was inevitably German subjects. They provided an easily accessible target for the antagonism of a nation towards what it regarded as the principle enemy and for the passions readily inflamed by a stream of hate propaganda which characterised the Germans as evil, ruthless, militaristic and singularly responsible for plunging Europe into war.

The clamour for a more comprehensive internment policy gained momentum rapidly after the early weeks of the war. More extreme critics of the government, among them a number of Liberals, demanded nothing less than the internment or expulsion of all enemy aliens, including men, women and children. Such a policy was consistently rejected by wartime governments on the grounds that it was both unjust and impractical. Many who were nominally enemy aliens had lived in Britain since infancy, had British wives, sons fighting in the British Army, spoke only English and had long since severed any links with their country of origin. Others who were technically of enemy nationality, such as Czechs, Poles and Alsatians, were for all practical purposes friendly aliens with strong nationalist reasons for supporting the allied cause.

Most of the main ethnic groups in Britain whose

members were of enemy nationality but had a claim to be regarded as friendly to the allies formed committees or established links through diplomatic legations to make representations to the British government for special dispensation for their compatriots. Committees were formed at the outset by the Poles, Czechs, Alsatians and Italians; an Armenian committee was set up later, and cases involving Serbs, Schleswig Danes, Roumanians and Greeks were dealt with by the London legations of those countries. Arabs were not directly represented but they were generally exempted from restrictions by means of amendments to the Aliens Restriction Order. The ethnic groups sought exemption from internment and compulsory repatriation, relief from the provisions of the aliens restriction regulations, opportunities for employment and more state aid for destitute aliens. The scope of this study does not allow space for a detailed examination of the activities of the ethnic pressure groups but their work is considered at appropriate points in this and following chapters.¹

The claims of the groups for favoured treatment for their members, morally justified as many of them were, posed complex problems for the government against a background of volatile public and parliamentary opinion on the internment issue. McKenna, the Home Secretary, admitted

1. The activities of some of the groups are excellently documented by K.J. Calder, Britain and the Origins of the New Europe 1914-1918 (Cambridge, 1976).

that,

It is a matter of great difficulty to discriminate between races and to ascertain whether the sentiments of individuals are friendly or otherwise; but so far as is practicable, persons belonging to races friendly to the allies who are themselves friendly are exempted from internment; and every consideration consistent with the law is shown them in the enforcement of the Aliens Restriction Act.²

The ways in which the heavy concentration of enemy aliens in London were dealt with during the early weeks of the war were recounted in a report by the Metropolitan Police Commissioner, Sir Edward Henry to the Home Office:

Serbians (Austrian-born): This group has been easily disposed of, the Serbian minister having made representations in favour of each individual, who has, in consequence, been released or exempted from internment.

Italians (Austrian-born): These are a more difficult group inasmuch as it might be deemed a breach of neutrality for the Italian ambassador to give guarantees in respect of any Austrian subject. A small committee of responsible men who claim to be able to vouch for or reject any particular case has, however, been formed, and I am provisionally relying upon their advice.

Czechs and Bohemians (Austrian-born): There are strong reasons why this group should be treated with consideration. Unfortunately no diplomatic guarantee is possible in this case.

Poles (born in Austria or Germany): The Russian Poles present no difficulty; the large group of German and Austrian Poles admittedly do. A true Pole will be a friend, but Polish nationality might be claimed by mischiefmakers. I understand that whatever the country of their residence, the affinities between the whole Polish people are so intimate, and the family and other relationships so well maintained, that the Polish Information Committee is able and willing to assist the authorities in every case...

Alsations: The difficulty here is similar to that of the Poles, perhaps greater. The French Embassy asked us, before accepting assurances on behalf of Alsations, to refer each case to them, but this may not prove practicable. In the meantime some Alsations have been released or held exempt, and doubtless some are still interned, no definite procedure having been laid down.

Croats, Ruthenians, &c.: Questions doubtless will arise sooner or later as to Croats, Ruthenians and others, though there are probably few of these smaller nationalities in London.³

Henry's initiatives were approved by McKenna, whose handling of the internment issue was to arouse bitter criticism, both in parliament and the press. As head of the department traditionally associated with aliens matters he suffered much abuse born of ignorance of the limitations of the Home Office role in respect of internment of enemy aliens in wartime, particularly under the arrangements in operation during the early months of the war. While responsibilities under the Aliens Restriction Act fell largely upon the Home Office, the War Office had primacy in the arrest, custody and release of enemy subjects. This arose from the fact that such aliens were taken into captivity for military reasons and were classified as prisoners of war and entitled to the same treatment as enemy troops captured on the battlefield.⁴

If any minister could fairly be blamed for the lack of a coherent internment policy it should arguably have been Kitchener, as War Minister, rather than McKenna. But whatever the true extent of Kitchener's personal knowledge

3. Henry to Troup, 30 Oct. 1914, HO 45/10760/269116/15.

4. See Manual of Military Law 1914, p. 245, para. 60, and also HO 45/10760/255193/45.

and direct involvement in his department's handling of internment matters, it is clear that in the public mind he was not associated with this ostensibly domestic rather than military area of policy. The notion that the charismatic war minister could be tainted by such faults as muddled thinking, lack of organisational ability and reluctance to delegate to subordinates would not at that time have readily commended itself to the majority of the population, but arguably such defects in Kitchener were a partial cause of the government's failure to deal effectively with the internment question.

If McKenna had to bear an unfair share of abuse for the government's faltering internment policy, it was due to the exaggerated public fears of the danger posed by the enemy alien population, the relentless work of the anti-alien propagandists and his own failings as a populist politician and communicator. Although his integrity and intellectual gifts were beyond doubt he too often adopted a formal and legalistic approach to highly emotive issues and was over-sensitive to criticism. He was an admired and trusted confidante of the Prime Minister but harboured a powerful dislike of Lloyd George, which was fully reciprocated. Asquith has written of the two 'fighting like fishwives.'⁵ Lloyd George, in his memoirs, asserts that,

Mr McKenna's administration of the Home Office provoked much dissatisfaction, and not merely on the Unionist benches. His policy towards residents of enemy extraction in this

5. Earl of Oxford and Asquith, Memories and Reflections 1852-1927 (2 vols.) (1928), p. 102, vol. II.

country was thought to be too protective, too indifferent to the dangers which might arise from espionage...Mr. M'Kenna's rigid and fretful answers, though always technically complete, were provocative...While administering the letter of his trust he showed too clearly that he had no sympathy with its spirit...Subsequent events proved that intelligence of great value to the enemy percolated to Germany through the agency of persons living unmolested in England under Mr. M'Kenna's indulgent regime.⁶

While Lloyd George's assessment must be regarded with some scepticism it is undeniable that McKenna's attempts to defend himself and his department against their critics, and his general performance in the House of Commons were hardly calculated to inspire confidence. He insisted, with justice but with little hope of sympathy, that any attacks on him and the Home Office over aliens policy should, if they were made at all, be directed at the government as a whole. But if McKenna deplored the personalised criticism he lost no opportunity of reminding his parliamentary colleagues of the primacy of the War Office in internment matters. In one typical riposte to criticism, he insisted that it was

...for the War Office to decide when, for how long and to what extent enemy aliens shall be interned...the responsibility for what may be termed policy rests with the War Office. The moment the War Office have decided the policy the Home Office places at the disposal of the War Office the whole of its machinery...there is but one final authority, and that is the military authority.⁷

6. George, D. Lloyd, War Memoirs (1936), p. 132, vol. I

7. 70HC 5s., 853-4, 3 Mar. 1915.

McKenna insisted that it was right that the ultimate responsibility for internment should rest with the military authority. Apart from the fact that interned enemy aliens were prisoners of war placed in custody for military reasons, the important intelligence work related to the internment procedure was carried out by branches of the War Office and the Admiralty. Clearly neither the Army nor the Navy would be willing to surrender their intelligence organisations and for the civil power to try to establish an equivalent body on a nationwide basis would be a formidable undertaking.⁸

Although McKenna maintained that there was close co-operation between the Home Office and the military departments there were a number of clashes of opinion on internment policy, particularly in the early months of the war as departmental officials endeavoured to interpret the wishes of their political chiefs. Much of the difficulty arose from the lack of expertise on aliens matters in the War Office. Officers in the Directorate of Military Operations who had worked with the Home Office on the preparation of wartime aliens controls were inexplicably transferred to other duties when the war began. The officers brought in to replace them had no previous experience of the subject. Major-General C.E. Callwell, who was drafted in as head of the Directorate, considered that he had been 'virtually left in the lurch' by the posting of irreplaceable staff to the Expeditionary Force in France.

8. 70HC 5s., 855, 3 Mar. 1915.

He believed the situation

...illustrates with signal force how completely the relative importance of the Expeditionary Force as compared with the task which the War Office had to face had been misunderstood when framing plans in advance for the anticipated emergency. The arrangement arrived at in respect of this matter indicated, in fact, a strange lack of sense of proportion. It argued a fundamental misconception of the military problem with which the country was confronted.⁹

The ignorance of aliens matters at the War Office was illustrated by one of the department's first initiatives on the subject. On 7 August a telegram was sent to area military commanders directing that,

It should be clearly understood that all male Germans and Austrians between 17 and 42 years of age are reservists. Therefore all apparently of this description should be made prisoners of war unless exemption from service can clearly be proved. You will make arrangements for arresting all such reservists, calling on police to assist you. You will also arrange to accommodate, feed and guard these prisoners of war.¹⁰

The message, sent with the authority of the General Staff, was copied to the Home Office where it was received with incredulity and dismay. The order was contrary to the policy recommended by the CID and endorsed by the government, and the directive to arrest Austrian reservists was illegal because Great Britain was not then at war with Austria-Hungary. Moreover the accommodation for which the War Office was ultimately responsible was not available to house the number of prisoners who would have been taken into custody. Troup promptly contacted Eyre Crowe, Under

9. Major-General C.E. Callwell, Experiences of a Dugout 1914-1918 (1920), pp. 12-13.

10. Telegram, WO (AG 3) to area military commanders, 7 Aug. 1914, WO 32/5368.

Secretary at the Foreign Office, who was equally appalled by the War Office telegram, particularly its implications in respect of Austria. The Foreign Office were anxious that the Austrians should be given no reason for claiming that hostile action was being taken against them and using it as an excuse to call on the support of Italy under the Triple Alliance pact. Troup and Crowe were also worried about the possibility of reprisals against British subjects in Germany, particularly in view of the fact that a number of German reservist officers had already been prevented from leaving Britain, despite a seven-day period of grace ostensibly allowed to enable them to do so,¹¹ and some had been confined in civilian prisons in contravention of the Hague Convention. Troup and Crowe made strong representations to Sir Reginald Brade, Permanent Secretary at the War Office, who had little option but to concede his department's mistake and agree that the offending order should be withdrawn. Unable to contact any senior officer of the Directorate of Military Operations, Brade sent a telegram on his own authority late on 7 August to all area military commanders instructing them to suspend action on the arrest of reservists. At an emergency meeting held at the War Office

11. Provision for the proclamation giving enemy aliens until 11 August to leave Great Britain was made under clause 10 of the Aliens Restriction Order of 5 Aug. 1914. Those leaving had to embark at approved ports. Neither Germany nor Austria-Hungary allowed a similar period of grace for enemy subjects to leave. There was substantial agreement among contemporary writers on international law that it was permissible to detain enemy subjects who would otherwise return home and undertake military service.

the following day it was decided that for the time being only enemy aliens regarded by the police as dangerous, either as potential spies or saboteurs, should be interned.¹² Fresh instructions were sent to military commanders and chief constables, and the Home Office advised the police that they should

...arrest and hand over to military authorities enemy subjects who are reasonably suspected of being in any way dangerous to the safety of the realm. Show every consideration to prisoners compatible with safety. Be careful not to arrest persons whose known character precludes suspicion or who are personally vouched for by British residents of standing. Any alien arrested already should be released if known character is good or if vouched for by British residents of standing.¹³

While subsequent accounts of the episode involving the War Office telegram have been contradictory, they provide an indication of the strained relations between the War Office and the Home Office early in the war. The inter-departmental meeting at the War Office on 8 August has been described by Gen. Callwell, the senior military officer present, as a 'somewhat comical incident' during which he and one of his aides, Colonel MacEwan, received a stern lecture from 'long faced' civil servants from the Home Office and Foreign Office.

It appeared that we had been guilty of terrifying violations of international law. We had seized a number of German reservists and German males of military age on board ships in British ports, and consigned some of them to

12. Sir Edward Troup, The Home Office (1925), p. 242.

13. Telegram, HO to police, 8 Aug. 1914, HO 45/10729/255193/5.

quarters designed for the accommodation of malefactors. This sort of thing would never do...The Foreign and Home Secretaries, the very distinguished civil servants declared, would not unlikely be agitated when they heard of the shocking affair. Soldiers, no doubt, were by nature abrupt and unconventional in their actions, and the Foreign and Home Offices would make every allowance, realising that we had acted in good faith. But hang it all - and they gazed at us in compassionate displeasure.

Will it be believed? My assistant and I knew so little about our business that we... took them and their protestations quite seriously. We accepted their courteous but uncompromising, rebuke like small boys caught stealing apples, whose better feelings had been appealed to. For the space of two or three hours and until we had pulled ourselves together, we remained content, on the strength of doctrines enunciated by a couple of officials fossilized by having dwelt in a groove for years, to accept it as a principle that this tremendous conflict into which the Empire had been plunged at a moment's notice was to be a kid-glove affair.¹⁴

Callwell's account published several years after the event is challenged by some of the 'fossilized officials' involved. Troup called the General's recollections 'absurd and absolutely incorrect',¹⁵ a view supported by John Pedder, head of the Home Office Aliens Division,¹⁶ who also attended the meeting.

The internal difficulties of the War Office in trying to cope with its responsibilities for internment matters were little known outside Whitehall, and Kitchener

14. Callwell, op. cit., pp. 13-14.

15. Memo., Troup, 22 Nov. 1921, HO 45/10729/255193/5.

16. Pedder joined the Home Office in 1895 having previously served at the Local Government Board and the Public Records Office. He became senior clerk in 1903, principal clerk 1904, assistant secretary 1913, principal assistant secretary 1921-32. Knighted in 1919.

continued to be regarded by most of his colleagues in parliament with a mixture of admiration and gratitude. They forgave his scanty appearances in the House of Lords because of the manifestly heavy burden he and his department bore for the military prosecution of the war. Clearly the War Office was immersed in issues of far greater immediacy than that of dealing with enemy aliens.

The Home Office, too, acquired a heavy additional workload as a result of the war, but the duties were generally of a less dramatic kind than those of the military departments and earned few plaudits. McKenna continued to be the focal point of public criticism over what many saw as the government's casual unconcern about the potential danger posed by the substantial number of enemy aliens allowed to remain at large. In an attempt to reassure the nation McKenna issued a statement to the press on 9 August pointing out that during the previous two days a considerable number of Germans, chiefly reservists, had been arrested in various parts of the country. This had been done as a precautionary measure but it was not likely that the detention of most of the prisoners would be prolonged. Since aliens who were known to be spies had been arrested earlier 'the public may rest assured that a great majority of the Germans remaining in this country are peaceful and innocent persons from whom no danger is to be feared.'¹⁷ The statement did little to pacify the

17. The Times, 10 Aug. 1914.

anti-alien hardliners or to counter the burgeoning phenomenon of spy mania.

Despite growing demands for a more stringent internment policy, most of the enemy aliens placed in custody in the early weeks of the war were, as McKenna said they would be, soon released. The impetus for the releases came from the War Office which, on 15 August, issued instructions to internment camp commandants to investigate petitions for releases and in 'proper' cases, where there was no reasonable suspicion that the individual was in any way dangerous to the safety of the state, to discharge him on parole.¹⁸ Kitchener's desire to discharge as many internees as possible with the minimum delay was motivated less by humanitarian considerations than by concern to alleviate the shortage of accommodation for prisoners, and his reluctance to assign soldiers to the task of guarding civilian prisoners. McKenna did not share the war minister's anxiety to clear the camps and neither did the Metropolitan Police Commissioner, whose area contained the substantial proportion of Britain's enemy alien population.

McKenna and Henry felt that the heavy concentration of enemy subjects in the capital posed a special security problem, and the commissioner warned that large numbers of aliens who were being thrown out of work might become 'desperate and dangerous.' He conceded that there was no

18. WO to internment camp commandants, 15 Aug. 1914, WO 32/5368.

definite evidence of any conspiracy to commit outrages but he feared that individually enemy aliens might engage in sabotage and 'other activities calculated to cause alarm and panic.'¹⁹ The War Office agreed to McKenna's recommendation that priority should be given to arresting the 4,500 enemy reservists living in London as soon as internment accommodation could be found for them, and that enemy aliens of military age who, through unemployment and destitution, were deemed likely to become a danger to the community, should be interned.²⁰ Despite the new policy initiatives agreed by the War Office McKenna still had misgivings over whether sufficient was being done to stem the growing tide of criticism of aliens policy. On 4 September he issued a further press statement claiming that a large number of German and Austrian men of military age had been arrested and all breaches of the Aliens Restriction Order had been promptly prosecuted by the police.²¹

The pattern of arrests of enemy aliens in various parts of the country was far more erratic than McKenna would have had the public believe. While the Metropolitan Police, which was and is subject to the direct authority of the Home Office, was consistently diligent in rounding up aliens as and when this^{was} required by government policy,

19. Troup to Secretary, WO, 27 Aug. 1914, HO 45/10760/269116/113.

20. Adjutant-General to Troup, 25 Aug. 1914, WO 32/5363.

21. The Times, 5 Sept. 1914.

the locally controlled provincial forces sometimes responded with less alacrity. At the end of August 1914, there was evidence of a patchwork of arrest policies in major population centres:²²

Manchester: The alien population included an estimated 3,000 Germans and Austrians but there had been a negligible number of arrests.

Lancashire and West Riding: Action by the police forces in these areas was in accordance with Home Office advice.

Leeds: About 70 aliens had been arrested but most had subsequently been released.

Hull: There had been about 220 arrests of enemy aliens and few releases.

Liverpool: About 680 enemy reservists had been detained and arrangements were in hand to arrest a further 300. The police were rounding up reservists as quickly as the military could find accommodation for them.

Cardiff: A large proportion of the 140 aliens arrested were seamen. The Home Office considered that the police were 'dealing pretty firmly with alien enemies, particularly those who have shown a disinclination to remove from the prohibited area.'

Birmingham: Few of the 700 Germans or 100 Austrians believed to be living in the city had been arrested.

Inconsistencies in the practice of different police forces and confusion over instructions emanating from Whitehall are perhaps less surprising when account is taken of the difference of view between the War Office and the Home Office over the degree of priority which should be given to the rounding up of enemy aliens. McKenna consistently advocated general internment of enemy subjects of military

22. Survey by HO of arrests of Germans and Austrians in provincial centres, 31 Aug. 1914, HO 45/10729/255193.

age, subject to exemptions on strong grounds acceptable to the authorities, but Kitchener and his senior advisers were not convinced that large-scale internment was justified. That the War Office seemed more liberal on the internment question than the Home Office no doubt reflected to some extent the fact that the military department was not subject to the same direct pressure and criticism on the issue from parliament, the press and the public. The general belief in the cabinet during the early weeks of the war that there was no immediate probability of enemy invasion also probably encouraged support for Kitchener's opposition to general internment, although accepting the case for the arrest of enemy reservists.²³

The cabinet agreed to a War Office initiative in early September for a nationwide effort to round up German reservists. The police were instructed to arrest and hand over to the military authorities all Germans under the age of 45 who had undergone military training, with the exception of aliens engaged in industries vital to the war effort, or whose internment would involve the loss of jobs by British subjects, or who held public or educational appointments. The exceptions were to apply only where the police were satisfied that the aliens concerned had 'no hostile intentions or desires.' Such persons could be allowed to remain at liberty provided that they gave a written undertaking not to take part in the war or to

23. Secret CID report, 'Attack on the British Isles from Oversea', 8 Sept. 1914, WO 32/5368.

communicate information to the enemy. The police were asked to refer to the Home Office any other special cases where it was thought detention would be harmful to British interests. Once all known reservists had been arrested or given exemption, any German subjects between 17 and 45 years who had not declared themselves as having undergone military training would be required to produce evidence that they were not liable to military duty. The instructions did not, for the time being, apply to Austro-Hungarians although they remained liable to arrest if the police considered they were likely to become dangerous.²⁴

The decision by the War Office to sanction the general arrest of enemy reservists proved an ill judged one. With 6,600 civil and military prisoners already in custody and extremely limited additional accommodation available, room could not be found to house the sudden increase in the number of internees. Hurried consultations took place between the War Office and the Home Office and on 18 September, six days after the round up of reservists was ordered, the policy was suspended at the request of the War Office. The police were instructed to stop arrests pending the provision of further internment accommodation, except in cases where aliens were considered an immediate danger.²⁵ For six weeks the enemy alien population enjoyed virtual freedom from the threat of internment and many

24. Circular, HO to chief constables, 7 Sept. 1914, HO 45/10729/255193/56.

25. Circular, HO to chief constables, 14 Sept. 1914, HO 45/10729/255193/69.

enemy aliens considered 'safe' were released on parole to further ease the pressure on existing accommodation. Special conditions were imposed on those discharged and, apart from exceptional cases, each prisoner had to find two sureties (British subjects of good standing) to put up a bond for his good behaviour for the duration of the war. The size of the bond in each case took account of the means of the prisoner, his sureties and the individual circumstances, but in the case of poor aliens £25 - £50 was generally considered sufficient.²⁶

In September 1914 the War Office established a Directorate of Prisoners of War, headed by Lieutenant-General Herbert Belfield, to assume much of the department's responsibilities for day to day internment matters and the operation of the prisoner of war camps, both military and civilian.²⁷ While Belfield was conscientious to a fault and was gradually able to improve the War Office system of handling internment matters, his efforts to alleviate the shortage of internment accommodation were initially disappointing.

By mid-October nearly 10,000 enemy alien men of military age were in custody, but more than double that total remained at large. McKenna viewed the situation with consternation and on 16 October he wrote personally to Kitchener warning that 'the public is being worked up to

26. Circular, HO to chief constables, 6 Oct. 1914, HO 45/10729/255193/103.

27. Account of the work of Directorate of Prisoners of War is contained in an unpublished report signed by Gen. Belfield on 26. Mar. 1920 and circulated internally, HO 45/11025/410118/5.

a state of frenzy and I fear we may have disturbances.'²⁸ Kitchener replied that there was not yet accommodation for the large number of potential internees, but within three months there would be a further 9,000 places. Many of these, however, would be required for combatant prisoners.²⁹ The War Office's problem in trying to provide more internment accommodation was exacerbated by the urgent requirement for camps to house the rapidly growing number of recruits to the new army.

The growing anger in parliament, agitation in some parts of the country and hostile press criticism over the government's alleged 'soft' internment policy gave considerable additional force to McKenna's advocacy in the cabinet of the urgent need to resume arrests of enemy aliens of military age. On 20 October the Home Secretary warned the War Office that,

In consequence...of the altered military position on the continent, the increased possibility of a hostile raid and of attacks by aircraft, and the strong feeling against Germans aroused by the atrocities committed by German officers in Belgium...the point has now been reached when it is no longer safe to leave the great mass of enemy reservists at liberty in this country, and that, except in a limited number of cases where there are special reasons of a public nature, all Germans, Austrians and Hungarians of military age should be at once interned.³⁰

28. McKenna to Kitchener, 16 Oct. 1914, KP, 30/5775.

29. Kitchener to McKenna, 17 Oct. 1914, HO 45/10760/269116/7.

30. Troup to Brade, 20 Oct. 1914, HO 45/10760/269116/1.

The cabinet agreed to the resumption of general internment of enemy alien men of military age, including Austro-Hungarians as well as Germans.³¹ McKenna expressed the hope that the arrests would be completed within a week, but this proved impossible. In the provinces the new orders were carried out fairly thoroughly but in London the shortage of accommodation ruled out internment of all but a handful of destitutes and unmarried men. Although the War Office pressed into service a number of temporary premises, including the Olympia exhibition hall, the immediate availability of accommodation was hopelessly inadequate. Such space as could be found was virtually filled within 48 hours, and many aliens arrested after that had to be released when the police found there was no room for them. Moreover the temporary quarters which were acquired proved in many cases to be cold, cramped and lacking in basic sanitary facilities. There was a shortage of bedding and warm clothing and those arrested (many being taken into custody for the second time) were asked to take blankets and greatcoats with them where possible. It soon became obvious, at least as far as London was concerned, that the decision to resume the general arrest policy had been premature and ill advised. With 22,000 prisoners of war, including 16,800 civilians already crowding the available accommodation, the War Office was again compelled to call for a suspension of arrests.³² The cabinet had

31. Circular, HC to chief constables, 20 Oct. 1914, HC 45/10760/269116/1.

32. Adjutant-General to Troup, 22 Oct. 1914, WO 32/5368.

little option but to agree, although it was clear that further delay in internment military age enemy aliens would bring further criticism of the government's handling of the situation, particularly at a time when the possibility of invasion was beginning to seem more credible. Even Kitchener formed the view that if there was a stalemate position on the western front Germany might contemplate invading Britain with a force of, say 150,000 to 200,000 men.³³ The general tenor of cabinet thinking on the situation was probably best summed up by John Simon, the Attorney-General, responding to an appeal by a fellow Liberal moderate, L.T. Hobhouse,³⁴ for the government to try to calm the anti-alien agitation in Britain:

The position now with German troops at Ostend, and only a narrow piece of sea between them and this country, is strategically quite different from the position at the beginning of the war, when there was Holland and Belgium between the two forces. If any attempt was made at a raid or invasion the distance to be traversed is trifling, and the thing would come very quickly.

Experience has shown that the German Navy is extraordinarily well informed of our movements, and though I have the greatest detestation of spy mania, I do not think it is open to doubt that there are a number of unidentified persons in this country who have been making treacherous communications and who were not known to us at the beginning of the war.

The stricter measures now taken do not portend the keeping of all German and Austrian subjects under lock and key, but are a necessary preliminary to weeding out and restoring to ordinary activities those who are altogether

33. Asquith to the King, 22 Oct. 1914, AP, 7/221.

34. Hobhouse to Simon, 22 Oct. 1914, SP.

above suspicion. That is to say it is a plan which throws the burden of proof the other way round; instead of arresting those who are known to be disaffected it releases those who are known to be beyond suspicion...³⁵

Simon said the intention was to 'steer a middle course and he and his government colleagues believed that 'all available influence ought to be quietly thrown on the side of reasonableness.'³⁶ Asquith advised the King that 'In view of the nearer approach of the German forces' enemy aliens remaining at large would be 'dealt with, instalment by instalment, as soon as, from time to time, the War Office authorities are able to provide for them.'³⁷

With internment policy virtually dictated by the availability of accommodation and the general arrest of enemy alien men of military age once more in abeyance, the question of which aliens, apart from those considered dangerous, became somewhat academic. But at the end of October the War Office decided that general internment could be resumed. This time, however, the operation was phased to prevent a sudden flood of internees exceeding the capacity of available accommodation. Chief constables were instructed to inform the Home Office of the numbers they proposed to arrest, these figures were passed to the War Office who would, in turn, advise the police how many

35. Simon to Hobhouse, 26 Oct. 1914, SP.

36. Ibid.

37. Asquith to the King, 22 Oct. 1914, AP, 7/221.

prisoners could be accommodated and where they should be sent. Each police force then made arrests in accordance with the number of internment places allocated to it. The War Office notified chief constables as additional places became available. In consultation with the War Office, the Home Office advised the police that all enemy aliens of military age - 17 to 45 for Germans and 18 to 45 for Austrians - were to be detained as soon as accommodation was ready, subject to the following exceptions:

- i. Ministers of religion and medical practitioners.
- ii. Austrian and Hungarian subjects who were certified medically unfit for military service.
- iii. Invalids, providing they had a medical certificate that they could not be interned without danger to life.
- iv. Austrian and Hungarian subjects who belonged to races hostile to Austrian rule, eg Poles, Czechs, Ruthenians, Croats, Slovaks, Serbs, Roumanians, and Italians from Trentino or Trieste.
- v. Special cases of aliens (a) who were engaged in industries valuable to Britain's war effort, (b) whose detention would involve serious loss of industrial employment to British subjects, and (c) who held public or educational appointments.

In doubtful cases or where there appeared to be special reasons not specified in the guidelines laid down, the police had instructions to consult the Home Office. Those already released on parole were not to be re-arrested except for special reasons approved by the Home Secretary and those in categories i. and ii. were to be allowed to return to their own countries under reciprocal agreements reached

between the belligerents.³⁸

The criteria by which enemy aliens could obtain exemption from internment became a subject of recurring controversy for much of the war and was raised in a number of acrimonious debates in both houses of parliament. Asquith admitted that 'certainly in my own mind, and probably in the minds of many of my colleagues...there have been fluctuations in opinions and views from time to time' as to who should be interned and who left at large. 'Whatever the inconvenience there may be, even if there be particular cases of hardship, the first consideration is the safety of the country.'³⁹ The government's critics were assiduous in producing examples purporting to show that far from ensuring the safety of the country, internment policy to date had allowed dangerous enemy aliens to remain free, but such allegations invariably lacked verifiable evidence, and in the main appeared to be derived from hearsay and gossip.

The government was often accused of concentrating on the internment of the poor, less cultured classes of enemy aliens while allowing more affluent and educated foreigners to remain free, although, it was argued, the latter posed the greatest potential threat. Lord Leith of Fyvie, one of the most persistent critics of the government's internment policy, reflected the view of a number of colleagues when he charged that,

38. Circular, HO to chief constables, 31 Oct. 1914, HO 45/10760/269116/14.

39. 68HC 5s., 19, 11 Nov. 1914.

At present the poor alien and the wage earner are interned, but the rich financiers, the contractors, and the big men in the City of London escape. Those are the enemies; those are the ones you will sooner or later have to arrest...⁴⁰

Even the Unionist leader, Andrew Bonar Law, saw fit to warn of the threat of wealthy German nationals living in Britain:

They are a danger to this nation, and I say that, in my opinion, the higher the position they occupy and the greater their wealth and influence the more power, if they have the will, they have to injure us.⁴¹

While undoubtedly some wealthy aliens and some of questionable loyalty to Britain remained at large, and many innocent aliens were subjected to unwarranted harassment, the government could justifiably deny any calculated policy of favouring the affluent and influential.⁴²

One group in whose favour all wartime governments did discriminate were enemy alien women, particularly those born in Britain, although some proponents of the 'intern them all' argument asserted, perhaps with some logic, that women were just as capable as men of spying and were 'every bit as dangerous.'⁴³ Asquith and his cabinet colleagues remained impervious to such thinking and it seems likely that the idea of wholesale internment of women would not have been acceptable to a substantial body of

40. 18HL 5s., 47, 11 Nov. 1914.

41. 7LHC 5s., 1845, 13 May 1915.

42. Ibid. col. 1872.

43. 18HL 5s., 274, 6 Jan. 1915.

opinion in the country.

Whatever criteria the government may have wished to apply in designating those to be interned, shortage of accommodation continued to impose constraints. The situation was described by one MP as 'the kind of thing which one would expect to find in a Gilbert and Sullivan comic opera rather than in a country like this, which is engaged in a war of such magnitude.'⁴⁴ The accommodation position began to ease in the spring of 1915 but the rate of internment still lagged far behind the level demanded by the government's critics. In defence of its alleged complacency the government insisted that enemy aliens left at large did not constitute a danger to the state. Many had British-born wives and children, had lived in Britain for many years, and some had sons fighting in the British Army. While conceding that none of these factors was an absolute guarantee of an enemy alien's loyalty, the government made clear that in general they believed they provided good prima facie evidence of an alien's allegiance.

The dilemma of trying to establish just criteria for exempting enemy aliens from internment while at the same time allaying public concern over the continuing presence of the 'enemy in our midst' caused much heart searching in the cabinet. There were sharp clashes of opinion on the issue, especially between McKenna and Kitchener. The Home Secretary, sensitive to the constant

44. Mr. Lancelot Sanderson, 70HC 5s., 912-13, 3 Mar. 1915.

personal criticism of him in parliament and the press, was anxious to complete the general internment of military age enemy alien men as quickly as possible. Kitchener, on the other hand, almost immune from personal abuse in the early months of the war, was more concerned with the practical problem of housing the growing number of combatant prisoners being sent back from the western front than with accommodating civilians whom he did not consider to be a perilous military threat to the country. If Kitchener had any qualms over the criticism directed at McKenna over internment policies often dictated by the War Office, there is little evidence of it. The political diarist Charles Hobhouse asserts that,

Kitchener, who is a coward when it comes to a tight place, wants as many aliens out of prison as possible, but tried to make McKenna responsible for their non-arrest. The fact^{is} that McKenna went on arresting aliens till the Adjutant-General asked him to stop, saying he had no place to concentrate them in, or any means of guarding them.⁴⁵

When, on 30 October, responsibility for decisions on exemptions and releases from internment was transferred from the War Office to the Home Office, it could, if Hobhouse's view is accepted, represent a rather squalid instance of 'buck passing' engineered by Kitchener. It seems more likely, however, that the war minister sought the change because he believed it would make for smoother administration and ease the burden on his heavily committed department. It is perhaps revealing that within two weeks he had a partial change of heart and persuaded

45. E. David (ed.), Inside Asquith's Cabinet: From the Diaries of Charles Hobhouse (1977), p. 206.

the cabinet that responsibility for releases should be restored to the War Office. It seems probable that Kitchener was not only concerned at McKenna's zeal in pressing ahead with arrests despite the shortage of accommodation, but at his reluctance to sanction releases and thus ease the pressure on the crowded internment camps. The War Office not only resumed control of releases but asked for and was given jurisdiction over a small group established in the Home Office Aliens Division to handle administrative work connected with internment, releases, repatriation and related matters. Belfield, with the backing of Kitchener, had suggested the transfer because,

I have found considerable difficulty in carrying out the duties entrusted to me... in regard to alien prisoners of war, owing to the fact that the great majority have been interned by the police, and it is only through the police that information can be obtained when questions of release arise.

This information I can obtain only through the Home Office, and reference between our two offices means delay, whereas our object is to expedite matters as much as possible.⁴⁶

The Home Office unit placed under Belfield's authority was headed by Maurice Waller, a Prison Commissioner,⁴⁷ and its small staff consisted of civil servants seconded from other branches of the Home Office and volunteers recruited from outside.⁴⁸ The unit assumed the task of administering

46. Belfield to Troup, 20 Nov. 1914, HC 45/10760/255193.

47. Waller (1875-1932) was one of HM Commissioners of Prisons 1910-18 and chairman from 1922-28. Knighted in 1928.

48. The unit later became the Home Office Prisoner of War Division (more often referred to as Branch).

the fluctuating release policy emanating from the War Office and had to deal with an immense amount of correspondence, telegrams, telephone calls and visits by relations, friends and lawyers of internees seeking their release. The appeals were usually on the grounds that the alien in question was harmless, suffering ill health, his services were needed for a vital industry, or his family was undergoing great hardship and distress as a result of his captivity. Waller and his staff found their task one of 'great difficulty' and the regular practice was in all cases to consult MI 5 (or the Directorate of Naval Intelligence in the case of ship's officers or seamen) and the police before making recommendations to Belfield.⁴⁹

Kitchener's volte-face on releases in November undoubtedly reflected a concern to ease the pressure on scarce internment accommodation, but it also underlined his indecision and shortcomings as an administrator which were increasingly to impede his effectiveness as a departmental minister. His twists and turns on internment policy in the early months of the war invariably gained the willing acquiescence of Asquith and the traditionalist Liberals in his cabinet since they harboured doubts about the efficacy and morality of wholesale internment of enemy aliens, and Kitchener, whatever his reasons, usually appeared to be following a more moderate line than McKenna.

49. Report by Waller on work of HO Prisoners of War Branch for period Nov. 1914-Apr. 1919, HO 45/11025/410113/2. See also appendix IV.

General internment of enemy subjects had not been proposed by the CID aliens sub-committee and it was not part of the government's control policy at the beginning of the war. There was no express statutory right for the wholesale arrest of enemy aliens other than those deemed to be a danger to the state,⁵⁰ but the Crown had a general prerogative under the common law by which it could deal as it pleased with aliens in time of war. The laws of war and the customs of nations did, however, impose certain conditions on the exercise of the prerogative.⁵¹ It seems likely that the main spur for the general internment of enemy alien men of military age came from the Home Office, where such strong-minded officials as Troup and Pedder undoubtedly exerted a considerable influence over the direction of policy. According to one officer at the War Office who, in November 1914, attempted to trace the evolution of a general internment policy,

...the impetus to arrest these enemy subjects was always given by the Home Office. In no case can I find a document emanating from the War Office requesting action regarding these arrests...I was unable to ascertain the authority which initiated these wholesale arrests but I can only presume it must have been a cabinet decision.⁵²

If McKenna was the principle advocate in the cabinet for general internment, Kitchener was clearly the leading voice for keeping detention of civilians to a

50. Defence of Realm regulations, art. 13, and Aliens Restriction (Consolidated) Order 1914.

51. Treasury Solicitor to WO, 12 Nov. 1914, WO 32/5368.

52. Memo., Major J. Byrne, AG 3, to Belfield, 12 Nov. 1914, WO 32/5368.

minimum. Having formally regained control of releases on 12 November the war minister not only obtained cabinet agreement to step up the rate of discharges of 'safe' enemy aliens, but to a further suspension of the policy of general arrests pending the provision of further accommodation. A War Office official noted that

...the Home Office are still desirous of continuing a policy of wholesale arrest of enemy subjects of military age but...the War Office, owing to the lack of accommodation, are temporarily unable to continue their work as custodians.⁵³

At that time there were 12,381 registered enemy alien men over the age of 17 in custody (excluding those taken from ships) and 26,974 such aliens at large. The internees included 8,612 Germans and 3,767 Austro-Hungarians, and of the total, 5,494 had been resident in London when arrested.⁵⁴

McKenna was predictably dismayed at the renewed suspension of general arrests and dubious about Kitchener's plans to expedite releases. Home Office instructions to the police about the policy pointedly noted that it was instigated by the war minister, who believed it had 'now become possible, consistent with the safety of the country, to release a certain number of persons now detained in concentration camps.' Each police force was asked, in accordance with Kitchener's wishes, to furnish the names of internees from their areas who were not believed dangerous to the state and who could safely be released on

53. Ibid.

54. Summary of returns of registered enemy aliens, HO 45/10760/269116/18.

parole. The police were asked not to recommend aliens whose release would leave them unemployed and in such destitution as would be likely to make him dangerous.⁵⁵

It seems clear that McKenna's meticulous caution irritated Kitchener. While he agreed, at the Home Secretary's request, that the police should be consulted in every case before an internee was released, he urged McKenna that 'as I feel strongly that we must clear these camps quickly of those to whose release there is no objection, I must ask you to do all in your power to expedite enquiry by the police.'⁵⁶ To speed up releases the War Office obtained lists from internment camp commandants of all prisoners taken into custody after 20 October, when the nationwide round up of military age enemy aliens was launched at Home Office prompting. All men on the lists were, the War Office instructed, to be released unless they had been interned for some reason other than that of being of military age. While McKenna conceded that many 'safe' enemy aliens had probably been arrested and that there was a case for reviewing the lists of those arrested after 20 October, he reminded the cabinet that there must have been

...a good many cases in which the police have grounds for regarding the prisoners as dangerous, eg persons likely in the event of

55. Circular, HO to chief constables, 12 Nov. 1914, HO 45/10760/269116/47.

56. McKenna to Kitchener, 8 Dec. 1914, and the latter's reply, 10 Dec., HO 45/10760/269116/89.

invasion to act as spies or to commit outrages and otherwise assist the invaders and there are many prisoners among them who certainly cannot be released in safety, and whose release will cause public uneasiness and probably lead to a revival of public agitation against enemy aliens.⁵⁷

McKenna's apprehension over Kitchener's 'liberal' release policy was shared by the Scottish Secretary, McKinnon Wood, who warned the cabinet that there were 'altogether exceptional difficulties' in dealing with released internees in Scotland. Because of the large areas which had been declared 'prohibited' to enemy aliens there was only a limited number of localities in which they could reside. Released aliens were also likely to face hostile public opinion.

The fact that there is strong feeling in Scotland on the subject, not merely among panicmongers, but among responsible officials and throughout the community, will add greatly to the other intrinsic difficulties of the re-settlement of a large number of discharged aliens...Those discharged will in many cases come to a new neighbourhood as enemy aliens and also as strangers; they will find it difficult, or impossible, to obtain employment, or even lodging, and, especially in Scotland, where the Poor Law does not permit relief to the able bodied, their condition must be expected to become such in a short time as to call for further action on the part of the State, probably by way of re-interment. Public comment on a policy which first arrests, then discharges, and subsequently re-interns must be expected to be severe.⁵⁸

The Scottish Office were particularly concerned about the possibility of released internees gravitating to the

57. HO document for cabinet use, Dec. 1914, HO 45/10760/269116/89.

58. SO document for cabinet use, 9 Dec. 1914, HO 45/10760/269116/81.

Glasgow area with its high concentration of shipbuilding yards and workshops busy on war production.⁵⁹

Fears of the build up of large numbers of enemy aliens in Glasgow were similar to those of the Home Secretary and the Metropolitan Police Commissioner about the rising alien population in London, where, by early January 1915, there were 22,000 enemy alien men, including some 16,000 of military age. Henry expressed serious concern on two main counts; that of possible sabotage attempts on vulnerable targets, and that of possible acts of retaliation by the public on aliens if loss of life and property resulted from air raids. His second point proved prophetic. Urging government action to stem the flow of enemy aliens from the provinces into London, the commissioner pointed out that since the beginning of the war there had been a movement of Germans and Austrians to the capital, either because of the clearance of 'prohibited areas' or in an attempt to find employment. It also appeared to have been the practice of some provincial police forces to offer no objection to the release of enemy aliens from internment providing they did not return to the area of the force in question. Henry warned that the build up of the enemy alien population in London, with many men unemployed, could cause serious trouble. The danger was not as great in small towns and country districts where aliens were more scattered, where their movements were more easily monitored and where they had less opportunity to act in concert. The commissioner

59. Ibid.

asked the Home Secretary that

...the release into the London district of alien enemies interned from elsewhere be altogether abandoned; and that the Military Authorities and County Constabularies should be advised that London is not to be regarded as an Asylum for aliens the counties are not willing to keep.⁶⁰

McKenna, as Police Authority for the Metropolitan Area, shared Henry's concern and urged the War Office that further releases should be 'very carefully guarded' and none should be discharged to London without prior consultation with the commissioner.⁶¹

Between 12 November, when the War Office resumed responsibility for releases, and 27 January 1915, some 2,700 enemy aliens were discharged from internment and, according to McKenna, the situation was 'causing alarm to the public' both in London and the provinces. Further releases, he believed, should be confined to cases where there were strong or special reasons, such as ill health, old age, or a report from the police showing that the alien was in no way dangerous, supported by guarantees from two trustworthy British citizens. Special arrangements should also be made for enemy aliens of the 'friendly' races.⁶²

Kitchener and his advisers continued to hold the view that there was 'no reason to apprehend that the presence of this foreign element is likely to prove a

60. Henry to Troup, 12 Jan. 1915, HO 45/10760/269116/113.

61. Troup to Brade, 16 Jan. 1915, HO 45/10760/269116/113.

62. Troup to Brade. 27 Jan. 1915, HO 45/10760/269116/113.

serious military danger.'⁶³ The department did, however, acquiesce to McKenna's appeal for caution and consultation with the commissioner before released internees from other areas were permitted to reside in London.⁶⁴ The War Office also subsequently agreed to end the practice of seeking out interned aliens eligible for parole and instead to place the onus on the individual prisoner to make representations either personally or through an intermediary for release. Each release continued to be 'vetted' by the police in the area in which the alien was arrested and by the intelligence branches of the War Office or the Admiralty.⁶⁵

Few outside the departments concerned, however, seemed to have any clear conception of the government's fluctuating internment policy or precisely who was responsible for its implementation. The demand grew for a clear-cut policy and a proper demarcation of responsibilities between the Whitehall departments. In a heated debate in the House of Lords on the aliens question on 3 February, Viscount Galway reflected a view held by several peers when he spoke of 'a great mystery and uncertainty connected with the release of enemy aliens' and declared that parliament and the country was 'tired of this evasion, this throwing of blame first on one department and then on another.'⁶⁶ Lord Heneage charged

63. B.B. Cubitt, WO, to Troup, 28 Jan. 1915, HO 45/10760/269116/113.

64. Ibid.

65. Correspondence between Troup and Belfield, 4 - 10 Feb. 1915, HO 45/10760/269116/113

66. 13HL 5s., 421-2, 3 Feb. 1915.

that 'From beginning to end this question has been a shuttlecock of different departments....'⁶⁷ and Earl Curzon complained that 'really where the responsibility lies, what is the department to which I ought to go, whom we ought to address, I venture to say there is not a noble lord in this house who...has the slightest glimmering of an idea. I confess I have not.'⁶⁸ MPs spoke in similar vein, and while it is true that some members of the opposition were happy to make political capital out of perpetuating the aura of mystery and confusion surrounding internment policy, it seems equally clear that many parliamentarians were genuinely perplexed about the government's aims and intentions.

Ministers denied, though with no great conviction, that there had been any discord between departments or a divergence of action on implementing government policy, but argued, with justification, that a division of responsibility was inevitable since aliens controls related partly to civil and partly to military matters. McKenna's continued stress on the primacy of the War Office for internment policy was interpreted by some critics as a shabby attempt to shift his responsibilities to an already overburdened department. Sir Henry Dalziel, a leading anti-alien hardliner, asserted that the Home Secretary's position was, in effect, 'I have no power;

67. 18HL 5s., 431, 3 Feb. 1915.

68. Ibid., col. 438.

I have no policy; I have no responsibility.⁶⁹ Several peers and MPs argued that the War Office should be relieved of responsibilities for internment matters and allowed to concentrate on such vital tasks as recruiting, equipping and training soldiers. The Earl of Crawford observed that

When you place upon the War Office a quasi-civilian duty of this kind you subject the department to all the political controversy and pressure which the Home Office, a bone fide political department, is accustomed to and well knows how to deal with.⁷⁰

If, however, the responsibility was to^{be} left with the War Office, Lord Crawford insisted, it should be wholly vested in the department and not divided between several departments.⁷¹ The department ultimately responsible, argued William Joynson Hicks, another hardliner and a future Home Secretary, should be the Home Office. He failed, however, to find sufficient support in the House of Commons for a motion that

...it is desirable that the whole administration of the acts and regulations concerning aliens and suspected persons should be concentrated in the hands of one minister who should be responsible to this house.⁷²

Alternatives to responsibility being placed wholly

69. 68HC 5s., 1399-1400, 26 Nov. 1914.

70. 18HL 5s., 133, 2 Nov. 1914.

71. Ibid.

72. 70HC 5s., 833-916, 3 Mar. 1915.

in one department, some parliamentarians suggested, were the creation of a new organisation, perhaps on an inter-departmental basis, or the appointment of a quasi-independent 'overlord' to take charge of aliens affairs. An 'aliens bureau' comprising representatives of all interested departments could, it was suggested, codify and simplify government policy in addition to supervising its implementation. Those who favoured the 'overlord' proposal agreed he would need to be a man of considerable stature who would require civil and military advisers and authority over the police in aliens matters. The government acknowledged the apparent attractions of a special bureau or an 'overlord' to deal with aliens affairs but believed that in practice such innovations would be unlikely to improve on existing arrangements. In essence the government's case against radical changes was that co-operation between departments had always been a feature of British administration and there was no reason why it should not continue to work well in the implementation of wartime aliens controls. Even if a special organisation was created to take charge of aliens matters it would still have to work through existing machinery at the local level, ie the police and the military. There was, in any case, a number of inter-departmental committees concerned with different aspects of aliens matters and regular consultations between officials of the departments concerned.⁷³

73. See, for example, debates in the House of Commons, 12 Nov. 1914 and 3 Mar. 1915, and the House of Lords, 11 and 25 Nov. 1914 and 3 Feb. 1915.

However logical its stance against innovations in aliens control arrangements the government's stance was seen by many backbenchers as evidence of a policy of indifference and drift. It was not only the extremists of the 'intern them all' lobby who endorsed Lord St. Davids' assertion that 'All countries in time of war have to be hard' in the uncompromising manner of Cromwell or the French revolutionary government. In the case of the Asquith administration no class was opposed to it.⁷⁴ Such arguments were anathema to Asquith and many of his cabinet colleagues but in the highly charged climate of anti-alien opinion in the country they had difficulty in dismissing them out of hand. McKenna reminded the House of Commons that the term 'enemy alien' was a technical definition and unless exemptions were made under an internment policy there would be 'gross injustice - and a quite useless gross injustice.' He said he had seen thousands of cases of enemy subjects who represented less risk than the average bad Englishman.⁷⁵ The Marquis of Crewe, Lord President of the Council, whose judgement Asquith rated 'highest of any of my colleagues',⁷⁶ compared the attitude of the government's hardline critics with those who engaged in

74. 18HL 5s., 83, 18 Nov. 1914.

75. 68HC 5s., 1394-5, 26 Nov. 1914.

76. Earl of Oxford and Asquith, op. cit., p. 73, vol. II.

the 'wild justice of revenge' reflected in lynch law. He could not help thinking that,

...at the back of the minds of some of those who criticise the government so freely there exists the thought that, after all, in these cases, where there is a great public danger, evidence does not so very much matter, and that even if you are unfortunately wrong and hang or shoot two or three people against whom nothing is really proved - well you are sorry; it is their bad luck; but in a great public crisis you cannot afford to be quite so particular as that. That is not an attitude which it is possible for the government or for the legal advisers of the government...to take up.⁷⁷

Crewe also noted the inconsistency of many critics of internment policy who, while urging more drastic control measures, themselves had friends and acquaintances among enemy aliens 'about whom suspicion would be almost farcical, and who therefore ought obviously to be excepted from any idea of general internment.'⁷⁸

The attempts by Crewe and others to argue the government's case from a standpoint of logic and legality, however, sadly misjudged the temper of public and parliamentary opinion. During the tense months of the winter of 1914-15, in which rumour mongers and propagandists were hyperactive, the voice of the moderate had little chance of a fair hearing. Moreover the prime Minister was ill equipped to successfully project unpopular views and policies in the hostile prevailing climate. He had little understanding of the propagandist's art and 'No public man was more unaffectedly and consistently disdainful' of the growing power and influence

77. 18HL 5s., 77, 18 Nov. 1914

78. 18HL 5s., 167-8, 25 Nov. 1914

of the press.⁷⁹ Much the same might be said of McKenna and Kitchener, who were singularly unfitted to provide the kind of advice and support which might have assuaged some of the confusion and criticism surrounding internment policy. Increasingly on the defensive in early 1915, the government were glad to find an influential ally against the extremists in Viscount Bryce, author of the report on alleged German atrocities in Belgium.⁸⁰ Despite his apparent willingness to accept uncorroborated evidence of claims of enemy atrocities, he adopted a strongly humanitarian stance on the treatment of enemy aliens in Britain. He called for assurances that no unnecessary suffering was caused to innocent foreigners and urged rapid release of 'safe' aliens who had been interned.⁸¹ One of the few backbench MPs to publicly adopt an unequivocally humanitarian stance on the internment question was Arthur Henderson of the Labour Party, who believed that government policy had already caused 'a great amount of hardship' to enemy aliens and their families.⁸²

While Bryce, Henderson and others argued from the humanitarian standpoint, support for moderation in interning

79. W.S. Churchill, The World Crisis (1923), p. 245-6, vol. II.

80. Cd. 7894, 1915.

81. 13HL 5s., 503-4, 10 Feb. 1915.

82. 70HC 5s., 883-4, 3 Mar. 1915.

aliens also came from more pragmatic politicians who believed there was a strong economic case for such an approach. It was estimated in May 1915 that to maintain 30,000 men in captivity would cost the country between £2 million and £3 million a year. The building of camps to house the prisoners diverted labour and materials from other work vital to the war effort. Also there was a shortage of labour in many fields in which a high proportion of aliens had traditionally worked, and they could, if allowed to remain at liberty, make a positive contribution to the war effort. Every man in captivity was, it was argued, a cash loss to the economy and this injured Britain and helped the enemy.⁸³ Such arguments were not lost on the government but they cut little ice with the hard-liners, who refused to accept that enemy aliens at liberty were not necessarily a danger to the community. One MP declared that he would 'rather lose the economic value of 1,000 Germans than allow one German who is a danger to this country to continue at large.'⁸⁴

Despite their misgivings, both on moral and practical grounds, Asquith and most of his cabinet colleagues were by the late spring beginning to accept that further delay in imposing a more stringent and positive regime of aliens controls might dangerously damage the government's credibility and popular support. The position

83. See, for example, 71HC 5s., 1858, 13 May 1915.

84. Sir Fortesque Flannery, 71HC 5s., 1859, 13 May 1915.

of most ministers had, in any case, been hardened by the alleged enemy atrocities in Belgium and at sea. McKenna believed that anti-German feeling was running so high in the country that it would be in their own interests for enemy alien men to be in the safety of an internment camp. Following the sinking of the Lusitania by a German submarine on 7 May with loss of civilian lives, there was street rioting and attacks on homes and businesses believed to belong to enemy aliens. Among the centres where disturbances occurred were Liverpool, home port of the Lusitania, and the East End of London. Demands for a harsher internment policy were being voiced not only in parliament and the press but at public meetings, in petitions,³⁵ resolutions by local councils and patriotic organisations, and in personal letters to MPs, ministers and government departments. On 12 May, with public order apparently under growing threat, a sad Asquith told the House of Commons,

No-one can be surprised that the progressive violation by the enemy of the usages of civilised warfare and the rules of humanity, culminating for the moment in the sinking of the Lusitania, has aroused a feeling of righteous indignation in all classes in this country to which it would be difficult to find a parallel. One result, unhappily, is that innocent and unoffending

35. On 12 May, for example, William Joynson Hicks and Admiral Sir Charles Beresford presented to the House of Commons petitions signed by 250,000 women asking parliament 'immediately to take the necessary steps to ensure the safety of their homes, by interning all alien enemies of military age, and by removing all alien enemies - men and women alike - to a distance of at least 30 miles from the sea coast.' (71HC 5s., 1618).

persons are in danger of being made to pay the penalty of the crimes of others...The government are...carefully considering the practicability of the segregation and internment of alien enemies on a more comprehensive scale...86

The following day the Prime Minister bowed to public opinion and unveiled an aliens control policy of a severity which a few months earlier he would not have contemplated. Persons of hostile origin were divided into two classes - those who had been naturalised and those who had not. Some 19,000 enemy subjects were at that time interned, leaving about 40,000 (24,000 men and 16,000 women) at large. In future all adult males in this class were 'for their own safety and that of the community,' to be segregated and interned or, if over military age, repatriated. Women and children, in 'suitable cases,' would also be repatriated, but there would 'no doubt be many instances in which justice and humanity will require that they should be allowed to remain.' An advisory body of judicial character was to be established to consider applications for exemption from the general rule of internment. The Home Secretary would be responsible for ascertaining to whom the new policy applied. As soon as the military authorities had provided the necessary accommodation those who did not secure exemption would be interned. In the case of naturalised subjects of enemy origin, who were thought to number about 8,000, the prima facie presumption would be that they should not be interned, unless it was established to the

satisfaction of the advisory body in particular cases that it would be dangerous to leave them at large. Since legislation was not required it would be possible to implement the new policy quickly.⁸⁷

'The Times' observed that 'the government have at last decided to do what they should have done nine months ago',⁸⁸ and the voluble Joynson Hicks accused Asquith of yielding to 'clamour and outrage' what he had refused to yield to parliament,⁸⁹ but it is doubtful if many politicians believed that a better compromise could have been reached between extremist demands and moderate consciences. The measures had, in any case, received the tacit approval of the Unionist leadership before they were introduced. Bonar Law explained that he had always avoided being associated with government policies over which he could have no control, but such was his concern over the violence against the alien population, that he had held discussions with Asquith on the issue.

After hearing the course which the government proposed to adopt...I said to the Prime Minister, and I think it right to say it publicly, that I could think of no better plan than that which is now proposed.⁹⁰

The meeting of minds between Asquith and Bonar Law on the aliens question was a vital prelude to the uneasy alliance between Liberals and Unionists in the first coalition government of the war announced on 25 May.

87. 71HC 5s., 1842, 13 May 1915.

88. The Times, leader, 14 May 1915.

89. 71HC 5s., 1860, 13 May 1915.

90. Ibid., col. 1844.

May 1915 - December 1916

When Asquith formed his coalition administration in May 1915⁹¹ the persistent controversy over internment of enemy aliens and the ostensibly related issues of espionage and national security left him little alternative but to remove McKenna from the Home Office. Although he despised the activities of the anti-alien extremists and the injustice of much of the campaign against McKenna, Asquith had to accept that a climate of opinion had been created in the country, reflected in parliament, which made a change of leadership at the Home Office imperative if the new aliens policy was to have a chance of winning credibility.

If McKenna saw himself as a scapegoat for the government's unpopularity over the aliens question he at least had the consolation of being promoted to Chancellor of the Exchequer. It was an appointment suited to his talents and temperament but which surprised his detractors, who expected him to be dropped from the government as was Haldane, the Lord Chancellor, another prime target of the anti-alien extremists.⁹² But where McKenna was characterised as the weak, misguided politician unable properly to comprehend the danger from the 'enemy within', Haldane was

91. For a discussion of the cabinet changes see S.E. Koss, 'Britain's Last Liberal Government', Journal of Modern History, vol. 40, 2, June 1968, pp. 257-77.

92. Richard Burdon Haldane, first Viscount Haldane of Cloan (1856-1928), Secretary of State for War 1905-12; Lord Chancellor 1912-15. He studied at Göttingen University and spent much time in Germany during the pre-war years.

portrayed by his critics as an unabashed friend of Germany who regarded that country as his spiritual home.

McKenna's old adversary Kitchener continued to remain aloof from the controversy over the aliens issue despite the considerable responsibility his department bore for the erratic pattern of internment policy. Asquith was undoubtedly happy to keep the war minister separated in the public mind from aliens matters. Whatever the shortcomings of the War Office under Kitchener's leadership - and the handling of the internment question was clearly one of them - they paled into relative insignificance when weighed against the importance to military recruitment and national morale of Kitchener's presence in the cabinet. Perhaps, as Koss has suggested, Asquith '[took]' refuge behind Kitchener's massive index finger that protruded from recruitment posters.⁹³

After May 1915 the War Office had little direct involvement in the key questions of exemption and release of civilians from internment which, under Asquith's new measures, were placed firmly in the hands of the Home Office and the Scottish Office, acting with the advice of the new Aliens Advisory Committees.⁹⁴

93. S.E. Koss, op. cit.

94. The proceedings of the committees were not published. Incidental references to the work of the committee for England and Wales are to be found in various Home Office files, but there is a dearth of information at the Scottish Records Office on the work of the Scottish committee or on the general handling of aliens matters in Scotland. There seems little doubt, however, that the policy pattern established in England and Wales was closely followed in Scotland.

Asquith appointed Sir John Simon,⁹⁵ the widely respected Attorney-General, as Home Secretary, probably confirming what many observers had anticipated, that although the Prime Minister was prepared to make apparently significant concessions to the hardliners he was determined that the interpretation and implementation of the new regulations would be in the hands of a man of known moderate and humanitarian views. For Asquith it was probably a compromise between political expediency and an uneasy conscience. Simon's appointment was greeted with surprising enthusiasm even by some of the more stridently anti-alien sections of the popular press. The Evening News, for example which had often attacked McKenna and the government's internment policy, said Simon's appointment gave every hope that in a short time 'we shall have heard the last of a deplorable state of things which has secured for us the amazement of our allies and the contempt of our enemies.'⁹⁶ It may be that the euphoria had less to do with Simon's qualities, however admirable they may have been, than with relief at the removal of McKenna and an assumption that any new regime was likely to be more in tune with the views of the critics who helped unseat McKenna. This may have been reinforced by the knowledge that Simon would have a freer

95. Simon (1873-1954) entered the House of Commons in 1906. Served as Solicitor-General 1910-13; Attorney-General (seat in cabinet) 1913-15 and Home Secretary 1915-16. Held a number of senior cabinet posts in the 1930s, elevated to Viscount 1940 and served as Lord Chancellor 1940-45.

96. Evening News, 18 June 1915.

hand on internment than his predecessor. But however the militants chose to interpret Simon's stance - and his speeches were models of judiciousness - he promised no more than McKenna had done. There was the obligatory assurance of strong action where warranted in the national interest, but also the qualifying assertion that he would not be pushed by extremist opinion into decisions that were unfair or unjust.⁹⁷ Although his fundamental attitude to the internment issue was not markedly different to that of McKenna, Simon began with a number of advantages. Apart from being able to note the lessons of the mistakes made during the early months of the war, he had greater powers and more flexibility, and the existence of the advisory Committee would almost inevitably help diffuse some of the criticism which might otherwise be directed at the Home Secretary.

The Advisory Committee for England and Wales was chaired by Mr. Justice Sankey and included another High Court judge, Mr. Justice Younger, four members of parliament (Stanley Baldwin, Donald Maclean, John Mooney and the Rt. Hon. Lieutenant-Colonel A.R.M. Lockwood) and two women members, the Rt. Hon. Maude Lawrence and Miss Talbot. Their brief was,

To advise as to the grant or refusal of applications made by enemy aliens for exemption from internment or deportation, and on such other questions relating to the treatment of persons of enemy alien origin as may be referred to them.⁹⁸

97. 72HC 5s., 844-5, 18 June 1915.

98. Home Office List, March 1916

The government attempted to give the Advisory Committees 'elasticity' and the power to relax regulations and to discriminate in order to avoid 'serious injustice and hardship to individuals.'⁹⁹ The committees largely determined their own procedure and decided that hearings would be in private, although many MPs believed they should be open to the public and the press. Hearings were presided over by a judicial member and, although solicitors often appeared on behalf of aliens, counsel were not heard and proceedings were strictly confidential.

The committee for England and Wales divided itself into two sub-committees; one, headed by Sankey, dealt with internment matters, the other, under Younger's chairmanship, handled repatriations questions. The Sankey sub-committee held its first meeting on 27 May and sat on 40 occasions during the next two months. During that period 14,117 applications for exemption from internment were received, 7,325 were refused, 6,092 granted, and the remainder held for further consideration.¹⁰⁰ The small number of enemy aliens in Scotland meant that the Scottish Advisory Committee's work was on a much reduced scale compared to that of the Sankey sub-committee. By 5 July the Scottish committee had held nine meetings and dealt with 510 cases, granting exemption in 417 instances and refused on 93 occasions.¹⁰¹ In all cases the onus was on

99. 71HC 5s., 1877, 13 May 1915.

100. 73HC 5s., 2133, 27 July 1915.

101. 73HC 5s., 367, 7 July 1915.

the alien seeking exemption to show why he should be made an exception to the general rule of internment. Most of those released were ^{as previously,} Austrian subjects of friendly races considered 'likely to be hostile to the Austrian government and in favour of the allies.'¹⁰² Of the relatively few internees of German nationality set free the majority were Poles or Alsations.

The Home Secretary had final responsibility for deciding which aliens should be arrested and which released but he normally accepted the recommendation of the advisory committee. The task of collecting information and preparing cases for the committee and conveying its recommendations to the Home Secretary was assigned to the Home Office Prisoners of War Branch which had been returned to the jurisdiction of the Home Secretary from the War Office under Asquith's measures introduced in May.

In advising the committee, the Prisoners of War Branch adopted the principle that if room for doubt existed about the loyalty of an enemy subject to Britain, whatever his race, internment was recommended. Waller, who probably adopted a more uncompromising line on internment than most of his senior colleagues at the Home Office, particularly in the case of German nationals, wrote after the war that the general internment of Germans was a proper measure 'because of their strong patriotism, the extensive ramifications of the German system of

102. Memo., M.L. Waller, 14 May 1915, HO 45/10760/269116/42.

obtaining intelligence and the impossibility of trusting assurances of pro-British feeling, whether by a German or on his behalf.' Waller believed that the Austrians were in a different category. They had less attachment to their own country and were 'more apt to identify themselves with the country in which they had settled.' More than half the Austrian subjects in Britain belonged to races friendly to the allies and in practice the advisory committees treated them more leniently than the Germans. Waller saw the Turks and Bulgarians as standing on a differing footing to the Germans and Austrians. There were relatively few of them in Britain and they were usually 'uneducated men without sufficient brains to be dangerous.' Some who were destitute were interned 'for their own protection or support' but generally they were exempted except in cases of suspicion.¹⁰

The advisory committees took careful account of the advice of the bona fide organisations representing the main ethnic groups. The committees and successive Home Secretaries were undoubtedly guided by the belief that members of the friendly races represented by the groups deserved to be treated as sympathetically as possible, but more pragmatic considerations may also have influenced the government's attitude. Calder argues with some persuasion that a relatively lenient internment policy left at liberty many emigres of the subject nationalities, who were able to move about freely and work with the minimum of inconvenience

103. Waller report on work of Prisoners of War Branch, op. cit.

towards the goal of post-war self-determination.¹⁰⁴

While the Home Office was considering problems of internment the Foreign Office was being approached by emigres representing the subject nationalities of eastern Europe, each with a programme for national liberation. The officials were well aware that these emigres might be too useful to be interned.¹⁰⁵

A further advantage of allowing certain members of the friendly races to remain free was that they were able to pass to the British authorities information gleaned from contacts in their own countries and elsewhere in Europe.

While relations between the emigre organisations and Whitehall were sometimes strained, in May 1915 a Home Office official noted that the Czech, Polish, Serbian and Italian liaison groups had worked well 'and no misleading recommendation, so far as is known, has been made by any of them.'¹⁰⁶

The Home Office had, however, formed a very different view of the group that purported to represent the Alsatian community in Britain, the Alsace-Lorraine Patriotic League. After a brief period of co-operation between the League and the Home Office in the early days of the war, relations became progressively more abrasive, if not hostile. From May 1915 both the Home Office and the aliens advisory committee depended solely on the French Consulate-General for advice on cases involving Alsatians. The League continued

104. K.J. Calder, *op. cit.*, p. 22

105. *Ibid.*

106. Memo., M.L. Waller, 14 May 1915, HO 45/10760/269116/42.

to fight for recognition as the official link between their compatriots and the British government, but their representations were resisted in Whitehall where the Home Office considered the conduct of the group open to 'grave objection.'¹⁰⁷ On several occasions the League had vouched for aliens who had proved subsequently to be strongly pro-German and had notified the Home Office that certain individuals were bona fide Alsatians when they were actually of German parentage. The League was also thought to have failed to pass on information to the department which could have prevented the internment of several genuine French Alsatians.¹⁰⁸ Home Office officials suspected that the League's activities may have been partially motivated by financial gain with money being paid by Alsatian men of military age in the hope of avoiding the alternatives of service in the French Army or internment in Britain.¹⁰⁹ Under Anglo-French agreements the only Alsatians interned were those not recognised as of French origin and those of military age and physically fit who were unwilling to go to France to perform military service with the French Army.¹¹⁰ Otherwise any member of the Alsatian community who obtained a certificate from the French Consulate-General to the effect

107. Memo., R.S. Nolan to M.L. Waller, 5 Oct. 1916, HO 45/10760/269510/31a.

108. R.S. Nolan to M. de Coppet, French Consul-General, 27 June 1916, HO 45/10760/269510/25e.

109. Memo, J.F. Moylan, 10 Oct. 1917, HO 45/10760/269510/53.

110. HO 45/10760/269510/41.

that in France he would be treated as a French citizen was accorded the same status in Britain, and was no longer subject to the restrictions applying to enemy aliens.

Despite the complexities of assessing the claims of the various emigre groups for favoured treatment, the coalition government were anxious to be seen to implement the new internment policy with firmness as well as fairness. Within a month 3,339 enemy alien men were interned, all available accommodation was filled, and more was being brought into operation week by week. By 5 July a further 3,805 aliens had been placed in captivity, the total interned since the beginning of the war reached 26,713, and arrests were taking place at a rate of about 1,000 a week.¹¹¹ The early impetus of the new policy slowed by the end of the summer and from the beginning of August to mid-October only 3,000 enemy subjects were interned.¹¹² But by late November the process of interning or repatriating enemy aliens not exempted on the recommendation of the advisory committees was almost complete. By 22 November the number interned had risen to 32,440, an increase of over 60% since the introduction of Asquith's new measures in May. Of the 15,410 who had applied for exemption from internment 7,348 were successful.¹¹³

Having supervised the internment of virtually all

111. 73HC 5s., 17, 5 July 1915.

112. 74HC 5s., 1468, 14 Oct. 1915.

113. 76HC 5s., 313, 24 Nov. 1915.

non-exempted enemy aliens Simon's tenure at the Home Office came to an abrupt end when he resigned on 11 January 1916 in protest over the introduction of military conscription. His successor Herbert Samuel, a former junior minister in the department, was familiar with the historical background of the aliens question and, as a Jew, with the public prejudice it inspired. Whatever his personal sympathies with the enemy aliens as a beleaguered minority group, however, Samuel was acutely conscious of the potential political, if not strategic, problems posed by the presence of 23,000 people officially classed as enemy aliens at liberty in the community. It was a statistic which the anti-alien propagandists exploited relentlessly, invariably ignoring the fact that it included 12,000 women, many men above and below military age and members of races deemed friendly to the allies.

Samuel insisted that he personally considered each new case of internment or repatriation and, unless it came within well defined categories, he also considered each release from internment.¹¹⁴ As an example of the ostensibly strong line he was adopting, Samuel recounted to the House of Commons the case of a German national living in Forest Gate, London, who had been exempted from internment on the grounds that he was 65 years old, had lived in Britain since 1864, married an English woman and had five children. The man was fined £5 in police court for failing to shade a light during an air raid and, on the grounds that Germans

114. 80HC 5s., 409, 21 Feb. 1916.

who were allowed to remain free should scrupulously observe wartime regulations, Samuel directed that he should be interned whether or not the offence was committed through ignorance.¹¹⁵ Despite his sensitivity to public and parliamentary opinion on the aliens issue, however, Samuel continued, as his predecessors had done, to regard sympathetically applications from members of the friendly races for exemption or release from internment. Any significant deviation from this approach was likely to have prompted a vigorous reaction from *the emigre groups*, several of which had conducted sophisticated campaigns to win support for their causes and had enlisted a number of influential backers.

The Slavs in particular had attracted many prominent supporters who helped to ensure that the British government was well informed of their case. The Serbian Society of Great Britain,¹¹⁶ for example, had Lord Cromer as president and boasted an executive committee which included Wickham Steed, the distinguished foreign editor of *The Times*; the historian, Robert Seton Watson, who in the latter part of the war worked in the cabinet's intelligence bureau and headed the Austrian section of the propaganda department based at Crewe House, and John Buchan, the writer, who was a subordinate director in the Ministry of Information 1917-18. The School of Slavonic Studies established in London in October 1915 also helped to focus attention on the Slav

115. 80HC 5s., 407, 21 Feb. 1916.

116. H. Hanak, Great Britain and Austria-Hungary during the First World War: A Study in the Formation of Public Opinion (1962), pp. 193-5.

case and further backing was subsequently provided by a weekly review, *The New Europe*, launched in late 1917 by Seton Watson, T.G. Masaryk, the Czech patriot, and others. While the Slav lobby undoubtedly won considerable sympathy in Britain, particularly in government and official circles where they had a number of influential friends, it seems doubtful that the complexities of Balkan political aspirations ever achieved much popular understanding.

The political aims of the subject races of the Ottoman Empire were equally little understood in Britain, but after the early months of the war when internment policy was confused, they were treated with considerable sympathy. Nearly all appeals by members of the subject races, notably Greeks, Armenians and Syrians, for exemption from internment were granted on the recommendation of the advisory committees.¹¹⁷

Although in general members of the friendly races were treated more leniently than other enemy aliens, the government always insisted that each case was dealt with on its merits and where suspicion existed about an alien's opinions or attitudes he was liable to be interned.¹ The general rule was that 'exemption could only be maintained in cases where it appeared perfectly clear from every point of view that no danger to the country could possibly result.'¹¹⁹ Any exempted alien imprisoned for a

117. 19HL 5s., 1071, 14 Oct. 1915.

118. 80HC 5s., 1050, 1 Mar. 1916.

119. Waller report on work of Prisoners of War Branch, op. cit.

criminal offence was interned as soon as his sentence had been completed.

Many decisions on internment, repatriation and exemption in the early days of the advisory committees' operations were made on inadequate evidence and hundreds of cases were later reviewed in the light of fresh information, resulting in some cases in a reversal of earlier recommendations.¹²⁰ Between 1 August 1915 and 21 February 1916 the Sankey sub-committee dealt with 2,076 applications for exemption, recommending favourably in 1,211 instances, half of which involved members of the friendly races.¹²¹ Of 6,700 alien ^{men} of German and Austrian nationality at large at the end of February 1916 just over 3,000 were Czechs, Poles and southern Slavs, and the remainder had been exempted on the recommendation of the advisory committees on 'special grounds.'¹²² In the latter case the grounds were usually categorised as 'national' or 'personal'. National reasons took account of the value of the alien's skills and experience to the war effort; personal grounds included such factors as the alien's length of residence in Britain (usually required to be over 35 years to gain exemption), his marriage to a British woman, and the service of one or more of his children in the British armed forces. The latter circumstance was clearly not considered an overriding ground for exemption

120. Ibid.

121. 80HC 5s., 408, 21 Feb. 1916.

122. 80HC 5s., 1247, 1 Mar. 1916.

since, by December 1917, an estimated 6,000 enemy alien fathers of men serving in the British forces were confined in internment camps.¹²³

Samuel assured the cabinet that the decisions arrived at by the advisory committees were provisional only and any complaints received about exempted enemy aliens were immediately investigated by the police. The whole of the alien population was 'under constant supervision' and there was no reason to suspect that any errors of importance had been made in the exemptions which had been allowed.¹²⁴ Similar assurances were given publicly by other ministers, but with the internment camp population running at over 32,000, the government was still prepared, both on economic and humanitarian grounds to release prisoners considered 'safe'.¹²⁵ One of the most forceful advocates of the practical arguments for releasing internees was Lord Newton who, as Paymaster-General in the first coalition, spoke for the War Office in the House of Lords during Kitchener's frequent absences and later became Controller of the independent Prisoners of War Department which was detached from the Foreign Office in 1916.¹²⁶ Newton

123. 100HC 5s., 1698-9, 17 Dec. 1917.

124. Confidential document for cabinet use, 19 June 1916, AP, 127/229.

125. 21HL 5s., 460, 22 Mar. 1916.

126. Newton (1857-1942) became MP in 1886, succeeded to father's peerage in 1898. Paymaster-General, June 1915; Assistant Under-Secretary, FO, with responsibility for departments dealing with prisoners of war and propaganda, Mar. 1916; Controller of Prisoners of War Department, Oct. 1916-Aug. 1919.

reasoned that even if an alien was technically hostile, providing he was not suspected of subversion, he was 'better employed in making boots and clothes or baking bread than being kept doing nothing in an internment camp at the expense of the taxpayers of this country.'¹²⁷ He also argued that prolonged internment could seriously affect both the physical and mental health of prisoners and in many cases left their families destitute. Men previously friendly to Britain could be converted into her 'most dangerous enemies,' and, if not repatriated at the end of the war, might form 'a most undesirable element in the population,' harbouring bitter hostility to the government that had imprisoned them.¹²⁸

By the spring of 1916 the government was beginning to consider seriously the potential problems that would have to be faced when thousands of enemy aliens were released from custody at the end of the war. The prospect of former enemies competing with returning soldiers for jobs had obvious disturbing political implications. Clearly government planning for the immediate post-war period had to take account of the internees and the task was assumed by the Reconstruction Committee established by Asquith in March 1916 as a committee of the cabinet. On 23 March, the committee secretary Vaughan Nash wrote to all key departments seeking their views and information on their work

127. 22HL 5s., 1034, 1 Aug. 1916.

128. 22HL 5s., 183, 25 May 1916.

in so far as it fell within the committee's terms of reference.¹²⁹ In a submission from the Home Office, Troup stressed the practical and human problems that were likely to occur when the internment camps were cleared.

There will be strong feeling against allowing them to settle again in this country; but some of them have lived here for many years, have married British wives, have British children, and are so closely connected with this country that it would be practically impossible to expel them. On the other hand, there are large numbers who are bitterly hostile to this country and many of them, as a consequence of the war, will have lost their means of livelihood here and, if they remain, will only be a source of embarrassment and even danger. Moreover they will be objects of strong popular resentment, and will find it difficult or impossible to obtain employment. It will be necessary to determine which of them are to remain here and which of them are to be repatriated. The question is one of great difficulty, and it is most desirable that it should be settled well before the actual conclusion of peace, so that those who are repatriated may be sent straight from the place of internment to their own country, and not turned loose here in circumstances where they may be lost sight of or may do mischief, or, on the other hand, may suffer from popular hostility.¹³⁰

The detailed consideration of the problem of dealing with the enemy alien population at the end of the war was entrusted by the Reconstruction Committee to an inter-

129. Confidential report, Reconstruction Committee, 6 June 1916, AP, 127/160. The committee was formed to consider and advise, with the aid of sub-committees, on the problems which would arise at the end of the war, and to co-ordinate the work which had already been done by government departments in this connexion. The committee was reconstituted in Mar. 1917 to include representatives of business, finance and labour as well as MPs. The work of the committee was absorbed into the Ministry of Reconstruction established in Aug. 1917.

130. Troup to Vaughan Nash, 28. Apr. 1916, AP, 127.

departmental sub-committee appointed in June under the chairmanship of the Home Secretary, Samuel. Other Home Office appointees were Troup, Pedder and John Fischer Williams (secretary), and the group was asked to consider:

- i. The questions which will arise at the end of the war in connection with the presence in this country of persons of enemy nationality, and whether the repatriation of such persons is desirable, and if so, in what cases.
- ii. What restrictions, if any, should be imposed after the war on the admission of enemy aliens into this country and their residence here.
- iii. Whether changes in the law or practice of naturalisation have been shown by the experience of the war to be required in the public interest.¹³¹

If the government was looking ahead on the aliens question, the hardliners in parliament, such as Joynson Hicks, Sir Richard Cooper, Sir Henry Dalziel and Admiral Charles Beresford, insisted on reminding Asquith and his colleagues with increasing frequency of what they saw as the flaws in the current internment policy. They accused the government of failing to honour their pledges, underestimating the danger posed by the enemy aliens still at large, and of lagging far behind public opinion on the issue.

Samuel attempted to mollify the hardliners by assuring them that he agreed with their view that 'the presence of a large number or even of a small number of enemy aliens in this country may be a very grave danger,'

131. Home Office List, April 1918.

and he added,

I am deeply impressed by what has happened in the United States and in Canada, where outrages of various kinds have undoubtedly been plotted and executed under the guidance of officers of the enemy government by belligerent subjects living in those countries. If adequate measures were not taken I am far from thinking that there is no possibility of similar occurrences taking place here, and the nation has a right to know that measures, and vigorous measures, are being taken by the government to guard against these dangers.¹³²

Samuel's words were more cosmetic than a genuine reflection of a commitment by the government to stronger measures. The cabinet felt it had gone as far as was necessary on internment and figures presented by the Home Secretary to the cabinet in mid-June reinforced this view. About 13,000 enemy aliens had been interned since May 1915, about 10,000 had been repatriated, and there remained at large just over 10,000 enemy alien women, excluding British-born women; about 4,000 men of friendly race or origin; about 1,500 men over 70 years of age, and a few individuals who were considered to be doing valuable scientific or industrial service in support of the British war effort. About 6,000 other enemy aliens, most of whom had long residence in Britain (an estimated two-thirds had lived in the country for over 30 years) and strong marital and family ties here, also remained free.¹³³ Samuel was well aware that the internment statistics regularly provided by

132. 100HC 5s., 1662, 17 Dec. 1917.

133. Confidential report to cabinet, 19 June 1916, AP, 127/229.

the government were unlikely to prove a very effective counter to the inflammatory generalisations of the anti-alien propagandists. When they complained that 22,000 enemy aliens were allowed to remain at large 'everyone imagines 22,000 able bodied active German or Austrian men.',¹³⁴

While few outside the more extreme anti-alien hardliners would have contested the view of Samuel and his predecessors that practical and humanitarian considerations demanded that there had to be some exceptions to a policy of general internment of enemy aliens, there was clearly a much more widely held belief that the government's internment policy continued to be too lenient. This view was exploited by the anti-alien propagandists, who saw potential saboteurs and spies in every uninterned enemy alien, although they had virtually all been 'vetted' by the police, the intelligence authorities and the advisory committees and found 'safe.' That the committees recommended any exemptions from internment was sufficient to make them a target of criticism from the more unyielding extremists, but Sankey and his colleagues won the respect of most parliamentarians and the emigre groups for their painstaking impartiality. The reliance placed by the Home Office on the judgment of the Sankey sub-committee is reflected in the fact that up to the end of 1916 only about 250 people were exempted whose internment had been recommended by the committee, and

134. 83HC.5s., 1068, 29 June 1916.

practically all of those were allowed to remain free because subsequent evidence not available to the committee showed they were employed in work of value to the war effort. Later reviews of cases by the Home Office led to the internment of about 700 enemy subjects originally recommended by the committee for exemption.¹³⁵

Towards the end of 1916 criticism of the government's internment policy was beginning to acquire a new, more bitter edge. The war had gone on far longer than most people expected and there seemed little prospect of an early peace; personal liberties were being increasingly curtailed, and everyone was affected to a great or lesser extent by the inconveniences and shortages arising from the demands of the war effort. The early enthusiasm for the war which had sustained national morale was beginning to flag, and there were nagging doubts both in parliament and the country about Asquith's effectiveness in managing the war effort, and, as far as internment was concerned, whether he was sufficiently committed to the avowed policy of the government. There seems little doubt that the confusion which often surrounded aliens policy arose partly from the casual administrative practices of the Asquith cabinet and the lack of precise information about decisions taken. No record was kept of business discussed, apart from a private letter sent by Asquith to the King, which often contained little more than a hazy notion of decisions taken.¹³⁶ Lord

135. 109HC 5s., 447, 31 July 1918.

136. 30HL 5s., 263-4, 19 June 1918.

Hankey records one instance as secretary of the CID of submitting a report to the cabinet on the treatment of aliens with a request that it be given immediate attention. Despite repeated inquiries he was never able to establish whether the cabinet had ever discussed the report.¹³⁷

Asquith's lack of urgency and apparent reluctance to act decisively on the aliens issue led some observers to conclude that his devotion to the concept of general internment of enemy subjects was as lukewarm as it had been in the early days of the war. Although many more aliens were in custody as a result of his May 1915 measures, a substantial number remained at large, and the fundamental approach of the coalition government to civilian internment had not been conspicuously harsher than that of the previous administration. Asquith's attitude to the aliens issue was guided principally by caution and a genuine concern that vulnerable minorities should be treated justly, both for humanitarian reasons and because he believed Britain should not only act in accordance with international law and practice but be clearly seen to do so. He regarded the anti-alien extremists with contempt, but his attempts to counter their appeals to emotion and ignorance with restrained and reasoned argument were largely ineffectual in the prevailing climate of opinion. But if his style and temperament were ill suited to the contemporary mood, and his government's handling of the internment question sometimes inept, it

137. Hankey to Balfour, 4 Dec. 1914, Balfour Papers, British Library, quoted by J.F. Naylor, 'The Establishment of the Cabinet Secretariat', Historical Journal, vol. 14, 4, 1971, pp. 783-803.

can truly be said of Asquith that 'he never forgot the classical injunction to treat an enemy as though he may one day become a friend....'¹³⁸ But moderation and magnanimity were not qualities that the British public demanded in the treatment of enemy aliens during wartime and when Asquith finally gave way to Lloyd George in December 1916 there was wide expectation that the new Prime Minister would take a much more decisive if not harsher line on internment.¹³⁹

138. J.A. Spender and C. Asquith, Life of Herbert Henry Asquith, Lord Oxford and Asquith, 2 vols. (1932) p. 281, II.

139. See B. McGill, 'Asquith's Predicament, 1914-18', Journal of Modern History, vol. 39, 3, 1967, pp. 283-303.

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Lloyd George showed a shrewder appreciation than had Asquith of the complexities of the aliens question and the powerful passions it aroused. Although he privately shared Asquith's disdain for the extremists, he was quite prepared, when it suited his political purpose, to adopt their kind of rhetoric and to use the aliens issue to manipulate public opinion.

The composition of the new war cabinet can only have encouraged those who looked to the government for a more positive and stricter internment policy. Only Arthur Henderson, the single Labour Party representative in the cabinet, had consistently shown sympathy for the plight of enemy aliens and a desire to ameliorate it. It is perhaps not without significance that Lloyd George placed 'safe' conservatives in the key ministerial posts concerned with aliens matters and prisoners of war. Sir George Cave,¹⁴⁰ an orthodox and rather colourless Tory, was promoted from Solicitor-General to follow three Liberal Home Secretaries and the affable and popular Lord Derby replaced Lloyd George at the War Office. Cave clearly had the enthusiastic backing of the Prime Minister in quickly demonstrating a firm line on internment, and one of his first initiatives as Home Secretary was to order a survey of the cases of all

140. Cave (1856-1928) entered the House of Commons in 1906, became Solicitor-General in 1915, and served as Home Secretary from 1916-19. Created Viscount in 1918, he served two spells as Lord Chancellor in the 1920s.

German men who had been exempted from internment or repatriation to determine whether their continued freedom was justified.

In Troup's view the new national service scheme, designed to maximise the manpower available for the war effort, would make it impossible to leave enemy aliens 'to go on making money in any way they choose when British subjects are required to give up their ordinary businesses or occupations and undertake national service in other industries.' The opportunity should be taken in the review ordered by Cave to ascertain from the police which exemptees were engaged in work of national importance and which were not so that the latter could be transferred into such work. Troup believed that 'Those who refused to do work necessary for this country could and should be interned.'¹⁴¹

The review was begun immediately in the Metropolitan Police area and a general circular was issued to all forces on 24 February 1917 advising that the continuing exemption of enemy aliens aged 16 to 65 would be conditional on:

- i. Reports by the police that their conduct had been 'entirely satisfactory' and 'no reasonable suspicion as to his actions or character had arisen.'
- ii. Confirmation that they were undertaking work of national importance unless prevented from doing so by age and infirmity.¹⁴²

141. Memo., Troup, 30 Dec. 1916, HO 45/10631/326555/2.

142. Note on work of the Aliens Division for government record, 12 Jan. 1918, HOR.

Cave's review was welcomed by Sir Edward Henry, the Metropolitan Police Commissioner, who reminded the government that despite the introduction of Asquith's general internment policy in May 1915 and the work of the advisory committees there were still a 'very considerable number' of enemy aliens living in London. The effect of Asquith's measures had been 'virtually to take all responsibility out of the hands of the police.' Nevertheless cases had occurred where the police received information indicating the desirability of internment of certain aliens. When this happened the police either reported the circumstances to the Home Office for reconsideration of the exemption or, if the case appeared urgent, interned the individual themselves and then sought approval. The only cases where the police might be said to have exercised their own discretion in refraining from internment of an alien when such a course appeared desirable was in a few instances of severe illness where captivity seemed likely to endanger life, or where there was some doubt about nationality, or where vital information had come to light after consideration of the case by the advisory committee.¹⁴³

Although Cave's review resulted in some further internments and repatriations they constituted hardly more than a token gesture to the critics of internment policy, some of whom continued to demand nothing less than the internment or repatriation of all enemy aliens, with urgent priority given to the arrest of German nationals. Cave

143. Henry to Troup, 8 Jan. 1917, HO 45/10831/326555/3.
See appendix V.

pointed out in mid-February that of the 20,000 enemy aliens still at liberty fewer than 2,000 were Germans, nearly 10,000 were women, and of the 7,500 men of military age the majority were subjects of Austria-Hungary, including 3,000 members of the friendly races, and about 500 were Ottoman subjects. All had been recommended for exemption by the advisory committees.¹⁴⁴

Such arguments as were put forward in parliament at this period against general internment, notably by Lord Newton, tended to reiterate the view that it was more sensible to employ enemy subjects in helping the war effort, even if indirectly, than to keep them languishing in camps at considerable cost to the public purse. Newton summed up his view thus,

I never could follow the doctrine that because you particularly dislike a man and disliked his country you should put him behind barbed wire and keep him there doing nothing. If I disliked a person very much I would infinitely prefer to see him working for the benefit of the country, and thus helping to bring the war to a conclusion.¹⁴⁵

The case for exempting or releasing enemy aliens from internment on humanitarian as well as economic grounds continued to be advocated by a small number of politicians, and some also endorsed the view of the emigre groups that members of the friendly races whose loyalty to the allied cause was not in doubt had virtually a moral right to freedom.

144. 90HC 5s., 710, 14 Feb. 1917.

145. 24HL 5s., 788, 29 Mar. 1917.

The argument for special consideration for Poles took on a new dimension in March 1917 when the revolutionary provisional government in Russia declared Poland an independent nation. The Polish lobby in Britain and other countries urged that Polish committees should be established and entrusted with consular functions previously undertaken by the Russian authorities.¹⁴⁶ The secretary of the influential Polish Exiles Protection group in London, Laurence Alma Tadema, suggested in May that

....the time has come when an end might be put to sufferings due entirely to the political disadvantage which, before the position of the Polish question was recognised, caused a Pole to be regarded not as a Pole, but an Austrian, German or Russian. It would surely not be in accordance with the present position of the Polish question to keep Poles interned in England today.¹⁴⁷

Given the wide international implications of the situation the British government stalled the representations of the Polish lobby.¹⁴⁸ It was not until February 1918 that an order in council was issued laying down that where the Secretary of State was satisfied, whether by certificate

146. The first group to take charge of Polish interests was the Polish Information Committee, under Russian auspices. In 1916 the Russian embassy transferred recognition to a society known as the Polish Exiles Protection and the British government followed suit. The political side of the society's work was subsequently taken over by the Polish National Committee and the society remained in existence for charitable purposes only. After the armistice the Polish National Committee became the Polish Legation.

147. Tadema letter, 27 Apr. 1917, passed by intermediary to FO, HO 45/10740/262173/49.

148. HO 45/10740/262173/49.

from the Polish National Committee or otherwise, that an enemy alien was a Pole and well disposed to Britain and her allies, he could grant exemption from all or any provisions of the aliens restriction regulations except those applying to non-enemy nationals.¹⁴⁹

During Cave's first year at the Home Office the majority of those released from internment were prisoners (mostly of Austrian nationality) given conditional parole licences to carry out work of national importance, mainly in agriculture. Between 1 January and 17 December 1917 only 206 enemy aliens were interned while 1,423 were released on licence and 52 were freed for other reasons. This latter group consisted of some elderly men from prohibited areas who could not be released, as recommended by the advisory committees, until their families had found homes for them in non-prohibited localities; a few men discharged owing to family circumstances 'of a specially distressing kind' and two or three prisoners dying from incurable diseases released to the care of their wives. The rest were all men of friendly races. On 17 December there was a total of 24,053 enemy aliens at large, made up of 13,546 men and 10,507 women. The total included 13,068 Germans, 9,259 Austro-Hungarians, 1,666 Turks and 60 Bulgarians.¹⁵⁰

In late 1917 Cave found himself under growing

149. Order in council, 5 Feb. 1918, amending Aliens Restriction (Consolidation) Order 1916.

150. 100HC 5s., 1818, 17 Dec. 1917.

pressure, not least from rank and file members of his own party, to impose a more stringent internment policy. A splitⁱⁿ the Unionist group in the coalition government and party activists both on the backbenches and outside parliament was publicly highlighted in a debate engineered by Joynson Hicks on 17 December, when he proposed a series of amendments to the Consolidated Fund (Appropriations) Bill. These called for 'a more definite policy' on internment under which 'no man should be allowed to remain uninterned except for definitely national as opposed to personal reasons;' repatriation of women and children of enemy origin unless there were exceptional reasons not to do so; new legislation to enable the Home Secretary where appropriate to cancel naturalisation certificates of men of enemy origin, and a bar against further enemy aliens being naturalised during the war. Joynson Hicks told the House of Commons that the amendments represented the feeling of Unionists both in parliament and the country that the government had not taken effective action to deal with enemy aliens. The amendments were, in fact, substantially resolutions drafted by a sub-committee of the party's Business Committee and unanimously approved by its powerful War Committee. Previous proposals to intern all enemy aliens except those exempted for national reasons had been 'met with scorn by the ministerial bench,' said Joynson Hicks, and the Home Office differed from the the Unionist Party and the majority of the House of Commons on what constituted justifiable grounds

for exempting enemy aliens from internment. His call for a more uncompromising internment policy was eagerly endorsed by hardliners such as General Page Croft, John Butcher, George Faber and Sir Herbert Nield. According to Nield successive Home Secretaries had either wilfully blinded themselves to the danger from enemy aliens or they had been prevented from taking effective action by 'a cog in the administrative wheel.' Cave maintained that the final decisions were his, although taken on the basis of the advisory committee's recommendations. He pointed out that each wartime government had followed the general rule that *prima facie* all enemy aliens ought to be interned on the grounds that the safety of the realm was paramount. In considering cases guilt was assumed and the burden of proving justification for exemption lay with the alien. In dealing with individual cases, said Cave, there had been many times when he had been 'very, very hard.' Joynson Hicks withdrew his amendments to the Consolidated Fund Bill, acknowledging that the Home Secretary had 'met us very fairly,' but it was clear that the amendments would not have been carried.¹⁵¹ Many in parliament were concerned that the government seemed to consistently lag behind public opinion on the internment issue, but the militant hardliners in parliament remained a relatively small minority.

The hardliners' cause gathered momentum in the country during the spring and summer of 1918, and in July anti-alien sentiment reached its highest intensity since

151. 100HC 5s., 1658-1708, 17 Dec. 1917.

May 1915. A nation drained by nearly four years of war, weary of restrictions and shortages, bitter at the carnage of its young men on the battlefield and faced with news of German advances on the western front, needed little prompting from the propagandists to direct its frustration and anger at the easily accessible 'enemy in our midst.' It mattered little that of the 12,500 enemy alien men remaining at liberty, 4,000 belonged to the friendly races and over 3,000 were elderly or invalids.¹⁵² Demonstrations in Hyde Park and elsewhere, petitions to the government and resolutions by local councils, patriotic groups and other organisations demanded sterner measures against the enemy alien population. With stridently anti-alien groups such as the Nationalist Party - formed by right wing Unionists under General Croft's leadership - and the British Empire Union fomenting agitation, urged on by the Northcliffe Press, Lloyd George and his cabinet colleagues accepted that some changes in aliens policy were a political if not a practical necessity.

Lloyd George had no qualms about exploiting the aliens issue as a propaganda weapon and during the critical days of early July he blatantly encouraged popular prejudice with attacks on alleged German atrocities and ill treatment of prisoners of war, and accused enemy aliens of gloating over British setbacks at the western front. He claimed that with the news of every British reverse he received anonymous letters crowing over the situation. The

152. 107HC 5s., 1825, 4 July 1913.

letters bore British postmarks and were obviously written by Germans, many of whom admitted their nationality. The aliens question, he said, had become 'a matter of great concern affecting the prosecution of the war' and everyone who had evidence of suspicious activities by aliens 'should place it at the disposal of the authorities for a 'real examination.' The risks were far too great for dangerous aliens not to be ruthlessly searched out and the only limit he placed on this was that he 'would not enter into competition with Germany in inhumanity, injustice and unfairness' but overtrustfulness would be folly.¹⁵³

Lloyd George's promise during a June by-election campaign in Finsbury, London, that he would devote urgent personal attention to the aliens question almost certainly played an important part in ensuring the election of the candidate endorsed by the coalition government. The internment issue figured prominently in the campaign and some observers took the Prime Minister's assurances to imply that harsher measures were imminent. The Law Times, which had taken a consistently critical line on the government's aliens policy, noted,

It would seem that, after nearly four years the government has grasped that their method of dealing with interned and uninterned alien enemies in this country is causing a widespread feeling of uneasiness...Immediately steps should be taken for absolutely terminating the enemy taint in this country and the existing policy of laissez faire dropped once and for all.¹⁵⁴

153. 108HC 5s., 573-7, 11 July 1918.

154. Law Times, vol. 145, 22 June 1918, p. 142.

Lloyd George gave more comfort to hardline opinion when he appointed a committee of six MPs, most of whom had consistently advocated harsher measures,¹⁵⁵ to advise him on what steps might be taken to allay public anxiety on the aliens question. The committee's report, submitted on 8 July, made 15 recommendations, including the wholesale internment of all enemy alien men over the age of 18, with exceptions on 'national' or medical grounds to be within the discretion of the Home Secretary; the repatriation of alien women of enemy origin, again with provision for exceptions on grounds of justice and humanity; the review of naturalisation certificates granted to persons of enemy origin; the discharge from government offices of men and women of enemy origin; the invalidation of name changes by persons of enemy origin since 1 August 1914 until six months after the armistice, and the immediate winding up of enemy businesses and the closing of enemy banks still in operation. The committee's report was generally well received in parliament and the government broadly accepted the recommendations.¹⁵⁶ In a major debate on the aliens question on 11 July Cave acknowledged public anxiety but said it was due to a great extent to irresponsible propaganda and a lack of knowledge of the steps the government had already

155. The committee comprised Mr. Kennedy Jones, Mr. Joynson Hicks, Sir Henry Dalziel, Sir Richard Cooper, Sir John Butcher and Mr. Charles Bowerman.

156. 108HC 5s., 527, 11 July 1918. See also Annual Review, 1918, p. 110.

taken to deal with the situation. Although the country had suffered no ill consequences as a result of the present system, he accepted that the government had to take account of public feeling on the issue, but that feeling would not be allowed to dictate policy. There was to be a review of internment policy to see 'whether it cannot in one way or another be tightened up with a view to the security of this country.' Exemptions from internment were to be scrutinised by the existing advisory committees strengthened by additional members, including at least one military representative in each case. The cases of enemy alien women were also to be reviewed although the government remained against the general internment of women. There was also to be a review of certificates of naturalisation issued during the war, new restrictions on the employment of aliens in government offices, stricter measures on the carrying of identification by aliens, the provision of shipping for deportation of 'undesirable' aliens, the immediate winding up of German branch banks, an end to the practice of accepting patent specifications from German subjects, and new controls over name changes by persons who were not natural-born British subjects.¹⁵⁷

Some MPs remained sceptical as to whether the government had the will to impose a much stricter aliens control policy and suspected undue influence over policy direction by civil servants, notably at the Home Office. Cave condemned the criticism of officials who were

157. 108HC 5s., 522-9, 11 July 1918.

not in a position to defend themselves publicly, but the hardliners persisted in their attacks. Some sections of the popular press helped to give credence to the spurious image of Home Office officials as 'Whitehall wirepullers' and 'friends of Fritz', and Northcliffe claimed that he had it on excellent authority that certain officials were 'determined to protect their friends.'¹⁵⁸ No evidence was produced to substantiate such statements, but they no doubt helped fuel a popular belief that the government continued to be 'too soft' on enemy aliens. To monitor the way in which the government's new aliens control measures were implemented a group of MPs formed an 'Aliens Watch Committee' with Sir Edward Carson as chairman and Sir Henry Dalziel as his deputy.¹⁵⁹ No record appears to exist either of their deliberations or findings.

Few voices were raised against the clamour for a harsher internment policy but among those who did speak forcefully was Colonel Josiah C. Wedgwood (Liberal), who said that the anti-alien campaign had made him 'more ashamed of my country than I have been at any time during this war.'¹⁶⁰ Lord Ribblesdale warned that Britain had become 'almost crazy about the whole of the aliens question,'¹⁶¹ and the King, who had adopted a consistently humane view on the treatment of enemy subjects, reacted in

158. R. Pound and G. Harmsworth, Northcliffe (1959), p. 653.

159. The Times, 17 Aug. 1918.

160. 108HC 5s., 546-8, 11 July 1918.

161. 31HL 5s., 444, 2 Aug., 1918.

private correspondence to the renewed demands for an indiscriminate internment policy with the comment, 'Intern me first.'¹⁶²

The reconstituted aliens advisory committee for England and Wales¹⁶³ held its first meeting on 21 July to begin the task of sifting through all cases of enemy aliens at large, paying particular attention to those of German nationality. Sankey said the committee would continue to act on the cardinal principle of giving the state the benefit of the doubt but at the same time justice would be done and the special circumstances of each case would be taken into consideration. The committee would continue to sit in private.¹⁶⁴ The public was invited to send information to the committee on any enemy aliens of whom they were suspicious. By the end of October the committee, which was empowered to hold local enquiries, had considered the cases of about 3,200 aliens of whom some 300 were interned and about 220 recommended for repatriation.¹⁶⁵ Not surprisingly the hardliners saw the undramatic outcome of the committee's work as merely further evidence of undue leniency to enemy aliens, but by the end of the summer the internment question had ceased to be an issue of significant

162. H. Nicolson, King George the Fifth: His Life and Reign (1952), p. 212.

163. Members of the reconstituted committee were: Mr. Justice Sankey, Mr. Justice Younger, Sir John Butcher, Lord Lambourne, Sir Donald Maclean, Mr. John J. Mooney, Mr. Thomas Richards and Major-General Lord Cheylesmore.

164. Annual Register, 1918, p. 115.

165. 110HC 5s., 1583, 31 Oct. 1918.

national controversy. More momentous matters were occupying public attention with the turn of the tide in favour of the allied forces on the western front and the rising prospect of peace.

When the armistice with Germany was signed on 11 November about 24,450 civilian prisoners remained in the internment camps, the numbers having been reduced from the peak of over 32,000 by release of members of the friendly races, paroling of prisoners for work of national importance and repatriations. By the end of April 1919 between 4,000 and 5,000 men who had refused repatriation were still held, but the camps were cleared during the year as a committee appointed by the government under Mr. Justice Younger's chairmanship dealt with applications for exemption from repatriation.¹⁶⁶

166. See chapter four for an account of the committee's work.

CHAPTER THREE

ENEMY ALIENS IN CUSTODY

The incarceration of thousands of enemy alien civilians, mostly able-bodied men of military age, many of them skilled workers, members of the professions and businessmen, whose only 'crime' was their nationality, posed novel and difficult social and administrative problems for which the authorities were ill-prepared either through contingency planning or previous experience.

This chapter considers the development of the internment camp network, the organisation of the camps and the treatment of prisoners. While the main concentration is on civilian internees some reference will also be made to combatant prisoners since both categories were classed as prisoners of war and subject to military law and the same international conventions. As far as possible civilian and military prisoners were kept in separate camps, but in some instances both categories were housed in the same establishments, though normally in segregated accommodation. At one stage of the war there were nearly 500 camps in operation.¹

The War Office, which initially had primary responsibility for custody of prisoners of war, both civilian and military, fulfilled this function through its Directorate of Prisoners of War headed by Lieut.-General Herbert Belfield. As he later recalled the main difficulty

1. H. Gordon, The War Office (1935), p. 313.

at the outset was the total lack of experience or useful precedent available to his department. Little could be gained by studying conditions which existed and the regulations in force during the second half of the 18th century and the early years of the 19th century, the last period when England held prisoners of war in considerable numbers. Times had changed, ideas of propriety were different, and in the earlier period there were no conventions by which states had bound themselves in regard to the conduct of war, especially the treatment of prisoners.²

At the beginning of the war the War Office took the initiative in requisitioning land and buildings to house prisoners, but from an early stage the Home Office assumed a key role in the administration of civilian internment camps. The Home Office acted through the agency of the Destitute Aliens Committee (later renamed the Civilian Internment Camps Committee, with a broadened remit to deal with camp administration), which was formed shortly after the outbreak of the war under the chairmanship of John Pedder, head of the Home Office Aliens Division, and including representatives of the War Office and Local

2. Unpublished report of the work of the Directorate of Prisoners of War, 26 March 1920, HO 45/11025/410118/5. Belfield wrote that the only 'text books' available at the beginning of the war on the subject of prisoners of war were the Geneva Convention of 1906, as regards medical personnel and chaplains; section 1 of the annex of the 4th Hague Convention of 1907; chapter 2 of the 5th Hague Convention of 1907 (with the explanatory notes of all the above in the Manual of Military Law); a few sections in chapter 14 of the Field Service Regulations (part 2) and the Royal Warrant of 3 Aug. 1914.

Government Board.³

The major proportion of civilian internees during the war were housed in two camps in the Isle of Man, one purpose-built at Knockaloe, near Peel, which eventually had accommodation for 25,000 men, and the other at Douglas, where a former holiday camp was adapted to house over 3,000 prisoners. The Home Office anticipated at one stage that Knockaloe might be used to accommodate all civilian prisoners but this proved impracticable.

The operating costs of the island camps were met from central funds, with a weekly allowance made to the Isle of Man Government to provide food, clothing and footwear for prisoners, and to cover administrative expenses.⁴

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3. The initial remit of the Destitute Aliens Committee was:
- i. to arrange for the repatriation of destitute aliens, especially alien enemies, not being for military service or suspects.
 - ii. to co-operate with charitable societies relieving destitute aliens and to guide and control their operations.
 - iii. to organise (in co-operation with the authorities concerned) any special arrangements which may be necessary for the accommodation and maintenance of destitute aliens.
 - iv. generally to deal with questions arising from time to time as to the relief and assistance of destitute aliens which may be referred to the committee by the Home Office, War Office or Local Government Board. (Home Office List, 1917)

See appendix IV for terms of reference after the the committee was designated the Civilian Internment Camps Committee.

4. 80HC 5s., 911, 29 Feb. 1916, and 70HC 5s., 1263-4, 9 Mar. 1915.

The Home Office was broadly responsible for administration of the camps in co-operation with the Manx government, but the War Office and Home Office initially had difficulty in reaching agreement on the proper division of responsibility for the day-to-day operation of the camps. It was eventually agreed after many conferences and voluminous correspondence that the War Office would be responsible for guarding, disciplinary control and censorship, while the Home Office would undertake the upkeep of buildings, equipment and installations for lighting and water supply, the provision of food and clothing, and the management of canteens. The commandants and staff to maintain the military services were supplied by the War Office and civilian staff by the Home Office. All correspondence between the Home Office and civilian staff passed through the commandants, who were thus able to monitor the civilian as well as the military aspects of the camps' operations. The military supervision of the camps was under a Brigadier who also commanded all troops on the island. According to Belfield 'grave irregularities and much misunderstanding' resulted from the system of dual control operated at the Isle of Man camps.

It was an unsatisfactory makeshift arrangement which worked on account of the goodwill and tact with which it was handled and in spite of its many shortcomings. It should never be repeated. Either the War Office or the Home Office should have been solely responsible, but the latter had no force at its disposal for guarding prisoners and no powers under military law to deal with them; it is difficult to see how this responsibility could have been borne by any other department than the War Office, which,

however, would gladly have shifted it to other shoulders.⁵

While the majority of civilian prisoners were housed in the Isle of Man camps, many were held in establishments nearer their homes in London and the provinces. They were housed in an assortment of accommodation, ranging from disused factories and workhouses to tents and ships. Locations in the early weeks of the war were: Olympia (exhibition building), Frimley, Haywards Heath, Newbury (tents), Stratford, East London, Lancaster (former factory buildings), Queensferry, Stobs (huts), Handford (huts and buildings), York (disused buildings), Wakefield (pleasure grounds and buildings), Southampton (skating rink) and Douglas (former holiday camp). Also used were passenger liners moored in the Thames and off the Isle of Wight, and camps subsequently brought into operation included Alexandra Palace, Hackney Wick (former workhouse), Libury Hall (farm and buildings) and Knockaloe. Some of the early camps, such as Olympia, which was required for other purposes, and Newbury and Lancaster, which were found to be unsuitable, were later closed. Some of the camps were administered by the War Office and some by the Home Office. The military department was also responsible for guarding most establishments - each commandant was responsible to the General Officer Commanding-in-Chief of the area for the safe custody of prisoners - and for supervising transfers between camps. The camps at Islington, Hackney Wick and Libury Hall were guarded by the police.⁶

5. Belfield report, op. cit.

6. Ibid.

Internees in the London camps included a considerable proportion of waiters, barbers, cooks, bakers, tailors and clerks,⁷ while the Hackney Wick establishment was set aside mainly for those with a knowledge or aptitude for mechanical work to man a sewing machine manufacturing shop established there.⁸ A number of older enemy aliens were housed at the Libury Hall camp in Hertfordshire, which had^{been} established before the war by Germans to provide a temporary shelter for unemployed and destitute German-speaking men. The camp had no guards and its internal operations were supervised by the farm's pre-war managing director. With accommodation for 244 men the camp produced its own food supplies, except for certain kinds of meat which had to be bought outside.⁹ Probably the most unusual 'internment camp' was at Buckfast Abbey in Devon, where the community of 40 Benedictine monks included a substantial proportion of German subjects of military age. The monks were not repatriated because the government felt that as able-bodied men they would be useful to Germany. Instead they were confined to the Abbey and its 45-acre grounds and continued their farming, gardening and beekeeping, as well as their religious activities.¹⁰

7. M. MacDonagh, In London During the Great War (1935), p. 91.

8. Memo. on work of Aliens Division, for government record, 12 Jan. 1918, HOR.

9. Ibid.

10. 93HC 5s., 461, 3 May 1916; 97HC 5s., 6 Aug. 1917; Cd. 8419, 1916.

From the early months of the war there were periodic inspection visits to the camp by neutral observers, representative of the Red Cross and other charitable and welfare organisations, British politicians and members of the press. Visits by journalists were, however, discouraged by the War Office and Belfield summed up the position thus,

There was naturally much curiosity to see the conditions under which prisoners lived when the camps were first opened in this country; but as anyone entering a camp had to be accompanied by a member of the camp staff, of which the numbers were small, compliance with all requests would have thrown an intolerable burden on them. It was necessary from the first to stop visits by newspaper reporters without sanction from the War Office, and to only a few of them was this given.¹¹

Belfield said that the arrangement which existed up to September 1915 under which General Officers Commanding-in-Chief had authority to permit inspection visits 'led to abuse,' and subsequently all such visitors were required to obtain War Office passes.¹²

Until the United States entered the war in April 1917 it acted as the protecting power for enemy subjects held in British internment camps and for British prisoners in the custody of other belligerents. In the latter part of the war this role was assumed by Switzerland and Sweden.

One of the first inspection tours of British camps was carried out by two American diplomats, Chandler S. Anderson and Chandler Hale, in September 1914.¹³ They were

11. Belfield report, op. cit.

12. Ibid.

13. Report to Sir Edward Grey, 15 Oct. 1914, HO 45/10729/255193.

given written authority by the War Office for unrestricted access to all parts of the camps they visited and to have private conversations with prisoners. These conditions were scrupulously observed and the ensuing report, covering visits to mixed camps at Frimley and Queensferry and an officers' camp in Wales, provides a useful if somewhat cursory and uncritical insight into internment conditions in the early weeks of the war. The Americans said they received few complaints, although in the case of Frimley the men were all housed in tents, with 10 prisoners in each, sleeping on sacks on board flooring. Those who could afford it were able to buy mattresses with their own money. In the other camps men made their own beds from timber supplied by the camp authorities and were provided with straw mattresses. Adequate bath and shower facilities were generally available and each man was required to bathe at least once a week. Each of the camps had separate 'hospital' accommodation for contagious diseases and for the treatment of other ailments, with army doctors in regular attendance. Prisoners who could afford it were expected to pay for the medicines they required. Civilian internees were allowed to wear their own clothing, and those who lacked what was judged to be an essential minimum of serviceable garments and could not afford to buy more, were provided with the necessary items by the camp authorities.¹⁴ (Several cases were reported to the Home Office where prisoners used the garments supplied as stakes in gambling

14. Anderson/Hale report, op. cit.

games and had to be given further items to replace those lost.¹⁵⁾

While in most camps the material needs of internees were adequately met, despite a number of logistical and administrative problems during the early weeks of the war, prisoners never ceased to be subject to the monotony of camp routine and diet, the loss of dignity and privacy, and the wide range of rules and regulations covering such sensitive matters as visits and correspondence.

Visiting arrangements were formally regulated by the War Office in the early war years, but in practice camp commandants, and on the Isle of Man the Manx government, were allowed some discretion over the length and frequency of visits. Instructions issued by the War Office in 1914 laid down that an internee should be allowed two visitors a month at the same time for 15 minutes. This period could be extended by the commandant if he felt it appropriate, and he could withhold visiting privileges in cases of misbehaviour. Visits took place in the presence of a member of staff and an interpreter was on hand if the conversation was not held in English. Strict precautions were taken to prevent articles or messages being illicitly passed into or out of the camp. All items brought in were examined and books and letters were subject to censorship. Men who had received visitors were sometimes searched afterwards. With the bulk of prisoners concentrated in the Isle of Man camps and others scattered between more than 40 camps throughout

15. Cd. 7815, 1915.

the country, visiting was often difficult for relatives because of the long journeys involved. In the case of the Isle of Man camps each visitor was permitted on the island once every three months and during the stay could pay three camp visits each of a half hour duration. Relatives living on the island were allowed a half hour visit every two weeks.¹⁶ At the Islington and Alexandra Palace camps in London, where most internees had families living in the area, weekly visits were generally permitted. The standard arrangement laid down by the War Office was usually adhered to at the Wakefield camp, but visiting periods were sometimes extended up to one hour.¹⁷ In October 1916 the Home Office took over responsibility for regulation of visits to all internment camps. Existing rules were maintained in respect of length and frequency of visits but commandants were instructed,

- i. not to give extra visits to solicitors and others intended to facilitate the conduct of an enemy's business;
- ii. to use their discretion in regard to the duration of visits from wives and relatives travelling from a distance;
- iii. to refer any special cases to the Home Office for decision.¹⁸

On the whole the visits system worked reasonably well although there were occasional allegations by MPs, not substantiated, that certain prisoners were allowed extra visits because of their influence or social standing.¹⁹

16. 104HC 5s., 1224, 21 Mar. 1918.

17. 107HC 5s., 711, 24 June 1918.

18. Ibid.

19. 107HC 5s., 1203, 27 June 1918; 107HC 5s., 1737, 3 July 1918.

One of the more irksome regulations which prisoners had to endure was the censorship of their letters and the limitation on the number of letters they were allowed to send. Because of the difficulties posed for the censors by the large number of letters written by internees in the opening weeks of the war, from early October only two a week were permitted. Camp commandants were, however, given discretion to relax this rule in certain cases, as, for example, where an internee had to conduct correspondence in connection with a business in the United Kingdom. Prisoners had to write their letters on ordinary lined paper and could use English or their native language, but in the latter case there was likely to be a longer delay in censorship. Each camp was assigned two days on which letters could be posted. There was no limit on the number of letters an internee could receive, and he was allowed to send and receive mail without charge.²⁰

Any money sent to an internee through the post or brought by him to a camp was retained by the camp authorities, who allowed him to draw on his funds at such times and in such amounts as they deemed advisable. Any money paid or received had to be carefully receipted. Cheque books could be used but they remained in the custody of the camp authorities.²¹ Apart from such 'strategic' items as cars and cameras, prisoners were permitted to retain most of their personal belongings. Items sent to internees

20. WO instruction to camp commandants, 6 Oct. 1914, HO 45/10729/278559/128.

21. WO instruction to camp commandants, 31 Aug. 1914, HO 45/10732/255193/13.

had to be approved by camp staff before possession was authorised.²²

The restrictiveness and frustrations of internment were compounded for many prisoners during the early war months by being housed in tents and a variety of hastily requisitioned buildings of varying suitability for human habitation. Despite appeals by the War Office to local civil and military authorities to find suitable sites, available accommodation fell short of what was required. In September 1914 the war Office advised that buildings were needed which could house 1,000 or more prisoners, with accommodation for about 100 guards, some 12 officers and administrative staff, and ground for an exercise area. The erection of a barbed wire fence would be necessary unless a sufficiently high wall already existed, and it was not considered advisable for camps to be located in thickly populated areas or on the east coast, in Kent, Sussex or in the neighbourhood of a defended port.²³

With thousands of prisoners still under canvas by early November, the War Office feared that there could be serious disciplinary problems as the winter set in. There were 5,600 internees in tented accommodation at the Newbury and Frimley camps alone, most of whom were totally unaccustomed to a rigorous outdoor life, and many complaints were received by the camp authorities about the conditions and the potential danger to health. The War Office warned the Home Office that in a few cases 'resentment at existing

22. Cd. 7815, 1915.

23. Circular, HO to chief constables, Sept, 1914,
HO 45/10729/255193/69.

conditions...has taken a form which threatens to give serious trouble' and claimed that plans to close the tented camps by the end of October had been 'rendered impossible by the number of aliens interned under the recent instructions issued by the Home Office, a large number of whom were by necessity sent to Frimley and Newbury.'²⁴ This assertion evoked an angry response from McKenna, the Home Secretary, who reminded the War Office that,

...the internment of alien enemies of military age was undertaken early in September at the express request of the Secretary of State for War. It was later suspended because the military authorities were unable to provide the necessary accommodation; but it was renewed, and the instructions of 20th October were issued on the authority of the Secretary of State for War. When the accommodation provided by the military authorities proved insufficient, these instructions were again suspended...²⁵

The War Office fears of serious trouble from internees were tragically borne out when rioting occurred at the Douglas camp on 19 November and five internees were killed and 15 injured, one of whom died in hospital later. The incident followed several weeks of tension in the camp, during which, according to the commandant, Lieut.-Colonel H.W. Madoc, there had been 'very apparent signs of unrest.' On one occasion early in November prisoners had staged an overnight 'sit-in' in the dining hall and at dinner on the day before the riot they had engaged in what they termed a 'hunger strike.'²⁶ At the time of^{the} riot about 2,400 inmates

24. B.B.Cubbitt, WO, to Troup, 6 Nov. 1914, HO 45/10760/269116/27.

25. Troup to Cubbitt, 10 Nov. 1914, HO 45/10760/269116/27.

26. Madoc to Isle of Man Government, 20 Nov. 1914, HO 45/10946/266042/35.

were in the dining hall at the end of the lunch period. Many began throwing plates and smashing furniture, and several made a dash towards the kitchens. Their passage was blocked by a number of guards who at first threatened the prisoners with bayonets and then fired warning shots in the air. When the rioters kept moving forward, throwing knives, forks and other missiles, the soldiers fired about 34 shots at the men. The guards claimed that an order had been given to fire but it was never established who gave the order. The commandant believed the riot had been pre-arranged and was organised by 'some dangerous ringleaders of whom there are several in the camp.' The object was apparently to smash dining room equipment and wreck the kitchen. Foiled by the arrival of the guards, the prisoners took their revenge by attacking them.²⁷ The inquest jury unanimously agreed that all six deaths resulting from the riot were 'caused by justifiable measures forced upon the military authorities by the riotous behaviour of a large section of the prisoners...' The verdict was endorsed by the coroner.²⁸ The Destitute Aliens Committee, which conducted its own inquiry into the riot, found that the outbreak appeared to be without a definite practical objective. There was no evidence of any planned escape attempt and the riot seemed to be 'a concerted attempt by a few agitators, and supported by most of the prisoners, to make a patriotic

27. Ibid.

28. Official report of coroner's enquiries held on 20 and 27 Nov. 1914, HO 45/10946/266042/38. See also report of inquests in Isle of Man Daily Times, 23 and 25 Nov. and 1 and 4 Dec. and Isle of Man Weekly Times 28 Nov.

demonstration' and added that,

...there can be no doubt that, in view of the large numbers assembled in the dining hall, prompt suppression was necessary in order to prevent the overpowering and disarming of the guard, and further consequences of the most serious sort.²⁹

The underlying causes of the riot are not absolutely clear from the evidence of the official inquiries, but it seems probable that, in addition to the general frustration common to inmates of all prison camps, many of the Douglas prisoners were also unhappy about the remoteness from their families on the mainland, the discomfort of the tented accommodation in which many of them were housed at a time when the weather was cold and wet, and dissatisfied with the camp diet. Whatever the grievances of the Douglas internees, the riot was the first and only serious outbreak of violence at an internment camp during the war.

At the time of the Douglas riot there about 14,500 enemy alien civilians in captivity, in addition to those taken from merchant ships,³⁰ but suitable accommodation was in short supply and even ocean liners were pressed into service on a temporary basis. The ships were requisitioned by the Admiralty at the request of the War Office because insufficient suitable accommodation could be found on land for the growing number of civilian and military prisoners. Nine vessels formerly engaged in the trans-Atlantic passenger service were utilised, three each at Southend,

29. Confidential report by Destitute Aliens Committee to Home Secretary, 4 Dec. 1914, HO 45/10946/266042/38.

30. 68HC 5s., 179, 16 Nov. 1914.

Gosport and Ryde, with two allocated to civilians and one to military prisoners at each location.³¹ The ships were never seen as anything more than a temporary expedient, but their use provoked sharp criticism in parliament. Charter price of the liners (102,205 tons) was approximately £86,000 a month,³² prompting one MP to suggest that, in the case of the three ships anchored in the Thames, it would have been cheaper to take the whole of Grosvenor Square, furnish it handsomely, and keep the prisoners there.³³ Another member condemned the use of the ships as 'a colossal folly,' since they could have been performing valuable war service as transports.³⁴ While space was limited and prisoners lacked the exercise facilities available at the land-based camps, the ships had the virtue of providing warm and comfortable accommodation during the winter months. From the authorities' point of view the ships also had the advantage of making it easy to keep the various classes of internees separated. By payment of extra charges wealthier prisoners could obtain superior accommodation and messing facilities.

The segregation of internees according to social class and affluence was a problem which exercised the War Office and the staff of the internment camps, particularly during the early years of the war. It was the policy in

32. 69HC 5s., 1004, 16 Feb. 1915.

33. Sir Robert Price, 69HC 5s., 982, 15 Feb. 1915.

34. Mr. R.D. Holt, 71HC 5s., 1858, 13 May 1915.

most camps^{not} only to keep members of different classes separate as far as possible, but to allow wealthier prisoners to enjoy a better grade of accommodation and food if they were prepared to pay for it. In October 1914 the War Office instructed camp commandants to divide both military and civilian prisoners into three classes:³⁵

- a. Officers (either naval or military) on full pay at the time of their capture or internment. These will, when assurance as to reciprocity of treatment are received from the Austro-Hungarian and German Governments, receive pay of the corresponding ranks of British Infantry. They will then be expected to feed themselves. Pending this assurance they will be fed at the cost of the State and advances of cash may be made to them to an amount not exceeding half their pay.
- b. Those approved persons who are willing and able to pay for superior feeding on a scale similar to the officer class. These will not be rationed or clothed at the expense of the State. It is hoped to afford them better accommodation but this cannot be promised.
- c. Others. These will be rationed and clothed at the expense of the State.

Commandants were asked to ascertain how many men could be recommended for class b. and were advised, 'As it is hoped to move these to better quarters only those who give proof of their ability to continue to pay for these privileges are to be recommended.'³⁶ Soon afterwards the War Office extended class b.

...to endeavour not only to offer opportunities of enhanced comfort to those willing to pay for it, but to assemble together those who, although unable or

35. Circular, WO to camp commandants, 17 Oct. 1914, HO 45/10760/269116/120.

36. Ibid.

unwilling to pay for increased comforts,
are of a higher social grade than the bulk
of the prisoners.³⁷

Those who could pay were designated as class b(1) and those who could not as class b(2). While prisoners could acquire b(1) status simply by the possession of sufficient funds, to earn b(2) status the internee had to be vouched for by the police as having enjoyed an appropriate social standing and mode of life. The type of accommodation and privileges enjoyed by the different classes of prisoners varied considerably between camps, much depending on the nature of the establishment and the available facilities, but also, to some extent, on the attitude of the commandant. At Douglas, for example, the affluent internees occupied a separate camp from the main body of internees. The establishment was divided into the upper camp, consisting of two compounds, and the lower camp, in which the privileged prisoners were housed. In May 1916 about 500 of the 2,700 internees were living in the lower camp, which came to be designated as the 'privilege camp.' These men employed about 100 of the poorer prisoners from the upper camp to carry out a variety of services for them.³⁸

Apart from segregation on grounds of class and affluence, some attempt was made to provide separate accommodation for prisoners of different nationalities, largely at the demand of the internees themselves, the

37. Circular, WO to camp commandants, 6 Nov. 1914.
HO 45/10760/269116/120.

38. Cd. 8324, 1916.

organisations representing them and, in the case of Austrians, their government. The British government were at first reluctant to separate Austrian from German prisoners, having already protested strongly to Germany about the latter's alleged practice of segregating British prisoners from those of other nationalities and subjecting them to a harsher regime.³⁹ More positive efforts were, however, made to separate Germans from Slav and Alsatian internees, both of which groups were vehement in their objections to sharing accommodation with 'full' Germans. From the spring of 1916 a camp at Feltham, Middlesex, was devoted mainly to housing members of the friendly races. Before a prisoner was moved to Feltham from another camp he was carefully 'screened' in respect of his associations, opinions and conduct. Any prisoner at Feltham suspected of harbouring enemy sympathies was liable to transfer to another camp, usually on the Isle of Man.⁴⁰ Most of the Alsatian internees were concentrated at Feltham and they were accompanied by a mixture of Czechs, Slovaks, Poles, Croats and Slovenes.⁴¹

The efforts of the authorities to take account of nationalist sentiments of the various ethnic groups increased as the war progressed, but the government remained acutely sensitive about being seen to make concessions to internees because the suspicion persisted

39. HO 45/10760/269116/120.

40. HO 45/10760/269510/25 and HO 45/10818/317810/16.

41. HO 45/10760/269510/25.

in the country, nurtured by the anti-alien propagandists, that prisoners were being pampered while the population as a whole was suffering increasing restrictions, discomfort and food shortages.

The degree of segregation sought by some of the ethnic groups was never provided, but the authorities were more successful in facilitating a form of self-government among prisoners. At most camps 'captains' were elected and the prisoners divided into smaller groupings each with its elected representative. These camp 'governments' often had considerable authority, subject to the general supervision of the commandant and his staff, and members sometimes enjoyed superior messing and sleeping accommodation and other privileges. In most camps internees formed a network of committees concerned with such matters as kitchens, canteens, workshops, education, sport, music, drama and other leisure activities.⁴² One camp had a board of justice which regulated minor disputes among prisoners; another had a sick and burial club which cared for internees with terminal illnesses, arranged their burials in a nearby churchyard and attended their graves.⁴³ The committee system helped bring about a substantial increase in the sports, leisure and cultural facilities available to prisoners and to improve the general quality of life in the camps. Such developments were carefully monitored by the independent observers allowed into the camps.

42. See appendix VII.

43. Cd. 8324, 1916.

The most comprehensive series of visits to the internment camps during the early months of the war was conducted in January and February 1915 by Mr. John B. Jackson, a retired German-speaking American diplomat who was appointed by the U.S. Ambassador in Berlin, Mr. James W. Gerard, as a special commissioner to inspect prisoner of war camps in Germany and Britain and submit reports for the governments concerned.⁴⁴ Gerard arranged for the visits by Jackson because 'So many reports came to Germany about the bad treatment in England of German prisoners of war...'⁴⁵ Jackson visited both civilian and military prisoners at 13 camps and aboard nine ships. At that time about 19,000 civilians and members of the merchant marine and nearly 7,000 combatants were in custody. Jackson found a considerable number of boys under 17 and men over 55 in the camps, but in each case steps had been taken by the authorities with a view to arranging repatriation. The commissioner received a number of complaints from men held on ships, in some cases over the class system operated on a number of vessels. Aboard the 'Royal Edward', for example, the best appointed of the three internment ships moored in the Thames, prisoners were divided into three classes in which ability to pay was more important than social status in obtaining privileged treatment. Some were allowed to join the 'club' in which members made their own catering arrangements; others, somewhat less affluent, were permitted the use of the 'first-class' mess, and the

44. Jackson report, 27 Feb. 1915, HO 45/10760/269116.

45. J.W. Gerard, My Four Years in Germany (1917), p. 108.

remainder occupied steerage accommodation and received standard prisoner of war rations. In contrast to the 'Prince Edward' and certain other vessels, Jackson found that on the 'Saxonia', also anchored in the Thames, all prisoners were treated alike with the exception of those engaged in regular work. These men were allowed to occupy cabins rather than communal accommodation. On the day of the commissioner's visit several men were being tried by court martial for attempting to escape and he noted that there had also been problems over the attempts of 'undesirable' females to visit the ship. On the 'Tunisian', moored off the Isle of Wight, there were many complaints about medical arrangements and food, and some prisoners had even resorted to placing letters about their grievances in bottles and throwing them over the side. Conditions on this ship were found by Jackson to be 'generally depressing.' Despite the complaints and problems referred to in his report, Jackson concluded that,

On the whole the present treatment seems to be as good as could be expected under the circumstances. The new camps are all better than the old ones and everywhere there seemed to be an intention to improve on existing conditions. Lack of organisation and preparation would account for most of the hardships which prevailed at first. Absolutely nowhere did there seem to be any wish to make conditions any harder or more disagreeable for the prisoners than was necessary, and I saw no instance and heard of none where any prisoner had been subjected either to intentional personal annoyance or undeserved discipline.⁴⁶

46. Jackson report, op. cit.

Gerard considered that Jackson's report did much to allay the German belief that their subjects were being ill treated and helped him to achieve better conditions for British prisoners in Germany.⁴⁷

Another favourable report on conditions in the British camps early in 1915 was submitted to both sides by Professor Eduard Naville and M. Victor van Berchem of the International Red Cross.⁴⁸ So complimentary was their assessment that the Archbishop of Canterbury suggested that it should be publicised to demonstrate to the world the contrast between what was happening in Britain and the poor conditions and ill treatment of prisoners believed to be commonplace in German internment camps. The Archbishop reflected a popular view of the German camps, but it was based on a good deal of uncorroborated evidence and coloured by propaganda. The unsatisfactory nature of some German camps and the instances of brutal treatment and neglect of prisoners which undoubtedly occurred were less a reflection of a wilfully cruel system than of one that was administratively inefficient, particularly during the early war years. Inadequate central control led to excessive powers being left in the hands of camp commandants, which in turn led to considerable variation in the standards of the camps and the nature of the regimes operated. The German war ministry tried consistently to impose greater

47. Gerard, *op. cit.*, p. 108.

48. The Times, 29 Jan. 1915.

consistency, but it appears never to have fully succeeded in solving the problem.

In what might be seen as an exercise to obtain further support for the image of Britain's internment camp system as more efficient and humane than that of Germany, a delegation of MPs was formed at the initiative of Asquith and Kitchener in April 1915 to carry out a tour of inspection. The group, which included Sir Henry Dalziel, a leading hardliner, concluded that the internees' accommodation was 'infinitely more comfortable' than that in which many British soldiers and their officers had been housed during the previous winter. Most of the internees interviewed were reported to have said that the food was good, though some complained of its monotony; none spoke of ill treatment or criticised the living accommodation.⁴⁹

As one peer noted, on the evidence of some of the camp inspection visits the treatment of internees was 'not only considerate and liberal but generous to a point sufficient to attract a certain amount of criticism.'⁵⁰ Some MPs suggested that instead of being housed in 'country mansions' prisoners should be moved to available space in prisons and workhouses.⁵¹ The camp at Wakefield acquired a reputation of being particularly comfortable for civilian internees. Located in a pre-war pleasure park, its facilities

49. 71HC 5s., 675-6, 27 Apr. 1915.

50. Marquis of Lansdowne, 18HL 5s., 863, 27 Apr. 1915.

51. 70HC 5s., 959-60, 4 Mar. 1915; 70HC 5s., 846, 3 Mar. 1915.

included a skating rink, large recreation rooms and a stage. One MP alleged that the inmates were allowed to visit Leeds unescorted, and that those who were liberal with tips to camp staff were much more leniently treated than their less affluent compatriots.⁵² While it is true that a minority of wealthier internees, in common with officer prisoners, enjoyed a superior standard of accommodation and food compared to the majority of prisoners, no camp resembled the havens of luxury portrayed by some of the more inflammatory propagandists. The truth was probably much closer to the account of Paul Cohen-Portheim, a German artist and writer, who spent four years in captivity, including a period at Wakefield:

...the picture of conditions and treatment of prisoners in British internment camps given to the British public was extremely fanciful. The whole question had become part of the vast system of propaganda attributed, rightly or wrongly, to Lord Northcliffe. The main idea never varied: British prisoners abroad were being treated abominably, German prisoners in England were being treated with foolish generosity. The latter was, to be just, frequently denied in parliament by members of the Government, but this made no difference whatsoever to the continuation of the press campaign against the supposed scandal.⁵³

Not only did the government have to give reassurances that the internees were not living in idle comfort or enjoying a better diet than the general population, but they also had to reiterate that the camps were run with the greatest

52. 73HC 5s., 1963, 26 July 1915.

53. P. Cohen-Portheim, Time Stood Still: My Internment in England 1914-18 (1932), p. 74.

possible economy consistent with the maintenance of the reasonable health of the prisoners.⁵⁴

Arrangements for the health and welfare of internees in the early days of the war were often fairly rudimentary. Camp 'hospitals' sometimes took the form of refurbished huts or tents. More serious cases were sent to outside hospitals for treatment. Sanitation arrangements were under the supervision of the camp medical officer who generally liaised closely with the local medical officer of health. Standards varied between camps but typical of the kind of guidelines laid down were those in force at the Douglas camp early in 1915:

1. Owing to the large number of men concentrated in the camp, it should be the aim of each prisoner to co-operate in endeavouring to keep the sanitation of the camp as perfect as practicable;
2. Prisoners should make a point of taking baths, of washing themselves and their clothing as frequently as possible, and of informing medical officers, through the captains of their huts, of any unusual indications on their persons, or of any pain or affection from which they may be suffering;
3. Prisoners should keep their hair cut as short as possible, and should apply to the captains of their huts for the loan of clippers for the purpose;
4. Prisoners should lose no opportunity that may be offered of being vaccinated against small-pox, and innoculated against typhoid fever;
5. After clothing has been washed it should be wrung out in a five per cent solution of boracic acid, which can be obtained from the captain of the hut;
6. Every prisoner should do his utmost to keep his hut as clean as possible, and free from refuse;

54. Memo on work of Aliens Division for government record, 12 Jan. 1918, HOR.

7. Care should be taken to throw matches, cigarette ends, orange peel, paper and all other forms of refuse into receptacles provided for the purpose. On no account must urine be passed anywhere except into the urinals and utensils provided for the purpose, nor must anything but water be thrown down the drains.⁵⁵

All camps made some provision for prisoners to keep themselves physically fit, either through the use of gymnastic apparatus, ball games or marching. Exercise was not obligatory but internees were compelled to spend a certain amount of time every day outside their domestic quarters.⁵⁶ Sir Edward Grey informed the German government in December 1914 that,

Everything possible is being done to provide the prisoners with recreation, mental and bodily, and in each place of internment a committee is formed from among the prisoners (whether soldiers or civilians) to organise amusements and to frame suggestions for occupation, either intellectual or athletic. In this the military authorities are aided by philanthropic individuals and bodies.⁵⁷

This somewhat optimistic assessment of the situation took no account of the fact that it was often difficult or impossible to provide adequate social and recreational facilities in some of the temporary establishments that had been pressed into operation to cope with the rising number of civilian and military prisoners.

55. Jackson report, op. cit.

56. Ibid.

57. Grey to W.H. Page, U.S. Ambassador, London, 14 Dec. 1914, Cd. 7815, 1915.

During 1916 several prisons were used to house prisoners of war and, although it was a temporary expedient to cope with a shortage of secure accommodation, the government authorised it with considerable misgivings. Placing military prisoners in civil gaols violated international conventions on the treatment of prisoners of war and, if it became known, was likely to offend neutral opinion, particularly in the United States, which Britain had been assiduously cultivating as a potential ally. Use of the gaols appears to have attracted little critical attention, however, although the government maintained its 'open house' policy for visits to internment accommodation by American and other bona fide neutral observers.

Before the United States declared war on Germany in April 1917 the most frequent inspection visits to the camps continued to be those by American diplomats, whose reports, although they sometimes appeared to gloss over less favourable aspects of camp conditions and morale, nevertheless provide a valuable commentary on the situation of internees during the first two and a half years of the war. The reports of inspection visits by Swiss and Swedish representatives later in the war tend to paint a less favourable picture, but these accounts reflect the food shortage of 1917-18 and the damaging effects on the mental state of some prisoners caused by long-term confinement.

A doctor attached to the Swiss Legation in London, Dr. A.L. Vischer, who visited the Douglas and Knockaloe camps in May 1917 found that prolonged internment had caused in many prisoners a state which he called 'barbed

wire psychosis.' This was characterised by a gradual loss of memory, irritability and continual concentration of the mind on certain aspects of camp conditions.⁵⁸ A similar assessment was made by Lieut.-Colonel E. Mossberg, a Swedish diplomat who visited the camps at the same period. He found that 'the mental and moral degeneration, which the prisoners stated is rapidly increasing, has - quite naturally - its principle reason in the long internment...'⁵⁹ Both Dr. Vischer and Col. Mossberg noted complaints about food, accommodation conditions and slowness in implementing repatriation agreements between Britain and Germany. Col. Mossberg warned that 'Another winter of internment under the prevailing conditions would probably mean for many men ruined health for life.'⁶⁰ Another Swedish representative who visited the camps in November 1917, Captain W. Unander, found that the mental and physical condition of internees, particularly at Knockaloe, 'cannot be considered very favourable.' He reported that the island climate, the monotony of camp life and unnecessarily strict discipline was undermining prisoners' nerves and,

In the interest of humanity, should the war continue for a considerable time, the prisoners should have either more liberty, or as soon as possible be transferred to a neutral country.⁶¹

58. Vischer report to Swiss Minister, May 1917, HO 45/10947/266042/247.

59. Mossberg report to Swedish Minister, May 1917, HO 45/10947/266042/261.

60. Ibid.

61. Unander report to Swedish Minister, Nov. 1917, HO 45/10947/266042/298.

The condition referred to by Dr. Vischer as 'barbed wire psychosis', but more commonly termed 'barbed wire fever', often seemed more pronounced in older internees, some of whom were over 60. They were less able to stand the stresses of camp life than their younger and often healthier compatriots who were more likely to find diversion in the sporting and leisure activities organised in the camps.⁶² Neutral observers noted that combatant prisoners generally adapted better to internment conditions than civilians. Most of the deaths that occurred in the camps were not directly connected with internment, however, although the authorities acknowledged that in some cases death may have been hastened by it.⁶³ The position taken by the government was that although some nervous stress was an unavoidable corollary of captivity, internees were well treated and had few complaints. This was not often challenged, but a few politicians and others outside Westminster were prepared to dispute it, among them Sylvia Pankhurst, the radical feminist, who claimed that the authorities had placed her on a blacklist of people barred from visiting internment camps.⁶⁴ In October 1916 she was the intermediary for a petition from inmates of Knockaloe camp to Asquith, which claimed that,

62. 24HL 5s., 239, 22 Feb. 1917.

63. 92HC 5s., 1135, 3 Apr. 1917.

64. E.S. Pankhurst, The Home Front: A Mirror to Life in England During the World War (1932), p. 388.

You have created untold misery for thousands of families, ruined many of us financially and morally...Our records show how reasonable and extraordinarily patient we have been...But everything has its limit...A third winter cannot be tolerated unless you want to turn us into maniacs. We have appealed often ...all in vain. We now demand: let us free to go...to our own countries, or any neutral country...Yours is the responsibility for all the misery caused to the unhappy wives, children and relations, for all their suffering and heart burning...⁶⁵

The English wife of a German schoolmaster interned on the Isle of Man wrote to Miss Pankhurst,

Everyone here believes that prisoners of war in Germany are deliberately ill treated. No-one believes prisoners of war in England are anything but luxuriously treated. Yet I hear from my husband in Knockaloe that the poorest of the poor men in his compound have been driven by hunger to killing a stray cat and eating it. In Germany, I take it, the papers extol the excellencies of their camps and the villainies of the English camps. My husband was struck on the head by a bayonet by a drunken soldier, and the commandant refused to hold an inquiry...I do not see what can be done; no paper would publish an account of a camp from an insider's point of view.⁶⁶

Miss Pankhurst claimed that a prisoner at the Alexandra Palace camp who had been confined in the guardroom for writing to members of the government about the hardships there.⁶⁷ Among the few MPs who took up internees complaints were Sir William Byles (Labour) and Mr. Joseph King (Liberal), but they were rarely able to persuade ministers at the Home Office and the War Office to

65. Ibid., p. 387.

66. Ibid.

67. Ibid.

acknowledge the problems complained of.⁶⁸

No aspect of camp regime attracted more public interest than that of prisoners' diet, especially in the latter part of the war when the general population was subjected to rationing of many food commodities, due primarily to shortages caused by the German submarine campaign against allied shipping. It was sometimes alleged that internees were enjoying more and better food than their guards or the average British soldier, and that they were largely protected from the effects of food rationing imposed on the general public. It was also alleged that German prisoners were allowed a much more generous diet than British prisoners held in Germany. There is little doubt that most civilian and combatant prisoners enjoyed an adequate if monotonous diet during most of the early war years,⁶⁹ and were later subjected to increasing restrictions once supplies of food commodities became short and rationing was imposed in the country. In December 1914 when food was still relatively plentiful internees enjoyed quite liberal rations, the daily allowance being,

1 lb. 8ozs. bread or 1 lb. biscuits, 8 ozs. fresh or frozen meat or 4 ozs. pressed meat, $\frac{1}{2}$ oz. tea or 1 oz. coffee, $\frac{1}{2}$ oz. salt, 2 ozs. sugar, 1/20th tin (1 lb.) condensed milk, 8 ozs. fresh vegetables, 1/72 oz. pepper, 2 ozs. cheese or 1 oz. butter or 1 oz. margarine, 2 ozs. pears, beans, lentils or rice.⁷⁰

68. See, for eg., 86HC 5s., 413, 17 Oct. 1916; 107HC 5s., 1202, 27 June 1918.

69. See appendix VIII.

70. Cd. 7815, 1915.

It seems clear that many camp authorities worried less about the quality and variety of food given to prisoners than its calorific value. The diet was periodically revised to accord with food regulations applying to the general population and was fixed on medical advice and approved by the Food Controller. The calorific value of the food ration allowed to each internee varied according to the type of work he performed. The ration was progressively reduced during 1917 and 1918 as food shortages became more acute in Britain. In May 1917 prisoners engaged in heavy manual work were thought to require about 4,000 - 4,500 calories a day; for ordinary manual work 3,400 calories was considered sufficient, and sedentary and clerical workers were expected to function on a daily intake of 2,700 calories.⁷¹ Despite protests from internees, their families and sympathisers, the government insisted that the diet was sufficient to maintain health and strength and there was no justification for increasing it.⁷² Cohen-Portheim recalls that in the latter stages of the war,

One article of diet after another vanished. Horseflesh made its appearance (it tastes like very tough and sugary beef), vegetables disappeared. Bread was gritty and mouldy, then it disappeared altogether for months and was replaced by 'broken biscuit' which is just like pebbles. Potatoes were frozen and sickeningly sweet, then there were no potatoes at all. Milk went, butter went. There was nothing now to be bought at the canteen and so one never got fruit. Every day or week made

71. 93HC 5s., 2458, 25 May 1917.

72. 96HC 5s., 1285, 25 July 1917; 96HC 5s., 1713, 30 July 1917.

matters worse, until a time when one really always felt hungry. Everybody's health suffered...People got even thinner, ever crosser, even more listless, and they talked of, thought of, and lived for nothing but food.⁷³

Prisoners were allowed to receive food parcels from enemy or neutral countries, but not from anywhere in the United Kingdom and the Channel Islands, and they could not buy additional items of food from camp canteens other than certain condiments and a limited amount of potatoes, herrings and sauerkraut.⁷⁴ By March 1918 the daily ration for civilian prisoners consisted of:

5ozs. bread, 3 ozs. biscuit, 3/4 oz. flour, 4ozs. meat (fresh or frozen) or 3 ozs. meat (preserved or tinned), 12 ozs. salt-cured herrings, 1/2 oz. edible fat, 1/4 oz. tea or 1/2 oz. coffee, 1 oz. sugar, 1/2 oz. salt, 1/72 oz. pepper, 4 ozs. oatmeal, 1 oz. syrup or jam, 1 oz. split peas or beans or rice, 20 ozs. potatoes, 4 ozs. fresh vegetables other than potatoes. (Prisoners employed on work approved by the government could receive an additional 2 ozs. bread, 3 ozs. biscuit and 1 oz. cheese. Other prisoners were allowed extra food only if authorised for medical reasons).⁷⁵

Under an agreement negotiated by Britain and Germany at the Hague in July 1918 it was laid down that the daily rations of prisoners should be 'sufficient in quantity and quality, especially as regards meat and vegetables, regard being had to the restrictions imposed on the consumption of food of the civil population of the country.' Officer prisoners

73. Cohen-Portheim, op. cit., pp. 164-5.

74. 103HC 5s., 1808, 5 Mar. 1918; 30HL 5s., 842, 11 July 1918. See appendices IXa and IXb.

75. 103HC 5s., 1808, 5 Mar. 1918.

were to be given assistance to manage their own messing; other prisoners of war were to receive as far as possible the same allowance of rationed commodities as the civil population, with a minimum daily calorific value of 2,000 for non-workers, 2,500 for ordinary workers and 2,850 for heavy manual workers. The daily ration of bread was in no case to be less than 250 grams. Ordinary workers were to receive a daily addition of 100 grams of bread or cereals and heavy workers an extra 150 grams of those items.⁷⁶

Most civilian internees were found by camp authorities to be prepared to work, although not required to do so under the terms of the Hague Convention, as were combatants other than officers and NCOs. Finding useful work for civilian prisoners, either on or off the camps, proved difficult, particularly during the early war years. Inspection teams in 1914 and 1915 found a few volunteers employed in 'policing' camps, tailoring, shoemaking, cooking and carrying out other domestic and maintenance tasks, but most internees had little to occupy their time. The authorities were nevertheless well aware of the value of useful employment in raising the morale of prisoners. Mr. D.D. Reid, one of the joint secretaries of the Civilian Internment Camps Committee, noted that,

...the provision of employment greatly lessens the difficulty of carrying on the administration of the camps, and conduces to good discipline as it takes the minds of the men off their grievances.⁷⁷

76. Articles 45 and 46 of the Hague agreement signed on 14 July 1918 under reserve. The agreement did not become operative before the armistice.

77. Reid to Troup, 22 Nov. 1917, HO 45/10887/350150/2.

Several attempts were made to organise camp industries, but only three might^{be}/termed reasonably successful - the production of brushes at the Douglas and Islington camps and sewing machinery production at Hackney Wick. The brush-making machinery was installed by contractors and instructors were hired to train internees. The output was sold through contractors to government departments and the public and provided work for an average of about 600 prisoners, who were paid at industrial rates and allowed to retain their earnings less a reduction for maintenance. The government claimed that brush production by prisoners helped alleviate the shortage of brushes which resulted from the war but the brushmaking industry and some MPs did not accept this explanation. They objected to what they saw as enemy subjects being trained at public expense to compete with firms employing British labour.⁷⁸ The Hackney Wick sewing machine workshop was established with a view to driving cheap German machines out of the British market. Skilled German tradesmen were recruited from several interment camps to make the necessary machine tools and bring the shop into operation. The Vickers company provided the machinery and paid the men, and production began in the autumn of 1917.⁷⁹ In December 1917 a scheme was instituted at the Knockaloe camp under which prisoners would produce furniture for presentation to the inhabitants of the

78. 23HL 5s., 474, 14 Nov. 1916; 21HL 5s., 1125, 18 May 1916; 93HC 5s., 33, 30 Apr. 1917; 104HC 5s., 1211, 21 Mar. 1918; 105HC 5s., 980, 24 Apr. 1918. See also unpublished report by M.L. Waller, head of Prisoners of War Branch, HO, Dec. 1920, HO 45/11025/410118/2.

79. Waller report, *ibid.*

areas of France invaded by the Germans and subsequently recaptured by the allies. The scheme was recommended to the Home Office by the Civilian Internment Camps Committee and the cost met by funds raised by the Emergency Committee for Assistance of Germans, Austrians and Hungarians in Distress, sponsored by the Society of Friends.⁸⁰

The principle obstacle to the establishment of camp industries was the lack of suitable workshop buildings and the shortage of machinery, materials and instructors. The potential level of output of camp industries was considered unlikely to justify the employment of materials and financial resources needed for other purposes connected with the war effort. As Waller, head of the Home Office Prisoners of War Branch, noted, 'The needs of the nation had to come first, and therefore the idea of creating large camp industries had to be dropped.'⁸¹

In the later war years some internees were released under strict conditions to work in agriculture and other industries of importance to the war effort, which were acutely short of labour. But while the range of work available to prisoners in the camps was gradually extended, for many internment became an ordeal of inactivity and, as Waller admitted, 'for the most part, when the ordinary camp fatigue duties, to which every inmate was liable, had been performed, the interned men had to fill the rest of the day as best they could.'⁸²

80. HO 45/10887/350150/2.

81. Waller report, op. cit.

82. Ibid.

If for most prisoners life in the camps was far from the comfortable, well-fed existence depicted by some propagandists, it did not approach the harsh kind of regime advocated by the Germanophobes and anti-alien extremists. Social class and affluence won privileges for some, but the majority of internees faced a life in which the only constant factors were boredom, frustration and apathy. Their treatment was, with few exceptions, humane and their diet adequate for most of the war, though questionably so during the final 18 months. Apart from the bloody riot at Douglas in November 1914 violent disturbances did not occur and few men tried or succeeded in escaping from the camps, those that did being quickly recaptured.⁸³ The rarity of breakouts, although they would have been easy at many camps, was probably due in part to the general apathy which increasingly pervaded the camps as the war progressed and the virtual impossibility of a fugitive being able to re-unite with his family and find a job with which to support it.

The concern expressed by some politicians about the adequacy of security arrangements at the camps proved to be

83. It is believed that only five civilians and seven military prisoners escaped during the war. Four of the civilians absconded from Knockaloe on 13 Jan. 1916 and were recaptured the following day in a fishing boat in Peel Harbour. An 89-yard tunnel dug by internees was discovered by guards at Knockaloe in Jan. 1916 leading from the camp theatre towards the perimeter fence. The ringleaders were identified and given 14 days detention (HO 45/10946/266042/119). See also Belfield report, op. cit.

groundless, and Belfield conceded that it was open to argument whether the military advantage of interning enemy subjects was adequate compensation for the expense involved and the loss of the services of the officers and men employed in administering and guarding the camps.⁸⁴ If, as seems probable, most enemy aliens posed no real threat to the community, as far as serving their ostensible purpose of protecting the safety of the realm was concerned, the internment camps may have been a costly irrelevance.

84. Belfield report, op. cit.

CHAPTER FOUR

REPATRIATION

While repatriation rather than internment as a means of removing enemy aliens from circulation may have had much to commend it in practical and often in humanitarian terms, it proved a controversial option as far as adult male aliens were concerned and a general exchange of such men, favoured by Germany, was resisted by the British government almost until the end of the war.

Thousands of women, children and elderly men of enemy nationality were permitted, and sometimes compelled, to leave but, apart from the short period of grace at the beginning of the war, few men thought capable of military service were allowed to go.

The primary stumbling block to a general exchange of civilians was the disparity in the number of enemy nationals in Britain compared to Germany and Austria-Hungary. In a full exchange Germany could have acquired about 50,000 subjects and Austria-Hungary between 10,000 and 11,000, while Britain and its colonies could have got back only about 5,000 subjects from Germany and a mere 200 from Austria. Since a significant proportion of enemy aliens in each country, including many internees, made it clear they had no wish to be repatriated, an all-for-all exchange would have entailed a considerable degree of compulsion.

If Britain was not prepared to agree to the block exchange of civilians it soon reached the conclusion that 'head for head' exchanges of selected individuals were also unsatisfactory. They involved lengthy preliminary negotiations, which in many cases proved abortive, and at the same time created strong discontent among those who

could not command the political or social influence usually required to be a party in this type of exchange. The bargaining which took place between opposing governments often developed into a kind of blackmail.¹ From the outset the War Office regarded proposals for such exchanges 'very coldly'² and attempts to arrange individual exchanges were eventually discontinued 'except in cases where the individual in question was of special value to the country and his exchange urged by a government department.'³ According to General Belfield, Director of Prisoners of War at the War Office, only three British officers, one an invalid, were returned to Britain under individual exchange arrangements.⁴

While Germany pressed from the outset for a general exchange of civilians who wished to leave, the British government resisted on the grounds that the much higher ratio of manpower that the Central Powers would gain, including many ex-servicemen and reservists, would be too disadvantageous to Britain in military terms.

With the Americans acting as intermediaries, terms were, however, agreed with both Germany and Austria in the autumn of 1914 for the repatriation of women, children, elderly men, invalid men of military age, ministers of religion and medical doctors.⁵ In the agreement with Germany military age was defined as 17 to 55 inclusive and with Austria as

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1. 22HL 5s., 188-90, 25 May 1916, and Lord Newton, Retrospection (1941), p. 220.
 2. Unpublished report by General Herbert Belfield, Director of Prisoners of War, War Office, 26 Mar. 1920, HO 45/11025/310118/5.
 3. Ibid.
 4. Ibid.
 5. 92HC 5s., 15, 26 Mar. 1917 and 18HL 5s., 282, 6 Jan. 1915.

18 to 50. Britain refused to accept 45 as the maximum age of military usefulness as the Germans and Russians had done in exchanging prisoners.⁶ Britain initially insisted (at the request of the Admiralty) on excepting from repatriation all ships' officers and German seamen (because British merchant seamen held by the Germans were classed as combatant prisoners),⁷ but an agreement was reached with Germany on 4 December 1915 under which seamen under 17 and over 55 could be repatriated. The Germans had reservations about repatriating military officers, even those on the reserve list.⁸ Initially Britain and Germany refused to let their respective consular representatives leave, but in March 1915 an agreement was reached under which both consuls de carriere and honorary consuls would be exchanged on a man-for-man basis.⁹ But the agreements proved easier to make than to implement, and the rate of exchanges, particularly in the case of male enemy aliens, never achieved the levels potentially possible under the agreements, despite protracted diplomatic efforts.

There were few precedents in modern times and little in international law to guide the belligerents on the question of repatriation and exchange of prisoners. In Britain the Home Secretary had powers under the 1905 Aliens Act to deport 'undesirable' aliens on an individual basis, but these powers were largely superseded by the Aliens Restrictions Act of 1914.¹⁰ The accompanying Aliens Restriction Order empowered him

6. 71HC 5s., 1621, 12 May 1915.

7. J.M. Garner, International Law and the World War, 2 vols., (1920), p. 49., vol. 1.

8. 18HL 5s., 282, 6 Jan. 1915.

9. Garner, op. cit., vol. 1, p. 49.

10. Orders for deportation of aliens were made under Section 1 (1) (c) of the Aliens Restriction Act, later subsumed in the Aliens Restriction (Consolidation) Order 1916.

to 'deport any alien (whether the subject of an enemy or friendly power) whenever in his judgment it was deemed advisable.' The Home Secretary, who could also make deportation orders under the Defence of the Realm regulations, was not required to justify his reasons for an order in the courts. The deportee could, however, make representations to the Home Secretary, who had no power to dictate the country to which an alien should go.¹¹ Where war conditions made it impracticable for an alien to be deported he was imprisoned or interned, in many cases until the end of the war.

There was undoubtedly much support in parliament and the country for the removal of as many enemy aliens as possible by repatriation and the government was under some pressure in parliament in the early days of the war to make funds available for this purpose.¹² The cabinet agreed to finance the passages of British-born women who had acquired enemy nationality through marriage and funds were also made available by the Austrian and German governments, through the American Embassy in London to facilitate the repatriation of any of their subjects who could not afford to pay their own fares. A similar fund was established by the British Government at the U.S. Embassy in Berlin to enable British subjects in Germany and Austria to return home. Between 1 September and 31 December 1914 the Americans arranged funding for the repatriation of 1,137 destitute German subjects and several hundred Austrians,¹³ and by the end

11. The Court of Appeal held in 1917 that under the Aliens Restriction Act 1914 and article 12(2) of the Aliens Restriction (Consolidation) Order of 1916 there was no power to specify in a deportation order the country to which a deportee should be sent. (Rex v. Home Secretary; Ex parte Duc de Chateau-Thierry, 1 KB 922)

12. 18HL 5s., 140, 25 Nov. 1914 and 18HL 5s., 286, 6 Jan. 1915.

13. 18HL 5s., 283, 6 Jan. 1915.

of that period between 6,000 and 7,000 women and children under the age of 14 and about 2,300 males over 14 had left Britain. ¹⁴

All wartime governments gave special consideration to the plight of enemy alien women, particularly those of British birth. Except in special cases, as for example where there was suspicion of espionage, no women were interned, and as a general rule none of the 12,000 British-born women of enemy nationality were repatriated against their will. ¹⁵ Simon, during his period at the Home Office, declared that to remove such women as a matter of course would be 'cruel and monstrous' although he accepted that there were cases in which women may have transferred their allegiance to their husband's native country. ¹⁶

Asquith's revised policy on aliens control announced on 13 May 1915 represented a hardening of the Government's position on repatriation of enemy alien women - and men over military age - in that it formally placed the onus on them to show why they should not be expelled. Cases involving women, however, continued to be treated with particular sympathy, and of the 18,500 Germans and Austrians of both sexes who had applied to remain in the United Kingdom by the end of July, over 15,200 were allowed to stay after their applications had been considered by the Repatriation Sub-committee of ^{the} Aliens Advisory Committee and the Home Office. ¹⁷

14. Ibid.

15. HO 45/10787/298199/2 and 71HC 5s., 2358, 19 May 1915.

16. 72HC 5s., 848, 17 June 1915.

17. Of the 16,456 enemy aliens whose applications for exemption from repatriation were dealt with by the committee, 14,939 were allowed to remain in Britain.

The bulk of wartime repatriations took place during 1915; between 13 May and 22 November alone, 9,469 enemy alien men, women and children left voluntarily or, less often, compulsorily.¹⁸ But these figures failed to satisfy some parliamentary critics who accused the government of being far too lenient in allowing what they regarded as an excessive number of exemptions from repatriation.

The most contentious aspect of the government's policy, however, was the failure to effect the repatriation of British civilians interned by the Central Powers, only 628 of whom were returned between December 1914 and May 1916. During the same period 1,160 German internees were sent home.¹⁹ The constant dilemma of the British government was that of trying to retrieve its subjects from enemy custody without giving in to what it considered unacceptable German demands for an all-for-all exchange of civilian prisoners.

The difficulty of effecting exchanges with Germany caused particular concern and controversy in Britain because it was widely believed, thanks in no small measure to the efforts of the propagandists, that British prisoners in Germany were singled out for harsher treatment than those from other countries. The Austrians, on the other hand, were commonly thought to treat British subjects fairly and humanely. So few British civilians were held in Turkey and Bulgaria that the sporadic and generally unfruitful contacts with those countries were primarily concerned with combatant prisoners.

During the first half of the war responsibility for matters concerning British prisoners in enemy hands, including the controversial

18. 76HC 5s., 24 Nov. 1915.

19. 22HL 5s., 186, 25 May 1916.

repatriation issue, rested principally with the Foreign Office. The day-to-day work was handled by its Prisoner and Alien Department, established to oversee the care and protection of British combatant and civilian prisoners of war and to liaise with other Whitehall departments with responsibilities for enemy prisoners in the United Kingdom. In March 1916, Lord Newton was moved from Paymaster-General to the Foreign Office, where his responsibilities included the Prisoners and Aliens Department. This work, and his role as chairman of the standing committee established to co-ordinate the activities of the various Whitehall departments concerned with prisoner of war matters,²⁰ was to make him a focal point of criticism and controversy for the remainder of the war.

The sometimes acrimonious relationship between Newton and the War Office, and to a lesser extent the Home Office, was perhaps derived in some degree from his experiences as Paymaster-General. In that post he represented the War Office in parliament during Kitchener's frequent absences and also occasionally stood in for other departmental ministers. After his assignment to deputise for the War Minister, officials in the department,

...made it quite clear that they wished to see as little as possible of me, refused me a room or even a table or chair, and condescended only to give me very scanty information, which was supplied at the eleventh hour by an overworked official whose duty it was to compile enigmatic answers to parliamentary questions. 21

20. Newton became chairman of the committee in 1915. It included representatives of the War Office, Admiralty, Home Office and, when necessary, other departments. The principle questions dealt with were those relating to repatriation. See unpublished report by M.L. Waller, head of Prisoners of War Branch, Home Office, dated Dec. 1920, HO 45/11025/410118/2.

21. Newton, op. cit., p. 214.

Newton found officials of some other departments similarly inconsiderate and unhelpful, with Home Office staff the worst offenders. He wrote later that he could not recall one occasion on which a Home Office official had provided him with anything more than 'an inferior brief at the last moment.'²²

One of Newton's first major objectives at the Foreign Office was to try to reach agreement with the Germans on the exchange of enemy alien internees over military age. He believed the plan would be acceptable to the Germans because of the numerical advantage in their favour, but he expected the War Office and Admiralty to object 'as they only counted heads and looked upon every released civilian as an addition to the German Army.'²³ The scheme had the unstinted backing of Grey, and cabinet approval was given, but the agreement was negotiated with only grudging acquiescence from the military departments.

Initially Britain offered to exchange all internees over 50 and those over 45 who were unfit for service in the field, even though under such an arrangement the Germans would receive back far more men than Britain.²⁴ There were believed to be about 4,200 German internees over the age of 45 in British camps, and of these 1,800 had, by November 1916, declared that they did not wish to return to Germany. The maximum expected to be returned to Britain from the German camps under the over-45 agreement was about 600.²⁵ While the Germans were prepared to exchange civilians over 45 they continued to resist the British proviso that the remaining British internees below 45 should be exchanged for an equivalent number of German civilians held in Britain. This condition was dropped

22. Ibid. p. 218.

23. Newton, op. cit., p. 218.

24. 27HS 5s., 594, 5 July 1916 and Cd. 8352, 1916.

25. 23HL 5s., 503, 15 Nov. 1916.

by Britain in late August 'from motives of humanity' and the Germans were informed by Grey that the British Government was,

...most anxious to arrange for the immediate release of civilians over 45 owing to the deplorable accounts which are reaching them as to the mental condition of many of the older men both in the British and German internment camps.' ²⁶

After further correspondence between Britain and Germany through U.S. diplomatic channels it was agreed that all civilian internees over 45 should be exchanged, with a proviso (included at Britain's request) that each side could detain up to 20 men in that age category for military reasons. These were defined by Britain as 'such reasons as justify the government concerned in the detention of an individual whose conduct has given reasonable cause for suspicion or complaint, or because, owing to his special qualifications, his repatriation is likely to be of particular value to the enemy.' ²⁷ It was also agreed that neither government should have the right to demand repatriation of persons unwilling to leave; the cost of repatriation was to be borne by the persons returning or by their government; repatriation of Germans from British colonies and overseas dominions were to follow with the utmost speed circumstances would allow; retired army and navy officers not in receipt of pay, as well as officers and crews of British and German merchant ships were to be considered as civilians, and the arrangements were to apply to civilians on each side who came into enemy hands in the subsequent course of the war. ²⁸ The German government also proposed that the exchange of prisoners should, if possible, be carried out simultaneously, and that for this purpose they should be repatriated in

26. Cd. 8296, 1916.

27. Grey to Laughlin, U.S. Charge d'Affaires, Berlin, 2 Sept. 1916, Cd. 8352, 1916.

28. Cd. 8352, 1916.

three groups of approximately equal numbers; the names of those prisoners over 45 who were retained by each country should be made available to the other country; and the internees who had been retained in Britain in spite of being entitled to release under earlier agreements should be included in the first group of repatriates.²⁹

Negotiations through diplomatic channels on the details of the agreement were protracted and Newton relates that there was 'much trouble over the question of exchanges of civilian prisoners, both the War Office and the Admiralty obstructing action.' He accused the military authorities on both sides of being,

...prone to regard every interned civilian as possessing some potential naval or military capacity ...and if he is physically unfit they frequently discover other reasons which in their opinion are excellent and adequate for keeping the man under restraint.³⁰

One of the few members of the War Office staff held in high personal regard by Newton was ironically the head of its Prisoner of War Directorate, General Herbert Belfield. Newton records a visit from Lord Stamfordham, the King's secretary, in June 1916, during which he was informed that the King wanted exchanges of civilian prisoners to be extended and would like to see Belfield replaced at the War Office. While acknowledging that the rate of exchanges had been unsatisfactory, Newton argued that the fault did not lie with Belfield, a loyal and efficient officer, who never acted without consulting his superiors.³¹

On 3 October 1916 Newton attended a cabinet meeting called to discuss the difficulties raised by the military departments on the

29. Note verbale, German Foreign Office to U.S. Embassy, Berlin, 16 Oct. 1916, Cd. 8437, 1917.

30. 22HL 5s., 188, 25 May 1916.

31. Newton, op. cit., p. 225.

proposed exchanges of civilian internees. He noted afterwards,

Not at all impressed with the proceedings; more than 20 people sitting in the Cabinet room, with various assistants; Asquith presiding, and proceedings characterised by confusion and indecision. Most of the talking done by Lloyd George. ³²

Grey grew increasingly disenchanted with the inter-departmental conflict over repatriation and its effect in delaying the over-45 exchange arrangements. He made clear to the cabinet that he would be pleased to have his department relieved of its responsibilities for prisoners of war. ³³

In mid-October Newton returned from a trip to France to find that as a result of 'a nebulous decision' by the cabinet, the War Office had been made the primary authority for prisoner of war affairs. Apart from matters concerning American representation of British interests, the Foreign Office had been relieved of all its responsibilities for prisoners. Newton was to become Controller of an 'independent' Prisoner of War Department with responsibility for matters concerning British prisoners of war. His inter-departmental standing committee on prisoners of war continued to act as an adjunct to the new department and Newton still dealt with questions in the House of Lords on ~~matters~~ concerning British prisoners of war. Such questions were handled in the Commons by Mr. Fitzallan Hope, a Treasury minister. Despite the powerful position now held by the War Office and his lack of authority to make decisions where there was disagreement with other departments, Newton continued to regard himself as *primus inter pares* among departments concerned with prisoner matters. He clashed with the War Office on a number of occasions over

32. Ibid., p. 228.

33. Departments ultimately represented on the committee were the War Office, Admiralty, Home Office, Colonial Office, India Office, Board of Trade, Air Ministry, Ministry of Shipping and, towards the end of 1918, the self-governing dominions (CAB 15/6/15). See Newton, *Retrospection*, op. cit. p. 228.

repatriation policy and cabinet intervention was sometimes required to resolve the more serious differences of opinion.³⁴ Newton grew increasingly irritated over the inflexible stance of the War Office and on 23 November he noted in his diary that the department was,

...now threatening to wreck the whole scheme of over-45 exchange, because the Germans are enforcing universal conscription. Cannot believe that they will persist, but if they do I shall probably have to go.³⁵

Despite Newton's fears the over-45 scheme came into operation on 2 January 1917, but soon foundered due to lack of ships to convey repatriates between Britain and the Continent. The situation deteriorated further after intensification of the German submarine campaign, the breaking off of diplomatic relations between the United States and Germany (on 3 February) and the declaration of a blockade zone by Germany. When, during February, the exchanges were suspended only 370 Germans and 70 British civilians over 45 had been liberated; a mere 25 Britons had reached home, the rest being presumed to be waiting in Holland for space on ships.³⁶

The breakdown of the exchange arrangements provoked a barrage of criticism in parliament of the government's general handling of the repatriation question and stimulated increased support for a total exchange of civilian prisoners, regardless of the numerical advantage that this would concede to the Germans. Despite the government's insistence that the lack of progress on repatriation was due to the unreasonableness of the German negotiators, it was clear to all but the most biased observers that a fundamental cause of the impasse lay in the

34. 30HL 5s., 29, 28 May 1918.

35. Newton, op. cit., p. 229.

36. 24HL 5s., 239-240, 22 Feb. 1917.

cabinet's acceptance of the War Office view that a wholesale exchange of civilians would be too *militarily* advantageous to the enemy. A War Office committee reported in March 1917 that,

Any increase of the resources in manpower of the Central Powers must tend to prolong the war, and as the war is to a great extent one of attrition, the best and really most humane course to follow is to place and keep out of action as many of the enemy as possible.

Taking all circumstances into consideration, and more especially in view of the disparity of the numbers involved, the proposal of a general exchange of interned civilians should not, in the interests of the State, be entertained. ³⁷

The same conclusions were again reached by a War Office committee which reconsidered the question of a general exchange of civilian internees in February 1918. ³⁸

The humanitarian case for general repatriation was passionately argued by such figures as the Archbishop of Canterbury, Viscount Bryce and Lord Gainford. The Archbishop's contention that the country was solidly in favour of general repatriation on humanitarian grounds was disputed by Newton, who said he had received letters which indicated that many people saw the agreement with Germany on prisoners over 45 as 'only another proof of the perpetual incapacity of the government.' ³⁹ Bryce questioned why the War Office and the Admiralty should have the decisive voice on the exchange of civilians, and found it hard to believe that it would make any material difference to the war whether a large or small number of enemy internees, some of them possibly capable of military service, continued to be held by the belligerents. ⁴⁰ Other speakers

37. Belfield report, op. cit.

38. Ibid.

39. 23HL 5s., 1501-2, 15 Nov. 1916.

40. 24HL 5s., 247, 22 Feb. 1917.

argued that a wholesale exchange of civilian prisoners would rid the country of what was ostensibly the most undesirable group of aliens, it would remove a burden on public funds, and would ensure that when peace came former enemies would not take jobs which could be filled by returning British servicemen.

While Newton accepted the humanitarian and practical arguments, he had little option but to publicly defend the government position that a general exchange of civilian internees would allow too great a military advantage to the enemy. Despite his differences with the War Office he conceded that the department was only advocating a policy which they deemed to be in Britain's best interests. Newton also advanced the War Office view that even if, as the Germans stated, returning civilians would not be assigned to military duties, their repatriation would release an equivalent number of other men to take up such duties. While Newton sometimes appeared ambivalent on the issue of general repatriation, his humanitarian concern for prisoners on both sides was never in doubt. He was acutely conscious of the demoralising effect on prisoners of the lack of progress on exchanges, and after the breakdown of the over-45 agreement in February 1917, he mused sadly,

Imagine the position, if you can, in which these men were placed. After months of laborious negotiation they are told that they are going to be free; they receive their passports and their papers; they are told that ships are waiting for them, and that trains will convey them. Then it is intimated to them at the last moment that negotiations have broken down, and they must again wait indefinitely. 41

In the spring of 1917 Newton attempted to revive exchanges with the Germans, but by his own admission was 'singularly unsuccessful.' Ships to convey repatriates were difficult to find, particularly since

41. Ibid., col. 240.

the resumption of the German submarine campaign, which had caused the withdrawal of steamship services between Britain and Holland. And Newton did not find the Admiralty very helpful.

...I am bound honestly to confess that I never met with very much assistance from the Admiralty... I have always been informed that there were no boats available. [The Admiralty] hold a very well grounded view that the German Government are much less concerned to repatriate civilian or military prisoners than to sink shipping of whatsoever kind, whether a hospital ship or anything else. ⁴²

It may be that the British government underestimated Germany's commitment to repatriation. In late 1916 and early 1917 Newton heard from a number of sources that the Germans were anxious to negotiate directly with British representatives in an effort to reach a workable exchange arrangement. ⁴³ It was an idea which appealed to Newton, who believed 'you can do more in a few hours conversation than in the course of months of writing.' ⁴⁴ There was considerable opposition among politicians and in the popular press against the principle of direct negotiation with Germany, and Newton was surprised and relieved to find when the idea was put to the cabinet that Lloyd George, Curzon, Milner and Bonar Law were in favour. The only minister who expressed doubt was Cecil, who thought that such negotiations might be suspected by some of being peace talks. This possibility also worried the French, but their objections to an Anglo-German conference were considered by Newton, not without some justification, to be impudent, 'as I knew that without any consultation with us, they had recently met the Germans in Berne...' ⁴⁵ The French objections were

42. 25HL 5s., 446-7, 14 June 1917.

43. Newton, op. cit., pp. 230 and 236.

44. 26HL 5s., 104, 31 July 1917.

45. Newton, op. cit., p. 236.

withdrawn after Newton had convinced Cambon, their ambassador in London, that Britain had no intention of talking peace with the Germans.⁴⁶

Despite criticism in parliament and predictably outraged reactions in some newspapers, an Anglo-German conference was arranged at The Hague, beginning on 25 June. Newton was accompanied by Sir Robert Younger, of the Aliens Advisory Committee, General Herbert Belfield, and three assistants. A German delegation of similar size was led by General Friedrich, head of the Prisoner of War Department at the War Ministry, and the talks were chaired by Jonkheer van Vredenburg, a Dutch diplomat, who had paid a number of inspection visits to German internment camps. Newton, who spoke excellent German and French, struck up a useful rapport with Friedrich, finding him humane and reasonable,⁴⁷ but both sides held firmly to their well-established positions on the fundamental question of a general exchange of civilian prisoners; the Germans demanded it and the British refused to countenance it. Existing agreements on the exchange of civilians over the age of 45 and invalids were re-affirmed, but little progress was made in finding a basis for the exchange of other categories of civilians, although Newton later claimed that Britain had been prepared to make 'large concessions.'⁴⁸ New agreements were, however, reached on matters relating to the welfare of prisoners, including the reduction of punishments for some offences in the prison camps, more efficient delivery of mail, improvements in camp administration, and a more lenient interpretation of disabilities for purposes of repatriation of invalids. An arrangement was also agreed under which a total of 16,000 prisoners of war, including 2,000 civilian invalids - 1,600 Germans and 400 British -

46. Ibid. p. 236.

47. Ibid. p. 140.

48. 29HL 5s., 344, 7 Mar. 1918.

would be transferred from camps in the belligerent countries and interned in Holland. The achievements of the negotiations, which concluded on 2 July, were, as Newton admitted, modest, but they at least offered the prospect of substantially improving the position of several thousand prisoners. At a War Cabinet meeting on 11 July Newton and Belfield received warm congratulations on their work at The Hague. Ministers expressed surprise at the relative success of the negotiations, and Newton records that he attributed it to Belfield, whose thorough knowledge of the prisoner of war question and obvious sincerity and frankness made a great impression on the Germans.⁴⁹ As he later noted, Newton enjoyed, for the first and last time, a measure of popularity, but he harboured no illusions.

I knew perfectly well that all the many people who had relatives or friends among the prisoners in Germany would expect either that their conditions would be radically changed or that they would be immediately exchanged, and that any delay would cause disappointment and exasperation.⁵⁰

Newton's forebodings proved correct. Although the Hague agreement was signed on 2 July it did not become operative until 2 January 1918, due to protracted haggling over its detailed implementation. It took more than three months simply to agree on which ships should be used to transport the repatriates and which route they should take. A series of alternatives was considered and rejected by one side or the other until, in mid-September, they finally settled on the use of Dutch vessels bearing distinctive markings and using the ports of Boston and Rotterdam. Despite a number of false starts and misunderstandings the sailings began in October. By the time the armistice was signed with Germany, 3,662 civilian prisoners had been transported to the continent, bringing the total of internees repatriated to their own countries or transferred to

49. Newton, op. cit., p. 242.

50. Ibid. p. 241.

camps in Holland since the beginning of the war to 6,840.⁵¹

A separate repatriation agreement was made between Britain and Turkey after a meeting between Newton and Turkish representatives at Berne in December 1917.⁵² Because of transport difficulties between the two countries, however, the agreement never became effective. A few Turkish internees who were sick or aged were repatriated through Holland into Germany independent of agreements. The handful of Bulgarians to qualify for repatriation were also sent home via Germany.⁵³

Newton estimated that when existing repatriation agreements had been fulfilled about 21,000 German civilians would remain in British internment camps, and between 3,000 and 4,000 British civilians in the camps in Germany.⁵⁴ There was growing concern in the war cabinet during 1918 about the problems thought likely to arise from the release of thousands of enemy aliens at the end of the war, and the repatriation of all internees before that time looked an increasingly attractive option, although it was estimated that about a third of the prisoners would not wish to go.⁵⁵ But whatever the appeal of the practical and humanitarian arguments for wholesale repatriation as put forward by such influential figures as the Archbishop of Canterbury, Lord Bryce and others, the government continued to adopt the position advised by the military departments, firmly opposing a general exchange of civilian internees. Newton records

51. Waller report, op. cit.; 26HL 5s., 31 July 1917; 26HL 5s., 684-5, 21 Aug. 1917; 26HL 5s., 901, 6 Nov. 1917.

52. Newton, op. cit., p. 249.

53. Waller report, op. cit.

54. 29HL 5s., 344, 7 Mar. 1918.

55. Ibid., col. 346.

that he had to conceal his own opinion on the issue, believing that the War Office and Admiralty would eventually have to give way to the growing current of opinion in parliament favouring a block exchange policy.⁵⁶

The military departments were adamant, however, arguing that at a time when Germany sorely needed an infusion of manpower to stimulate its flagging war effort, it was even more important to deny it the benefit of receiving back thousands of repatriates. Some who supported the War Office position regarded German prisoners as hostages whose custody helped to ensure better treatment for British subjects held in Germany than would otherwise be the case; others believed that total repatriation should be opposed as a matter of principle since to agree to it would mean giving in to the demands of the enemy.

But many in parliament felt that the military departments had never produced convincing reasons for opposing an all-for-all exchange of civilian internees. The Marquis of Salisbury, Lord Davenport and Lord Gainford were among those who questioned the rationale of the military argument. In Davenport's view,

The mere statement that military considerations forbid such an exchange is, in my judgment, neither convincing, nor ought it to be decisive. I think myself that humane considerations should have some play in the decision unless, of course, an overwhelming case can be made out for retention of the Germans in this country - an overwhelming case that it would be contrary to the national interests and expose the national interests to great danger. But I think that until those overwhelming considerations can be revealed, humane considerations should and ought to outweigh the mere military objection.⁵⁷

The Archbishop of Canterbury agreed that the point had been reached where arguments based on technical considerations had been overtaken by larger questions of humanity. It was unreasonable to expect that men who in many cases had been in captivity since the early days of

56. Newton, op. cit., p. 252.

57. 29HL 5s., 333-4, 7 Mar. 1918.

the war would become dangerous combatants for their own countries. The collapse of Russia and the shortage of food in Britain had also changed the situation in recent months.⁵⁸

Newton conceded that the humanitarian arguments for repatriation were 'unanswerable' and he blamed the Germans for the relatively small number of exchanges that had taken place.

The plain and simple fact is that we want to exchange prisoners but the Germans do not....If you have one side always anxious to make a bargain and the other not only extremely reluctant, but seizing every opportunity to obstruct and, if possible, to destroy the negotiations altogether, it is not surprising that there should have been what I am prepared to admit - namely, intolerable delay.⁵⁹

The credibility of the government's position on exchanges was severely undermined in April 1918 when the French and Germans bilaterally agreed to an exchange of civilian and military prisoners involving a total of 330,000 men. The agreement came as a surprise to the British government which had always claimed to act in accord with the French on repatriation matters. The Franco-German arrangement provoked a further onslaught of criticism on government policy, and Newton was again singled out as the main target of attack. The Northcliffe newspapers charged the government with incapacity and indifference on the repatriation issue, and demanded that neither Newton or Belfield should be allowed to attend any further negotiations with the Germans.⁶⁰

58. Ibid., col. 336.

59. Ibid., col. 343.

60. Newton remained the target of intermittent attacks by the Northcliffe newspapers. In July 1919, Newton sued the Daily Mail for alleging that he had joked about the sufferings of prisoners of war. The newspaper withdrew an imputation on Newton's efficiency but through its counsel, Sir John Simon, accused him of levity. Newton was able to show that any levity in his speeches had been directed against Northcliffe and his newspapers, not prisoners of war, and the jury awarded Newton £5,000 damages with costs. After the case Newton wrote that 'everyone was delighted to see the arch-journalistic bully rebuffed' and even the King, 'was much entertained at the discomfort of Northcliffe.' (Newton, op. cit., pp. 255, 264, 267, 270-3).

Although Newton argued that there was no reason why Britain should follow a similar policy to France since 'individual governments are the judges of their own action,'⁶¹ as a direct result of the Franco-German agreement the cabinet made an urgent re-appraisal of repatriation policy. The almost inevitable outcome was a resumption of direct negotiations with the Germans. Acutely sensitive to the attacks on their record on repatriation, the government chose Cave, the Home Secretary, as the senior member of the British delegation to negotiations arranged at The Hague early in June. He was accompanied by Newton and Belfield and the party included seven officials. One of two ships accompanying the vessel carrying the British delegation sank during the crossing. The cause was never ascertained but inevitably there were rumours that the ship had been sunk by the Germans attempting to destroy the vessel carrying British government ministers. The incident resulted in a stoppage of repatriation sailings and the Dutch line concerned only agreed to resume them shortly before the armistice.⁶²

The German delegation at the negotiations was led by General Friedrich and included Prince Hermann Hatzfeldt to counterbalance the presence of a senior minister in the British party. Cave's inexperience of international negotiations soon led to embarrassment. At the opening session of the talks he made a long speech in 'atrocious French' although it had been presumed that each side would speak in its own language. On another occasion, in an address to British prisoners of war repatriated to Holland, Cave's references to Germany upset Friedrich's delegation so much that an explanatory communique had to be issued before negotiations could

61. 29HL 5s., 1102-3, 15 May 1918.

62. Waller report, op. cit.

be resumed.⁶³ The talks were slow and difficult, and Newton believed that Cave was a liability to the British delegation. He considered that the Home Secretary had an inflated idea of what could be achieved and that he was too uncompromising over minor issues. The atmosphere at the meetings was hardly helped by a major upsurge of anti-alien agitation in Britain, which became so serious that Lloyd George recalled Cave to London. After Cave's departure on 30 June, Newton noted in his diary,

Do not regret it, as he and the Germans had a strong antipathy to each other and I found him very unwilling to incur any responsibility without previously consulting the War Cabinet, who had far too much work to do to attend seriously to our proceedings.⁶⁴

Newton records that he had much difficulty in persuading Cave to write to Vredenburg, the Dutch conference chairman, to announce his departure. Cave apparently feared that the Germans would be informed and that his ship would be attacked. Newton and the rest of the delegation spent two more weeks in The Hague before eventually signing what he considered a 'patched up agreement', arrived at after some differences of opinion among the British delegates.⁶⁵ The agreement, signed on 14 July, provided for the general repatriation of all civilians on both sides who wished to go, with the exception of a maximum of 70 Germans who might be retained in Britain and 40 Britons whom the Germans might continue to hold on 'special grounds.' Combatant prisoners were to be exchanged on a man-for-man basis and the agreement included a detailed code of regulations for the management of internment camps and the accommodation, diet and other facilities to be provided for prisoners; internment in neutral countries, and transport arrangements for repatriates. Sick and wounded prisoners, both combatants

63. Newton, op. cit., p. 257-8.

64. Ibid., p. 260.

65. Ibid.

and civilians, were to have priority in the exchanges, with families being allowed to travel together as far as possible. Civilians were to be repatriated without regard to numbers and additional British combatants were to be liberated to compensate for the numerical advantage the Germans would enjoy in a general exchange of civilians. In signing the agreement the Germans reserved their position because of their concern over the internment of German nationals in China, Britain's treatment of captured U-boat crew members, and the British insistence (subsequently withdrawn by the cabinet) that all children born of German parents in the United Kingdom would be regarded as British subjects and would not be repatriated even if their parents were.

Failure to implement The Hague agreement due to protracted wrangling over points of detail aroused an angry response in parliament and the press, and the government found itself under growing pressure to demonstrate its commitment to general repatriation by placing a senior minister in charge of prisoner of war affairs. Such an appointment had been urged on a number of earlier occasions when Newton seemed unable to achieve much success in effecting exchanges of prisoners. It was argued that a high ranking minister could ensure that the issues would be properly represented at the top level of government and in parliament, where some confusion continued to exist as to the responsibilities of the different departments in respect of prisoners. Questions were dealt with variously by the War Office, the Home Office, the Treasury and sometimes other departments, and there were occasions when ministers did not decide until the last moment who was to deal with a particular parliamentary question. Some MPs believed that prisoners had suffered because of the diffusion of responsibility for their interests among several departments, and military members were particularly scathing over what they saw as the indifference

of the government and the War Office to the plight of British prisoners of war.

Despite these criticisms, Newton remained highly sceptical as to whether the situation would be greatly improved by the appointment of a senior minister to represent the interests of prisoners of war. Such an appointee, Newton argued, would not be free to do as he pleased since it would be necessary for him to consult the other departments concerned, notably the War Office and the Admiralty. If there was disagreement it would still be necessary to ask the Cabinet to act as arbiter. In the long run 'things would not be materially different from the way they were.'

Notwithstanding Newton's views, on 25 September the War Cabinet appointed Cave as chairman of the inter-departmental committee on prisoners of war. Whether the Home Secretary could have achieved the results demanded by the government's critics remains a matter for speculation because his appointment came too late in the war to make any significant impact on the situation. When the Germans announced on 13 October that they were prepared to negotiate a peace settlement in accordance with President Wilson's 14-point programme, implementation of The Hague agreement seemed to have lost its urgency, since it was generally felt that release of prisoners would not now be long delayed.⁶⁷

Of nearly 24,500 enemy aliens still held in the internment camps when the armistice with Germany was signed on 11 November about one-fifth indicated that they did not wish to leave Britain. Towards the end of December the War Office advised the government that the military position was such that the general repatriation of civilian enemy aliens of military

66. 3OHL 5s., 29, 28 May 1918.

67. Newton, op. cit., p. 267.

age might safely be started, and the necessary arrangements were made with the Ministry of Shipping. Although ships were difficult to obtain, between the end of December and the end of April 1919 repatriations were taking place at a rate of 600 a week and later, as more ships became available, the rate increased to between 2,000 and 3,000 a week.⁶⁸

Most repatriates travelled via Harwich and Rotterdam. Each was allowed to take a maximum of 100 lb. luggage, excluding light hand baggage, and a maximum of £100 in the currency of his own country (earlier the limit was £10, then £50). They could take no British currency. Voluntary repatriates who could afford it were charged £2 towards the cost of their journeys. All aliens were carefully searched by the police before they left British custody and their baggage was placed under guard until embarkation. This was to prevent repatriates taking with them goods which were scarce in their own countries. According to Belfield, 'Cushions stuffed with unravelled socks, money in the soles of boots, false bottoms to boxes, were comparatively common discoveries.'⁶⁹

Internees who indicated that they wished to remain in Britain remained in the camps while repatriation of their compatriots proceeded, and it was not until May 1919 that government established a committee, under the chairmanship of Mr. Justice Younger, to consider appeals for exemption from repatriation.⁷⁰ The committee dealt with nearly 4,300 cases, including 3,250 Germans, 1,000 Austrians and Hungarians, and 50 Turks. Among the Germans were many 'friendly' aliens of Danish, Polish

68. Waller report, op. cit.

69. Belfield report, op. cit.

70. Under Mr. Justice Younger the committee consisted of Brig.-Gen. G.K. Cockerill MP, Major the Hon. Hugh O'Neill MP, the Hon. Alexander Shaw MP and Sir Hyland Adkins MP. The Hon. W.H. Cozens-Hardy MP was subsequently added. The committee submitted their report to the Home Secretary on 21 Oct. 1919, Cmd. 383.

or Alsatian origin; the Austro-Hungarians included a large proportion of Galician Poles, and aliens of Czech, Slavonic, Croatian or Rumanian descent. A considerable number of the men were elderly and had been interned for their own protection or because they were unable to support themselves outside the prohibited areas; many had been in the same employment for over 20 years, some over 30 years; most had British-born wives or wives of alien birth whose residence in Britain had been as long as their own. The bulk of the appeals dealt with by the committee, however, were from men of military age, with strong family and employment ties and usually long residence in Britain. The committee recommended for exemption from repatriation 3,030 Germans, 840 Austro-Hungarians and 20 Turks and these men were subsequently released on the authorisation of the Home Office.⁷¹

Between the armistice and mid-November 1919 some 21,904 civilian internees were repatriated from Britain, bringing the total of such repatriates since the beginning of the war to 28,744. The total included 23,571 Germans (5,837 before the armistice), 5,034 Austro-Hungarians (997), 112 Turks (2) and 27 Bulgarians (4). In addition 1,600 German invalid prisoners were transferred to Holland under the 1917 Hague agreement. Of the enemy aliens interned at the date of the armistice nearly 84 per cent were ultimately repatriated and the remainder allowed on appeal to remain in Britain.⁷²

71. Cmd. 383, 1919, and HO 45/11522/287285/148.

72. Belfield report, op. cit.

CHAPTER FIVE

ENEMY ALIENS AT LIBERTY

Unprecedented inroads into traditionally accepted individual freedoms affected the whole British population during the First World War, but many far reaching additional restrictions were imposed on enemy aliens deemed harmless enough to be left at liberty.¹

The Defence of the Realm Acts, the Aliens Restriction Act and other emergency legislation, and the flood of rules and regulations introduced under these umbrella statutes, curbed the legal rights of enemy aliens, dictated where they could live, how far and to which destinations they could travel, what kind of work they could engage in and which newspapers they could read, forbid them to change their names or possess or use a wide range of items, such as firearms, motor cars and telephones.²

In general the authorities applied the regulations less rigorously against enemy aliens of the friendly races who were considered sympathetic to the allied cause, and special consideration was given to British-born women who acquired enemy nationality through marriage.

Space limitations direct the discussion in this chapter to a general consideration of the more significant restrictions affecting uninterned enemy aliens rather than a detailed examination of the myriad orders made under the emergency legislation and the large body of legal precedents

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1. Most enemy aliens allowed to remain at liberty were women, children, elderly or infirm men, and members of races considered friendly to the allied cause.
 2. See appendix II. An inter-departmental committee on aliens restrictions was headed by Sir Edward Troup of the Home Office and included representatives from the War Office, the Admiralty, the Board of Trade and the Board of Customs and Excise, but information on the deliberations of the committee is sparse.

established in the courts. The most fundamental restrictions and those creating the greatest increase in the work of the police and local military authorities were concerned with registration, travel, the so-called prohibited areas, and curfew arrangements, and this is reflected in the space devoted to these subjects in the following pages. The criteria used by the authorities in deciding which aliens should be left at large and which interned, and the statistical fluctuations in the numbers remaining at liberty, were considered in chapter two.

REGISTRATION AND MOVEMENT RESTRICTIONS

Before the war, although there was no official registration of aliens, an unofficial and confidential register of aliens was kept by the War Office with the assistance of the police. The list was by no means exhaustive, but it did provide an indication of the number and geographical distribution of aliens, and special attention was paid to areas of naval or military importance. The registration was ostensibly carried out under the authority of the Official Secrets Act of 1911 and was considered to be virtually complete as far as was possible by the beginning of 1914. After that the registers in each area were kept carefully up to date.³

Under instructions issued by the Home Office to police forces in July 1914,⁴ and confirmed in the Aliens Restriction regulations introduced on the outbreak of the war, all aliens living in prohibited areas were required to register and could not continue to live in the

3. HO 45/10629/199699/4.

4. 66HC 5s., 139, 27 Aug. 1914.

areas without special permission of the police. Outside the prohibited areas only enemy aliens were required to register. Chief constables were designated as chief registration officers and police officers at divisional and local level were appointed as registration officers. Each force maintained a central register and a register in each division. Information was available at every police station as to the nearest office at which an alien could apply for registration. In addition to the obligation upon aliens to register, all householders had to inform the police of any alien living in their homes.

An enemy alien could not reside in a prohibited area for more than four days after the introduction of the Aliens Restriction Order without a special permit from a registration officer, and the alien required similar authority to travel more than five miles from his residence. When the alien was allowed to move his residence from one district to another his particulars were passed by the police in the old area to the registration officer in the new locality. Information on aliens who had served in the armed forces or police of any country were passed by the police to the War Office for the attention of the intelligence authorities.

The rush of aliens attempting to comply with the registration regulations after the outbreak of war imposed a heavy burden on the police, particularly in London because of the large concentration of aliens living there. The Times of 10 August described the scene at some London locations:

Bow-street, Albany-street and Old Jewry Police Courts were crowded on Saturday. At times there were as many as a thousand waiting to register. Some made four or five visits without success; others waited from six to eight hours. Yesterday the rush was quite as great, and by 10.30 enough had assembled at Bow-street to occupy the authorities until 4 o'clock.

Of the 66,773 German and Austro-Hungarian nationals registered in the United Kingdom by 10 September, 37,457 were resident in the London area.⁵ The Metropolitan Police appointed nineteen registration officers with staffs employed wholly on aliens work. The officers recorded addresses and particulars of aliens living in the area, issued identity books, prosecuted offences against the Aliens Restriction Order, investigated cases of doubtful nationality, and handled a wide variety of other related matters.⁶

Few enemy aliens left their registered places of residence and could not be traced by the police. It seems likely that those who 'disappeared' did so before the police and ports machinery for controlling the movement of aliens were fully operational in the early months of the war.⁷ In early March 1915 a government minister could claim, that 'Every single alien enemy in this country is known and is at this present moment under constant police surveillance.'⁸

Where aliens claimed to hold the nationality of a neutral country and the police were not satisfied with the documentary evidence offered, confirmation could often be obtained from the diplomatic or consular representative of the country to which the alien claimed to belong. If the police suspected that a foreigner claiming a neutral nationality was in fact an enemy alien, he was normally summonsed to appear in court for failing to register as a subject of an enemy country. The onus was then on the alien to prove he did not hold enemy nationality, and if he

5. 66HC 5s., 626, 10 Sept. 1914.

6. Report of Commissioner of the Metropolis for 1917, Cd. 9204.

7. 77HC 5s., 26, 20 Dec. 1915.

8. 70HC 5s., 891, 3 Mar. 1915.

could not do so he was compelled to register as an enemy alien.⁹

Stricter reporting requirements applied to enemy aliens than to other categories of foreigners, but there was considerable disagreement between the Home Office and the War Office as to whether registration and travel restrictions were sufficiently rigorous to control the supposed threat from uninterned aliens. The War Office were particularly concerned about 'securing the adequate protection of aerodromes, munition works and similar vulnerable points from the actions of evil disposed persons of enemy origin or otherwise who may still be residing in their neighbourhood.'¹⁰ A survey of 'vulnerable points' by MI5 in the autumn of 1917 showed that there were over 11,500 munition works, exclusive of the premises of auxiliary sub-contractors and small controlled firms, and some 390 military aircraft works and stations which were in need of special protection. There were also a large number of ammunition dumps and stores of other war materials distributed relatively uniformly throughout Britain. MI5 calculated that there was one vulnerable point to each seven square miles of Britain. An enemy alien, although confined to a radius of five miles from his registered address (equivalent to an area of 78 square miles), had access, on average, to the vicinity of 11 vulnerable points. MI5 said the figures were produced to point up the inadequacy of the protection that could be afforded by any process of removing enemy aliens or other potentially dangerous persons from one place to another or declaring the vicinity of all inland vulnerable points to be prohibited areas. The situation, MI5 believed, indicated the necessity for more

9. 78 HC 5s., 593, 20 Jan. 1916.

10. B.B.Cubbitt, WO, to Troup, 24 Oct. 1917, HO 45/10881/33849.

reliance to be placed upon the close personal supervision and control of individual aliens who may or may not be permitted to remain in the vicinity of any vulnerable point. The War Office advised the Home Office that the military and security measures taken to guard vulnerable points would be 'sensibly enhanced by a more accurate and widely circulated official knowledge of the character, personal credentials and associations of all persons of known enemy or dangerous precedents who might otherwise succeed in obtaining access to such places; and by more precise control of their movements.' To achieve these aims the Army Council drew up a list of measures and sought Home Office co-operation in implementing them. ¹¹

- i. A list should be prepared and printed from the Home Office central index of registered male enemy aliens, showing those authorised to be at large in the United Kingdom, with the addresses of their registered places of residence, reference numbers of identity books, and of the documents authorising their exemption from internment or repatriation, and a brief indication of the supposed degree of their enemy sympathies.
- ii. No enemy alien at large should in future be given a travel permit to go further than five miles from his registered place of residence without the joint consent of the chief officer of police and the military authorities in the new district, upon the written recommendation of his present registration officer. Any enemy alien unable or unwilling to abide by such a condition should be employed by the state on work of national importance or repatriated.
- iii. Every enemy alien at large, unless exempted by endorsement in his identity book or by medical certificate, should report in person once a week to his registration officer or other local police officer.
- iv. All persons of enemy race by parentage, but claiming British nationality, should be called upon formally to substantiate their claim to be considered British subjects by submitting documents or evidence for verification on behalf of the Home Secretary together with the address of their permanent place of residence. An alphabetical list should be printed and supplied for official use showing the names and addresses of such persons as established their claim to British nationality. The list should also include particulars of persons of enemy race who were registered as friendly aliens.

11. Ibid.

To help in compiling the list suggested in (iv) the War Office reminded the Home Office that a confidential but not officially verified index of persons of enemy parentage claiming British nationality had been prepared by the Directorate of Special Intelligence, and contained over 10,000 names. This index could be placed at the disposal of the Home Secretary for use as a check on the official returns which were made.¹²

The War Office proposals to tighten registration and travel restrictions on aliens were supported by the Admiralty, who considered that 'the activities of enemy agents can be most effectively checked by putting all alien enemies at large in this country under a closer supervision than is enforced at present.'¹³ Asked by the Home Office if they had any specific information regarding any dangerous or suspect persons residing near aerodromes, munition works or other vulnerable points, the War Office could only say that,

...the credentials of a large number of such persons are at all times under inquiry and examination by the competent military authorities and officers engaged in intelligence duties with a view to arranging for such legitimate precautionary action and safeguards as may be appropriate in time of war to each individual case.¹⁴

Senior Home Office officials reacted with incredulity at many of the War Office recommendations. J. F. Moylan of the Aliens Division believed that the War Office and the Admiralty had shown 'an extraordinary lack of recognition of the actual facts of the matter' and noted that,

Not a single instance of an alien enemy having improperly gained access to a vulnerable point is adduced nor apparently can be

12. Ibid.

13. Memo., J.F. Moylan, 10 Nov. 1917, HO 45/10881/338498.

14. Cubbitt to Troup, op.cit.

adduced, and it is well known to MI5 that it is not amongst the alien enemies now at large that the real danger from enemy agents exists but amongst alien friends and British subjects without any German blood, whether whole or half. But enemy agents are elusive and hard to find in the mass of British subjects and alien friends, while the alien enemy presents a known and easy target at which MI5 owing to the difficulty and scarceness of the other quarry, keep firing away in their natural anxiety to appear always on the qui vive.¹⁵

The main objections of the Home Office to the War Office proposals may be summarised as follows: ¹⁶

1. The proposed lists of uninterned enemy alien men and persons of enemy parentage who were British subjects or alien friends might be useful for historical purposes and for dealing with the disposal of enemy aliens at the end of the war, but they would serve little if any purpose as an aid to wartime aliens control. If any uninterned male enemy alien required further supervision than he was already receiving he ought to be interned.

The proposed new measures would be extremely difficult to apply in the Metropolitan Police district where the great majority of aliens were concentrated and where there were a large number of vulnerable points and opportunities of obtaining information useful to the enemy.

Chief Constables had their own registers of enemy aliens in their areas and would have scant use for a catalogue of aliens in other areas.

The only possible way of locating British subjects of enemy parentage was by a public announcement instructing such people to provide the necessary particulars to the authorities. A measure of this kind would cause great offence to large numbers of British subjects, including members of the government, public officials, and men serving in the armed forces. Even if practicable, however, there seemed little value to the police or the military in such an index.

The preparation of the proposed lists would involve a great deal of time and labour and, if the Home Office undertook the work, many new staff would have to be employed. There would also be much extra work for the already overburdened police. The expense of printing and publishing would be substantial and the lists would presumably have to be kept constantly up to date. (The existing Home Office central index covered only enemy aliens outside the Metropolitan Police District as the commissioner had found it impossible to supply the relevant information in respect of the large numbers in London).

15. Moylan memo., op.cit.

16. HO 45/10881/338498.

2. The proposal that no enemy alien should travel more than five miles without the consent of the chief officer of police and the competent military authority of the new district would probably mean the prevention of any enemy alien from going more than five miles from his place of residence, since it was unlikely that local military authorities would want to admit fresh enemy aliens to their areas. The proposal would be impractical in London and perhaps other large towns, and would also hamper the task of transferring enemy aliens to work of national importance.

The most effective way of protecting vulnerable points was that already employed by the War Office and the Admiralty, i.e. the prevention of access by unauthorised persons.

3. The rule that every uninterned enemy alien, unless specially exempted, should report weekly to the police already applied in many police districts without the authority of the Aliens Restriction Order. To make it universal would require an amendment to the ARO, but such a measure would overwhelm the Metropolitan Police because of the concentration of aliens in the area. Moreover the commissioner felt that more frequent reporting provided no real safeguard since, if an alien wished to engage in mischief, he had the intervening days between reporting to do so.

The central index of enemy aliens suggested by MI5 was never introduced but more comprehensive registration requirements covering aliens of all nationalities, favoured by the intelligence authorities, were imposed as general aliens controls were tightened during the war. The obligation to register with the police, which applied to enemy aliens from the beginning of the war, was extended, with certain exceptions, in 1916 to all male aliens and, in 1918, to all alien women over the age of 18 years. ¹⁷

Alien registration was placed upon a peace footing in August 1919, when an order in council was passed which enabled foreign visitors to remain in Britain up to a month without registering with the police and

17. HO 45/10828/323249/2.

allowed alien residents to be absent from home for bi-monthly periods without having to report a change of address. But registration, introduced as a wartime emergency measure, has remained as a central feature of the British aliens control system ever since.

PROHIBITED AREAS

Enemy aliens were excluded under the Aliens Restriction Order of 5 August 1914 from living in or entering any part of Great Britain designated as a 'prohibited area', unless provided by the local police with a special permit to do so.¹⁸ The areas, selected by consultation between the Home Office, the War Office and the Admiralty, included docks, naval bases, military installations, parts of the coast and their hinterlands which were considered potential targets for enemy invasion, and other areas where the presence of enemy aliens was thought by the authorities to present a danger.¹⁹

The concept of the prohibited area, recommended before the war by the Committee of Imperial Defence, created a situation novel in the history of British aliens control by barring a class of aliens from large sections of the country. In August 1914 the War Office stated that,

The primary military intention of the Aliens Restriction Order as regards prohibited areas is that alien enemies should be removed therefrom unless there is some urgent consideration of a humanitarian nature which appears to outweigh the military urgency of each case.

The exceptions should be as few as are compatible with the primary intent of the Order.²⁰

18. See appendix II.

19. Aliens Restriction (Consolidated) Order, 9 Sept. 1914.

20. HO 45/10817/317072/5.

Possible exceptions envisaged by the War Office, 'pending a possible eventual insistence upon removal by the military authorities,' were single women with no alternative domicile, invalids unable to move, and children under British or friendly alien guardianship. Typical cases for removal were alien men who appeared to be capable of 'activities prejudicial to the military control of the prohibited area' or who had lived in the area long enough to be well acquainted with its manpower and material resources and about whom 'some reasonable doubt may exist as regards their unreservedly loyal intentions towards this country.' The War Office insisted that no universal rule should be applied which precluded examination of each case by the chief registration officer concerned.²¹

Instructions issued by the Home Office to chief constables at the beginning of the war were that they should exercise the greatest care in issuing permits; consult the 'competent military authority'²² in doubtful cases, and supply full particulars to the War Office of any permit issued.²³ While the Aliens Restriction Order placed the responsibility for issuing permits upon the chief officer of police - and the Home Office urged them to exercise personal supervision wherever possible - the chief officer had discretion to delegate the

21. Ibid.

22. A 'competent military authority' was responsible for implementation of the emergency regulations in a particular locality. The Admiralty and the Army Council could appoint any commissioned officer to undertake the duty, providing he was not below the rank of lieutenant-commander in the Navy or field officer in the Army. (DORA, Consolidated Order, 28 Sept 1914)

23. Circulars, HO to chief constables, 5 and 11 Aug. 1914.

duty to the superintendent or other officer keeping the register in each division.²⁴ Under the Aliens Restriction Order responsibility for removing enemy aliens from prohibited areas rested with chief constables, consulting the military authorities where necessary, but the latter also had an independent power under the Defence of the Realm regulations to remove suspected persons whatever their nationality. This duality of authority to remove enemy aliens from prohibited areas, and to allow their return, created some confusion and overlapping of effort in the early months of the war. To try to improve co-ordination between the police and the military, the Home Office and the War Office, working in consultation, attempted to establish clear guidelines on the procedures to be followed and the criteria to be applied, stressing the overriding principle that

...it is desirable on naval and military grounds that alien enemies should be removed from prohibited areas. Permits allowing them to remain should not be granted, except in cases where there are special circumstances involving considerations of humanity or public interest, to which weight can be given without damage to naval or military requirements.²⁵

In mid-September 1914 the Home Secretary wrote to chief constables to point out that he had 'some reason to think that sufficient care has not always been exercised' in the applications of the regulations concerning prohibited areas and certain other aspects of aliens control, and there was also evidence that in administering the Aliens Restriction Order some police forces were 'not governed by any general principles.' The primary purpose of the

24. Circular, HO to chief constables, 11 Aug. 1914.

25. 69HC 5s., 583, 10 Feb. 1915.

order, it was stressed, was military and the police had to administer it in close harmony with the military authorities, both the officers attached to the War Office and local commanding officers, 'any of whom may from time to time make suggestions for more stringent application of the order'. If such a suggestion was of a general character, 'due weight must be given to the fact that the order has a distinctly military purpose, but at the same time to the fact that the general discretion to carrying it out rests with the principal registration officer.' A suggestion about a particular individual was rather different, 'and, as a rule, it will be best to act upon the suggestion without questioning the grounds of the officer's suspicion'.²⁶

By late November the prohibited areas formed a ring from the north of Scotland down the east coast and along the south coast to include Dorset, and extended 10-20 miles inland.²⁷ Further areas were added until by June 1916 the territory covered took in between one-third and a half of Great Britain, including the greater part of Scotland and the whole of 15 counties of England and Wales.²⁸ By 1918 the whole of the coast and adjoining districts of England, Wales and Scotland were classified as prohibited areas, in addition to such areas as Aldershot and the London docks. (In Ireland the Dublin, Belfast, Cork and Londonderry districts were designated as prohibited areas)²⁹.

26. Memo., J.F. Moylan, 21 Sept. 1914, HO 45/10734/258926/77.

27. 68HC 5s., 789, 23 Nov. 1914.

28. Cd. 8419, 1916; 82HC 5s., 1076, 29 June 1916.

29. HO 45/10828/323249/2.

Some politicians demanded that the whole of London, not only the principle docks, should be designated as a prohibited area on the grounds that it was the vital nerve centre of the British and imperial war effort and also the home of the majority of the country's uninterned aliens. The proposal was always resisted by the government because it was felt that the huge additional workload it would impose on the already overburdened Metropolitan Police would have been out of all proportion to any gain in public safety. The police would have to keep under surveillance a large number of friendly aliens and many enemy aliens would be forced into areas which were policed less efficiently than London.³⁰

Anti-alien hardliners predictably demanded removal of all enemy aliens from prohibited areas regardless of individual circumstances, and there were many heated exchanges in parliament in the early war years about the alleged laxness of the government in failing to implement such a policy. According to returns compiled by the police, on 7 November 1914 there were 771 male and 2,190 female enemy aliens living in prohibited areas along the coast of Scotland and England between Aberdeen and Devonport.³¹ Lord Curzon called the figures 'very significant and rather alarming,'³² and the Earl of Crawford warned that it was 'a grave risk' to leave enemy aliens in these areas.³³ The bombardment of Hartlepool, Scarborough and Whitby

30. See, for e.g. 21HL, 5s., cols. 582-5, 30 Mar. 1916.

31. 68HC 5s., 789, 23 Nov. 1914.

32. 18HL 5s., 160 25 Nov. 1914.

33. Ibid. col 132.

by German warships in mid-December ³⁴ shocked the nation and added credence to the demands of hardliners for indiscriminate removal of enemy aliens from prohibited areas. As a direct result of the raids many aliens were removed from the east coast, but enough remained to provoke continued criticism of the government. By early February 1915 the coastal prohibited areas still contained 695 enemy alien men and the number of women had slightly increased to 2,302. ³⁵ Viscount Galway spoke in the House of Lords of

...a general feeling of insecurity on the whole of the Yorkshire coast since the bombardment, owing to aliens still being left there. It is a matter of common knowledge that signalling has been going on for some months, and also that intelligence has been given to the enemy somehow or other; and there is a fear that Her Majesty's Government do not quite realise how strong is the feeling of insecurity. ³⁶

Curzon warned the government that 'whether a total removal of aliens from prohibited areas is possible or not, you may be certain that we shall not rest until we get the matter put upon a much safer and sounder footing than it is at the present time.' ³⁷ Similar concern was expressed by other politicians in the early months of 1915 and Bonar Law reflected the exasperation of some of his colleagues when, in early March, he asserted that, 'Either you should not have the

34. A squadron of German cruisers bombarded Scarborough, Hartlepool and Whitby on 16 Dec. 1914. At Scarborough 51 people were reported killed and 200 wounded; at Hartlepool 55 killed and 115 wounded; at Whitby two killed and two wounded. Nearly all the victims were civilians, many of them women and children. Similar raids were carried out by the German Navy in 1916 and 1917 on Lowestoft, Yarmouth, Ramsgate and other English coastal towns.

35. 69HC 5s., 130, 3 Feb. 1915.

36. 18HL 5s., 277, 6 Jan. 1915.

37. Ibid. col. 285.

prohibited areas, or you should make them effective and not have a single alien within them.' ³⁸ Despite mounting criticism of the government, a House of Commons motion moved by Joynson Hicks on 3 March calling for the removal of all enemy aliens, including women and children, from the prohibited areas, was defeated. ³⁹

The more stringent range of aliens control measures introduced by Asquith in May 1915, reduced to some extent the importance of the concept of the prohibited area, but the government showed no inclination to opt for the total removal of enemy aliens, although their numbers were steadily reduced in the east and south coast areas. From 592 enemy alien men in early June, the figure had dropped to 471 by late October and 401 by mid-January 1916. ⁴⁰

Important additions to the schedule of prohibited areas were made in January 1916 with the object of including the whole of the coast and adjoining districts of Great Britain and an area around Aldershot. The main object of the additions, according to the Home Office, was to 'secure further supervision of the movement of a class among whom enemy agents have recently been found, namely, aliens of friendly or neutral nationality, but of enemy origins or associations'. In designating the new prohibited areas, the Home Office, after consultation with the War Office and the Admiralty, advised the police that enemy aliens exempted from internment or repatriation who were living in a prohibited area should not be required to leave that area unless some new information making that course desirable came to the

38. 70HC 5s., 866, 3 Mar. 1915.

39. Ibid. col. 847.

40. 72HC 5s., 360 10 June 1915; 75HC 5s., 350, 28 Oct. 1915; 77HC 5s., 1761, 13 Jan. 1916.

knowledge of the registration officer.⁴¹ In March 1916 a government minister was able to tell the House of Lords that,

Only those alien enemies who, having passed under the review of the Advisory Committee, have been excepted from internment or repatriation, are now at liberty in any part of the country; and the police supervision exercised over them, whether in prohibited areas, or otherwise, affords, it is believed, adequate safeguards against their constituting any danger to the country.⁴²

MI5 remained sceptical, however, of the government's reassurances and believed that police powers to grant permits to enemy aliens to remain in prohibited areas had been used too liberally. This view was endorsed by the Army Council, and in early June 1916 the War Office recommended to the Home Office that 'as a measure of military necessity' residential and travel permits already issued to enemy aliens of both sexes and of any age should as far as possible be withdrawn throughout the prohibited areas of the United Kingdom. The War Office argued that,

Apart from the ill-feeling it arouses, the presence of enemy aliens in districts from which British subjects of military age are necessarily being withdrawn and which are subject to raids by sea and air, gives rise to a growing sense of insecurity and creates a military danger of increasing magnitude. The sympathies of these aliens must be with their own country; they are in a position to obtain naval and military information of value and they would doubtless be anxious to communicate it, if possible, to the enemy. Alien passengers and ships entering and leaving the United Kingdom afford the means for so doing and there is strong ground for the suspicion that enemy aliens have taken advantage of this channel of communication with their own country. In this connection females are as capable of collecting information, and are therefore as dangerous, as males.⁴³

But by the end of June 1916, 866 enemy alien men (730 Germans and 136 Austrians) were still living in the prohibited areas, and the government faced continuing parliamentary pressure to reduce

41. Circular, HO to chief constables, 4 Feb. 1916.

42. 21HL 5s., 585, 30 Mar. 1916, Marquis of Lansdowne.

43. B.B.Cubbitt to Troup, 4 June 1916, HO 45/10817/317072/5.

drastically the numbers or remove all enemy nationals from the areas. Samuel, the Home Secretary, responded by appointing a two-man commission to review the permits granted by the police allowing enemy aliens to live in prohibited areas and to advise him if any should be withdrawn. The commissioners, Sir Louis Dane, a distinguished Anglo-Indian administrator, and Lieutenant-Colonel Alan Sykes, the widely respected MP for Knutsford, tackled their assignment vigorously and conscientiously but their report, submitted to the Home Secretary in late October, was judged by the department to be lacking both in precision and discretion, and was extensively revised before being presented to parliament on 7 December.⁴⁴ Figures in the commissioners original draft were found by one Home Office official to be 'quite unreliable, arithmetically impossible and mutually irreconcilable'⁴⁵ and it was decided that certain references to MI5 and one of its officers, Lieutenant-Colonel V.G.W. Kell, should not be published. Several letters and memoranda, including appendices, were also ruled out by the Home Office on the grounds that they were confidential. The Home Secretary agreed to publication of the report with the omissions and amendments recommended by Troup and other senior departmental officials.⁴⁶ One of the appendices accompanying the commissioners' first draft was a note from MI5 setting out their conception of the purpose of the prohibited areas,⁴⁷ viz. the creation of a coastal zone 10 to 40 miles wide which was to be entirely cleared of known enemy aliens 'in

44. Report presented to parliament as Cd. 8419, 1916.

45. Memo, J. Fischer Williams, 11 Nov. 1916, HO 45/10817/317072/5.

46. HO 45/10817/317072/5.

47. Ibid.

order that the intelligence (counter-espionage) service may have a clear field in which to discover and pursue the many enemies, disguised as British subjects or friendly aliens, who operate principally in this coastal zone,' and to reduce the opportunities for enemies, known and unknown, to:

- i. Transmit information overseas in evasion of the postal and telegraph censorship.
- ii. Obtain access to the most vulnerable points, which are principally on the coast.
- iii. Make observations of the coast traffic, naval and military activities within the coastal zone.
- iv. Signal to or communicate with coasting vessels.
- v. Meet and converse with (unknown) enemies and neutral aliens (crews and passengers) recently landed or about to depart.
- vi. Act as fixed and safe houses of call or post offices for the interchange of hostile conversations and coastal information.
- vii. Act as local informants, well versed by long residence, to enemies visiting the coast from inland and parties of the enemy in the event of raids or invasion.
- viii. Prepare guide signals for arriving hostile aircraft.
- ix. Act as local military and political irritants to the inhabitants of this coastal zone, always apprehensive of enemy raids, and thereby lower the general public security.

In mid-July the commissioners advised MI5 that they had consulted five chief constables in different parts of the country and found that the number of male enemy aliens still living in prohibited areas appeared to be very small. In most cases, they were very old and infirm and had been allowed to remain for humanitarian reasons. In a few cases they had been permitted to stay in recognition of services rendered to the British Government, and in these instances suitable restrictions had apparently been imposed. Most of the enemy aliens with whom the commissioners had dealt were the wives and other female

dependents of enemy nationals who had returned to their own countries, or been interned, or ordered to leave the prohibited area.⁴⁸

It was usually found to be the case that a British-born woman, especially if she had British-born children, sympathised with and was loyal to her country of origin. But there were also instances in which 'from motives of affection, fear, or otherwise she is so dominated by her alien husband as to forsake her country of origin and cleave to her husband's cause and country,' and such a woman was 'a potential source of serious danger.' Children of enemy aliens who were born in the United Kingdom and were British subjects also posed a difficulty. In cases of suspicion they could only be dealt with under the Defence of the Realm Regulations applying to British subjects. There seemed little use in excluding an enemy alien, or even his wife, whether foreign or British-born, from a prohibited area, if his children remained there, probably carrying on his business and free to travel anywhere and communicate with their parents. The commissioners believed that it might be advisable to keep the whole family together 'in the place where they are known and can be watched.'⁴⁹

Dane and Sykes held 46 hearings in London and the provinces and obtained from chief constables particulars of 4,294 enemy aliens living in prohibited areas. The commissioners expected and found considerable divergencies of policy among the various police forces in applying the regulations. In some cases these were due to circumstances peculiar to a particular area and in others to differing interpretations of the Aliens Restriction Order or circulars from government departments.

48. Memo., Dane and Sykes to MI5 14 July 1916, HO 45/10817/317072/5.

49. Ibid.

Some chief constables had failed to grasp that the onus was on the alien to show that special circumstances existed which justified the issue of a permit to stay in a prohibited area. Sometimes the police seem to have stretched 'considerations of humanity' to cover cases in which exclusion from an area would merely have involved inconvenience, deprivation of sentimental associations or pecuniary loss, but would fall far short of cruelty or inhumanity. There also appeared to have been a divergence of action among local military authorities when consulted by the police about doubtful cases, but in no case had they failed to secure the exclusion of any enemy alien where they felt this was advisable.⁵⁰

Of the 847 enemy alien men found by Dane and Sykes to be living in prohibited areas, 548 were over military age, 287 were of military age (17 to 60 years) and 12 under military age. Of those of military age, 64 were inmates of religious houses or ministers of religion, 57 were Armenians exempted from removal by the Aliens Restriction Order

or Czechs and Poles vouched for by their national committees, and the remainder had been granted permits for 'public reasons or very special circumstances.' There were 188 over 70 years of age, 37 blind or bedridden and 56 in workhouses, hospitals or lunatic asylums. Of the 2,922 enemy alien women living in prohibited areas, 2,039 were British born and of these 185 were widows or divorced and, in the absence of any special objection, deemed to be entitled to regain their British nationality. The families of enemy aliens included many sons and daughters who were British subjects because of their place of birth, and 594 sons were serving or had lost their lives while members of the British armed forces. Dane and Sykes recommended that permit holders

50. Cd. 8419, 1916.

living in religious communities, both male and female, should only leave the precincts of their communities accompanied by a resident of British or friendly nationality, and all communications with the outside world should be by post. Buckfast Abbey in Devon, where the 40 inmates were almost all of military age was being 'treated on the lines of internment camps.' The commissioners appended to their report a list of 66 cases involving 77 individuals in which they recommended that the Home Office should instruct chief constables concerned to withdraw permits allowing enemy aliens living in prohibited areas. Although they were critical of some aspects of the way in which the Aliens Restriction Order had been administered in respect of prohibited areas, Dane and Sykes found that on the whole the work of the police and local military authorities in carrying out 'a scheme so novel in the history of this country' was

very well done indeed and not many were left in prohibited areas who were likely to be an open or secret danger to the state, and after this review but few can be residing in such areas whose presence could even justify popular suspicion or discontent on social or commercial grounds. 51

The findings of Dane and Sykes confirmed the government's view that there was no case for indiscriminate removal of all enemy aliens from prohibited areas, and that the existing arrangements for vetting and supervising permit holders had worked satisfactorily. The system nevertheless became stricter and more efficiently administered in the final years of the war, due in part to the continuing concern of MI5 with the situation in the prohibited areas and to the demands inside and outside parliament for more stringent controls over enemy aliens.

51. Ibid.

CURFEW

In December 1914 the Commissioner of the Metropolitan Police, Sir Edward Henry, recommended to the Home Office that a curfew should be imposed on enemy aliens in the capital, requiring them to remain in their homes after 8.00 p.m. Henry estimated that there were more than 10,000 Germans and 6,000 Austrians between 17 and 50 years of age in London, many having moved there from other areas after the war began. It was also a 'somewhat disquieting fact' that the number of firearms declared by enemy aliens, or found in police searches, had been 'disproportionately small.' viz. 370 revolvers, 190 rifles, 91 pistols and 82 other guns. The inference, Henry believed, was that in many instances enemy aliens had deliberately not declared firearms in their possession. In view of this, and the likelihood that internment accommodation would not be available for many of the aliens whose confinement might be thought advisable, the commissioner considered it would be prudent to 'immobilise, as far as may be practicable, those who may be left at large' and 'keep them out of the street at night.' It was envisaged that permits waiving the curfew would be freely given in suitable cases, for example for business purposes or to members of the friendly races. ^{52.}

The curfew proposal was received sympathetically by the Home Office but John Pedder, head of the Aliens Division, believed it would be difficult to administer and could impose hardship on many respectable people. On his recommendation copies of a draft order in council to give legal sanction to the curfew was circulated to the chief constables of the Birmingham, Liverpool, Manchester and Cardiff forces, as well as

52. Henry to Troup, 28 Dec. 1914, HO 45/10782/278944/1.

the Metropolitan Commissioner, to test their reactions. The order, which stipulated that enemy aliens must remain in their registered places of residence between 8.00 p.m. and 6.00 a.m. unless holding a police permit to do otherwise, was supported by each of the police chiefs contacted and none believed it would cause undue hardship to those affected. The Manchester police were already operating a form of curfew under which they required enemy aliens to sign an undertaking to remain at home during hours stipulated by the police according to the circumstances of the individual.⁵³ Despite the evidence of police support for the curfew, the cabinet refused to agree the draft order in council recommended by the Home Secretary, McKenna, and shelved the proposal pending further consideration.

Early in January, McKenna wrote to his cabinet colleagues reiterating the case for a curfew, which in general would operate between 8.30 p.m. and 6.00 a.m. and apply to enemy aliens over the age of 16. The police would, however, have powers under the proposed order to vary the times of the curfew, which could not begin earlier than 8.00 p.m., or end later than 8.00 a.m. Where aliens lived in lodgings an obligation was placed upon their landlords to inform the police if the curfew regulations were not complied with.⁵⁴ Again the cabinet declined to accept the Home Secretary's proposals and the curfew issue was left in abeyance until it was raised again by the Metropolitan Police Commissioner in May after the government's announcement of more stringent

53. HO 45/10782/278944/1a. The order in council would have been inserted as article 25b of the Aliens Restriction Order and cited as the Aliens Restriction (Prohibited Hours) Order, 1914.

54. Confidential memo., McKenna to Cabinet members, 5 Jan. 1915, AP 3/47.

aliens control regulations.⁵⁵ Henry feared that insufficient accommodation would be available to house the numbers of enemy aliens earmarked for internment under the new regulations. He believed public feeling towards enemy aliens, and Germans in particular, had hardened in the previous few months and there was an insistent demand for their deportation or internment. If the government would agree to the passage of the order in council authorising the curfew, the commissioner wrote to the Home Office,

...this, in my opinion, would be a satisfaction to many reasonable people who entertain a morbid dread of the possible activities at night, under certain conditions, of those of enemy races who live in our midst.

Such a restriction could not be deemed oppressive and it would be certainly effective, as the aliens' neighbours will satisfy themselves that it is not ignored.

We must contemplate the possibility of a zeppelin raid, and if it proved successful in causing much loss of life, public feeling might prove uncontrollable unless the public were convinced that the government and the executive are doing all in their power to render harmless our alien enemy neighbours. 56

McKenna took up the question again with the Prime Minister and Asquith agreed to the introduction of the curfew in London, but did not favour it being formalised by an order in council. Henry was advised that, in the first instance, the curfew should be a direction from him, to be enforced by arrest and, if necessary, by internment. Asquith was prepared to introduce an order in council later if it proved necessary, but he felt that a public directive from the commissioner would be obeyed.⁵⁷

Notices were posted in the Metropolitan Police district warning

55. Henry to Troup, 14 May 1915, HO 45/16782/278944/10.

56. Ibid.

57. Troup to Henry, 15 May 1915, HO 45/16782/278944/1a.

that, with effect from 18 May, male enemy aliens were required to remain at their registered places of residence between 9.00 p.m. and 8.00 a.m. unless issued with a police permit.⁵⁸ In the first few months of the curfew most enemy aliens found by the police disobeying the instruction were merely cautioned or, in exceptional cases, interned. The procedure subsequently became more formalised. First offenders, provided they were of good character and had a satisfactory explanation for contravening the curfew, were cautioned. If an offender was of unsatisfactory character or had deliberately evaded the order, he was interned, as were all aliens who offended for a second time, and the Home Secretary was also prepared, in appropriate cases, to deport offenders. The curfew, which was later eased to begin at 10.00 p.m., was not enforced in the case of female enemy aliens.⁵⁹ Although it had the backing of the government, the curfew in London, imposed on the order of the police commissioner, never had the legal sanction that would have been provided by an order in council. There seems no reason to believe, however, that the operation of the curfew was any the less effective because of this. It is not clear from sources available to the author to what extent the curfew arrangements in the capital were reflected in provincial towns where the concentration of enemy aliens was much less.

OTHER RESTRICTIONS

Among the wide range of other restrictions progressively imposed during the war, the following are worthy of special mention, either because of their significance in terms of their effects on the everyday

58. Metropolitan Police notice, signed by Henry and issued 15 May 1915, HO 45/16782/278944/1a.

59. HO 45/16782/278944/10.

lives of enemy aliens or because of the interest or controversy they evoked at the time of their introduction.

Possessions

The wide range of 'strategic' items which enemy aliens were forbidden to have in their possession or to use without police permission were listed in the Aliens Restriction Order issued on 5 August 1914 and extended in future amendments. They included firearms, explosives, signalling apparatus, carrier pigeons, petroleum and other fuels, motor cars, cycles, boats, telephones, cameras, and military and naval maps and charts.

The police were advised by the Home Office at the beginning of the war that the issue of permits for any of the listed items 'must be exceptional, and, to justify a grant, there must be a great deal more than the mere whim or convenience of the alien, while his personal comfort or pleasure are negligible factors.'⁶⁰

Where enemy aliens were suspected of possessing any of the forbidden items, the police and the military had wide powers of search and arrest in enforcing the regulations.⁶¹

Legal Rights

There were numerous limitations on the rights of enemy aliens as litigants during the war. These affected their position as plaintiffs, defendants and appellants in the civil courts and as creditors in bankruptcy cases.⁶²

60. See appendix II.

61. See appendices II and VI.

62. An excellent summary of the position of enemy alien litigants by 1918 is provided by A.D. McNair in Law Quarterly Review, Apr. 1918, pp. 134-142.

Special legislation was enacted in 1915 to facilitate proceedings against enemy aliens, providing for the service of writs outside the jurisdiction of the courts.⁶³

Provision under the Defence of the Realm Act deprived aliens of the right to trial by jury for certain offences.

Marriage

Although the authorities had no direct legal power to prohibit a marriage between a British subject and an enemy alien, such marriages could be, and sometimes were, prevented by internment or repatriating the alien.⁶⁴

During 1915 arrangements were made for the Registrar-General to consult the Home Office before any marriage licence was granted, and the system was later extended by agreement with the church authorities to cover religious marriages. One result of the procedure was to help police keep their aliens registers up to date by enabling them to record changes of nationality and registration consequent upon marriage.⁶⁵

Sometimes enemy alien women attempted to escape their liability to repatriation by marrying a British subject, but such marriages were not generally allowed except in cases where the alien belonged to one of the races friendly to the allied cause.⁶⁶

63. Legal Proceedings Against Enemies Act, 1915, 5 Geo. 5 c. 36.

64. 109HC 5s., 610, 1 Aug. 1918.

65. Memoranda (bound copy of nos. 1-46) of Aliens and Nationality Committee, 1919, HOR.

66. 109HC 5s., 610, 1 Aug. 1918.

There were very few marriages between enemy aliens and British subjects in the later war years, and the only cases which caused the authorities difficulty were those involving men released from internment camps on licence for employment (usually Austrians working in agriculture) who wished to marry a British woman, frequently to prevent a child being born illegitimate. Although such men were still technically classified as 'interned,' a category of alien for which marriage was not permitted, the Home Office usually viewed such cases sympathetically.⁶⁷

Name Changes

An order in council which took effect on 12 October 1914 prohibited enemy aliens from changing their names.⁶⁸ Any enemy national who had adopted a new name since the beginning of the war was obliged, under penalty, to revert to the name by which he was known on 4 August 1914.

The order was strictly enforced throughout Britain and the Home Secretary rarely used his powers to exempt aliens from the order. By May 1916 only 12 exemptions had been allowed, almost all cases of British-born women who had married Germans and had been widowed or separated from their husbands.⁶⁹

Under an amendment to the Defence of the Realm Regulations, which took effect on 19 August 1918 and was retrospective to the beginning

67. Memo., J. Fischer Williams, 11 Nov. 1918, HO 45/10899/371591.

68. Aliens Restriction (Change of Name) Order, 1914.

69. 82HC 5s., 684, 10 May 1916.

of the war, no person who was not a natural-born British subject was allowed to change his name without the special permission of the Home Secretary.⁷⁰ The measure changed the position under common law by which it had always been open to any British subject to adopt a new surname.⁷¹

Closure of Clubs used by Enemy Aliens

In September 1914 a new provision was included in the Aliens Restriction Order enabling the police, on the authority of the Home Secretary, to close or restrict the opening hours of any club frequented by enemy aliens. In enforcing the provision the police could enter, if necessary by force, and search or occupy any premises to which the order related.⁷²

A number of clubs and restaurants, including the exclusive German Athenaeum Club in Stratford Place, London, were closed, but there were frequent complaints in parliament of other establishments, particularly restaurants which catered for the German community, being allowed to continue in business. Joynson Hicks was among the MPs who regularly raised the issue and as late as February 1917 he was complaining that life in the German community in London was continuing just as it had two years earlier, with German restaurants, using menus and notices printed in German, providing meeting places for enemy aliens.⁷³

70. Article 14H, Defence of the Realm Regulations, 19 July 1918.

71. Law Times, vol. 145, 17 Aug. 1918, p.317.

72. Aliens Restriction (Consolidation) Order, 9 Sept 1914; circular HO to chief constables, 14 Sept 1914.

73. 90HC 5s., 706, 14 Feb. 1917.

An amendment to the Aliens Restriction Order on 30 March 1917 extended police powers to close or restrict the operation of establishments frequented by enemy aliens or 'undesirable aliens,' or controlled by an alien and 'conducted in a disorderly or improper manner, or in a manner prejudicial to the public safety.' ⁷⁴

Registration of Aliens in Hotels

To help the police keep track of the movements of aliens, an order in council was introduced on 25 April 1915 placing a duty upon all hotel proprietors and boarding house keepers to maintain a register of alien visitors over the age of 14. ⁷⁵

Enemy Language Newspapers

The circulation among enemy aliens of any newspaper or periodical printed wholly or mainly in the language of an enemy state was forbidden, except with the written permission of the Home Secretary. Any premises being used to produce such publications could be entered by the police, using force if necessary, and copies of the offending edition and type confiscated. ⁷⁶

74. Article 25, Aliens Restriction Order, as amended 30 Mar. 1917.

75. Order in council passed 13 Apr. 1915; circular HO to chief constables, 21 Apr. 1915; 71HC 5s., 1480, 11 May 1915.

76. Aliens Restriction (Consolidation) Order, 9 Sept. 1914.

CHAPTER SIX

NATIONALITY AND CITIZENSHIP

When the war began an estimated 9,000 naturalised British subjects were former nationals of Germany, Austria-Hungary, Turkey or Bulgaria. Of these nearly 7,000 were of German origin and the vast majority of the remainder were previously citizens of Austria-Hungary.¹

Thousands of citizens of these countries living in Britain, in some cases for most of their lives, who had failed to obtain British nationality, tried to become naturalised after the war began when they found themselves classified as enemy aliens. But they were successful in only a very small minority of cases, usually where their enemy nationality precluded them from carrying out work of particular importance to the war effort or because of special circumstances such as long residence in Britain, marriage to a British-born woman and sons serving in the British armed forces. All of those naturalised had to sign a statutory declaration of their intention to live in Britain.² The cases of British-born women who had acquired enemy nationality through marriage and sought re-admission to British citizenship after being widowed were treated sympathetically. Apart from such re-admission, only 146 Germans and 44 Austro-Hungarians were naturalised between 4 August 1914 and November 1916.³ After that time no holders of German or Austro-Hungarian

1. The estimate is based on the 1911 censuses of England and Wales (Cd. 7017, Vol. IX) and Scotland (Cd. 6896, Vol. II). The assumption is made, as it was by the Home Office (Cd. 8566, 1917), that the figures remained approximately the same at outbreak of the war. The total number of naturalised British subjects in England, Wales and Scotland recorded in the 1911 censuses was 23,623.

2. 66HC 5s., 140, 27 Aug. 1914; 71HC 5s., 570-1, 27 Apr. 1915.

3. 30HL 5s., 690, 8 July 1918.

nationality, except British-born women, were naturalised during the war.

Naturalisation, even when granted some years before the war, failed, however, to place former citizens of Germany above suspicion in the eyes of many. It was frequently argued in parliament and the press that naturalised subjects posed a greater danger to national security than known enemy aliens since the former could still be enemy sympathisers and potential subversives yet were not subject to the stringent alien control regulations. A number of naturalised subjects deemed to be suspect were interned under Regulation 14B of the Defence of the Realm Regulations as persons of 'hostile origin and association.'

This chapter examines wartime naturalisation policy and its legislative basis.

Before the passage of the Aliens Act of 1844⁴ an alien could only obtain British nationality by private act of parliament or by letters patent. The seminal 1844 legislation established the essential principles which have since formed the basis of Home Office policy in dealing with applications for naturalisation. Apart from the period of the two world wars and the decade after the First World War, the general practice has been to grant certificates in cases where the applicant could satisfy the Home Secretary that he had established his home in the United Kingdom, he was of good character, he had become sufficiently assimilated to the life of the UK and was loyal to the UK and likely to remain so. No maximum limit has ever been placed on the number of aliens who could be naturalised in one year, but since 1918 applications have been much more carefully scrutinised and the letter of the law more closely followed.⁵

When the war began British nationality regulations derived from

4. 7 & 9 Vic. c. 66.

5. 'History of Naturalisation 1252-1970', unpublished paper by J.M. Ross, former Head of Nationality Division, Home Office, (December 1970), HOR.

the Naturalisation Act of 1870, which had repealed most previous legislation on the subject and provided for the few citizenship rights withheld from naturalised subjects by earlier statutes. The act laid down a requirement of five year residence in Britain or crown service as qualifications for naturalisation, but it gave the subject the right to sit in parliament or on the Privy Council, removed restrictions on aliens acquiring or owning land, and provided that married women should be deemed to hold the same nationality as their husbands. British subjects were also given a formal right to divest themselves of British nationality, and anyone voluntarily acquiring the nationality of a foreign state was automatically deprived of his British citizenship. The legislation also took account of the effects of naturalisation or loss of nationality by a husband or father upon the status of his wife and children, and provided for re-admission of former citizens to British nationality. The Home Secretary was empowered to issue or withhold certificates as he thought 'most conducive to the public good' and applicants had no appeal against his decisions. The 1870 act, which remained on the statute book until the end of 1914, eased the path to British nationality for thousands of emigrants who poured into the country from Europe and elsewhere before the war. Although the size of the influx undermined the liberal climate of opinion in which the legislation was conceived, naturalisation remained a relatively simple matter for those who ostensibly held the appropriate qualifications. The imprecise wording of the act allowed what some observers regarded as virtually indiscriminate admission of aliens to British nationality. Sir Edward Troup has noted that,

Before the war certificates under the (1870) Act were granted to practically everyone who satisfied the statutory conditions...No doubt it is right that every country should absorb into itself the good elements of the alien population

permanently settled within its borders, as in the past England absorbed the Huguenot refugees from France; but before the war the statutory conditions were insufficient to limit naturalisation to this class; and though the Home Secretary had power to refuse the certificate in any case without giving a reason, all attempts on the part of the Home Office to exclude persons who had not identified themselves with English life and remained in sentiment really foreigners proved abortive. ⁶

In the ten years to the end of 1913, 10,356 certificates of naturalisation were registered at the Home Office with Russian and German subjects providing by far the largest number of recipients. Naturalisations reached a peak of 1,709 in 1913. ⁷ During 1914 up to the outbreak of the war 165 Germans and 55 Austro-Hungarians were naturalised and between 4 August and the end of the year 97 Germans and 30 Austro-Hungarians were granted certificates. These represented only a small fraction of the applicants and the Government insisted that, after the war began, certificates were issued only in cases where, after a thorough examination, the Home Office considered there was some advantage to the national interest or exceptional personal reasons, coupled with a certainty that no danger to the state could arise. ⁸ A total of 3,268 certificates were issued to aliens of all nationalities during the years 1914-18 and 1,613 people, mostly British-born women, were re-admitted to British nationality. ⁹

6. Sir Edward Troup, The Home Office (1925), p. 152.

7. Certificates issued annually during the period 1904-1913: - 979, 1905: 684, 1906: 841, 1907: 685, 1908: 576, 1909: 874, 1910: 1,131, 1911: 1,537, 1912: 1,340, 1913: 1,709. Countries of origin of the recipients: - Austria-Hungary 779, Belgium 68, Bulgaria 7, Denmark 278, France 191, Germany 2,740, Greece 103, Italy 160, Norway and Sweden 849, Ottoman Empire 198, Portugal 27, Roumania 225, Russia 3,977, Spain 43, Switzerland 163, The Netherlands 189, other European countries 9, USA 201, Brazil 10, Chile 7, Japan 8, Morocco 12, Persia 23, other non-European countries 17, subjects of no foreign state 19, nationality doubtful or unknown 53. Total 10,356. (Source: Return of Certificates issued to Aliens, Home Office, 1 May 1914).

8. 71HC 5s., 570-1, 27 Apr. 1915.

9. Home Office Nationality Returns, 1914-18.

The outbreak of the war inevitably made the question of nationality one of great importance, and each of the main European states introduced legislation to facilitate the denaturalisation where it was considered justified of subjects who were former citizens of enemy countries, and to impose more stringent qualifying conditions for naturalisation. Britain and her allies were also concerned to counteract the situation created by the German imperial and state nationality law passed on 22 July 1913 (the Delbruck Law), which enabled German citizens to retain their original nationality although becoming a subject of another nation, providing they had obtained prior permission from the German authorities to do so. As one legal commentator expressed it, 'Dual nationality is not half of one nationality and half another, but two complete nationalities and in time of war verily a damnosa hereditas.' ¹⁰

The complexities of German nationality law made British politicians hesitant to interpret its operation with regard to naturalised citizens of German origin living in the United Kingdom. ¹¹ But the government believed that the possession of dual nationality created a prima facie case for examining the status of a naturalised British subject, although such a person was not necessarily considered likely to be disloyal. ¹²

While many German expatriates claimed that under their country's nationality regulations they had forfeited Germany nationality by being absent from the country for more than 10 years, this policy seems to have been variously applied by the German Government. It became the practice

10. Lord McNair and A.D. Watts, The Legal Effects of War (1966), p. 70.

11. 18HL 5s., 1034, 18 May 1915.

12. Ibid., col. 1040-1.

at the Home Office to refuse to accept without documentary proof that an alien had been discharged from enemy nationality. Even where such evidence was forthcoming the Home Office did not necessarily accept it as conclusive proof that the holder was not to be regarded in English law as an enemy alien, especially in cases where the individual concerned had not been naturalised in Britain.¹³ Some holders of German or Austro-Hungarian nationality discharge certificates were in effect rendered stateless while others held the nationality of countries other than Britain. Neither category, in the Home Office view, ceased automatically to be an enemy in English law or were necessarily deemed to be free from a liability to military service in an enemy country.¹⁴

The Metropolitan Police, whose area contained the greatest concentration both of enemy aliens and of naturalised British subjects of enemy origin, treated holders of the discharge certificates with great caution, if not suspicion. Sir Edward Henry, the commissioner, considered that,

It is obvious that most alien enemies actually engaged on secret service work would arm themselves with such a document, and the operations of the German Secret Service have been on such a large scale that it is necessary, in the interests of public safety, that the Police should be almost unreasonably circumspect in dealing even with individuals against whom nothing specific may be known.¹⁵

With the concurrence of the Home Secretary, the Metropolitan Police advised all Germans or Austrians submitting certificates of discharge from their nationalities, where their antecedents were unknown or doubtful, that their names could not be removed from the aliens

13. 72HC 5s., 356, 10 June 1915.

14. J. Pedder, HO, to H.C. Beamish, Marlborough Street Magistrates Court, Sept. 1914, HO 45/10734/258157/17.

15. Henry to Troup, 13 Nov. 1914, HO 45/10734/258157/27.

register. Exceptions were sometimes made by the police where they had definite knowledge of the character and bone-fides on an alien and he could satisfy them that he had lost his enemy nationality.¹⁶ Aliens who were dissatisfied with a police ruling could take their case to the civil courts. Passports were refused to any naturalised subject of enemy origin who could not produce acceptable documentary evidence of having lost enemy nationality, or who it seemed might use the passport for an 'improper purpose.'¹⁷

The British Nationality and Status of Aliens Act of 1914,¹⁸ which was going through parliament when the war began, received royal assent on 7 August and became operative on 1 January 1915. It formed the basis of nationality controls for most of the war and, with periodic amendments, until it was replaced by the Nationality Act of 1948. Although not strictly a war measure the timing of the 1914 BNSA Act made it effectively part of wartime legislation. The statute embodied the recommendations of a committee set up in 1907 under the chairmanship of Sir Kenelm Digby, Permanent Secretary at the Home Office, to review the whole of nationality and naturalisation law,¹⁹ and was largely a consolidating measure which did not make any substantial changes in the law or take account of the war. Drafted in consultation with member countries of the British Empire, the act provided a common code of nationality, which enabled each country to grant certificates of British nationality where previously certificates had been effective only in the territory of issue. A natural-born British subject was deemed to be:

16. HO 45/10734/258157/27.

17. 68HC 5s., 1292, 26 Nov. 1914.

18. 4 & 5 Geo. 5 c. 17.

19. Troup, *op. cit.*, p. 151.

- (a) Any person born in Great Britain or its dominions and allegiance; and
- (b) Any person born outside the dominions whose father was at the time of that person's birth a British subject, and who fulfilled any of the following conditions;
 - (i) his father was born within British allegiance;
 - (ii) his father was a person to whom a certificate of naturalisation had been granted;
 - (iii) his father had become a British subject by reason of annexation of territory;
 - (iv) his father was at the time of that person's birth in the service of the Crown;
 - (v) his birth was registered at a British consulate within one year or in special circumstances, with the consent of the Secretary of State, two years after its occurrence.
- (c) Any person born on board a British ship whether in foreign territorial waters or not.

This definition which was to have considerable significance during the war, and was repeatedly spelled out in Home Office and War Office instructions to the police and local military authorities to guide their dealings with aliens and persons of hostile origin.

The BNSA Act repealed all nationality law then in force and codified the ways in which British nationality could be acquired or lost. The granting of a certificate of naturalisation was entirely at the discretion of the Home Secretary; he did not have to give reasons for his decisions and there was no appeal if a certificate was refused. Before qualifying for naturalisation an alien had to establish that,

- (a) he had resided in the British Empire for at least five of the eight years preceding the date of the application;
- (b) he was of good character;
- (c) he had an adequate knowledge of the English language;
- (d) he intended to reside in the British Empire or to enter or continue in the service of the Crown.

For the first time the Home Secretary was given power to revoke a certificate of naturalisation, where it appeared to him that it had been obtained by 'false representation or fraud.'²⁰ This provision, under Section 7, was so limited in its scope, however, that it was invoked only once, in July 1918,²¹ and there were repeated demands in parliament throughout the war that the Home Secretary should have much wider powers to denaturalise British subjects of enemy origin. Those who believed such subjects to be just as great a potential danger as enemy aliens argued that any foreigner intent on working against British interests in the event of war was more likely than not to have obtained naturalisation. This would give him much greater freedom to act subversively without the constraints inevitable placed on the alien in wartime. As the government was frequently reminded in the early months of the war while aliens could be interned on suspicion, naturalised British subjects could only be placed in captivity after due process of law. Some hardliners argued that naturalised subjects of enemy origin should be treated in the same way as enemy aliens, even if this meant a general revocation of citizenship for such subjects.

Such was the intensity of feeling against naturalised subjects of German origin, as well as their compatriots who held German nationality that one contemporary political observer noted that, in their rage, members of all parties were 'foaming at the mouth'²² and the fanatical Germanophobe, Horatio Bottomley, proclaimed in *John Bull* that 'You cannot

20. Before 1914 British law contained no power to revoke a certificate of naturalisation once granted. The position was, as far as the Home Office was able to ascertain, the same in other 'civilised' countries. (Cd. 8566)

21. London Gazette, 13 July 1918.

22. MacDonagh, op. cit., p. 63.

naturalise an unnatural abortion, a hellish freak. But you can exterminate him.' ²³ A number of politicians asserted that there were Germans who had obtained British nationality in order to secure positions of influence in British society, particularly in the financial community, whose sympathies remained with their native country and who were promoting Germany's interests in the war. Joynson Hicks said several Germans had secured naturalisation so that they could become members of the Stock Exchange and other exchanges where only British subjects were allowed to deal. These men kept up their German connexions, their names were on the subscription lists of German societies and organisations and there was 'undoubtedly no greater source of German propaganda and thought in this country than these rich, naturalised Germans.' ²⁴ Lord St. Davids spoke of highly placed British citizens of German birth who had property in Germany, held German decorations and honours, and 'never spoke out against the outrages' being committed by their native country. ²⁵ If Britain was invaded, Viscount Galway warned, naturalised subjects of German origin 'will rush to join the invaders and offer their services as guides.' ²⁶ Many German-born naturalised citizens publicly affirmed their loyalty to Britain, often in the form of letters and petitions to the newspapers. A typical letter, signed by dons at five universities, pleaded in May 1915,

In view of recent events we desire to publicly express our unswerving loyalty to the country of our adoption, to which we feel bound not only by gratitude, family ties, and our solemn oath of allegiance, but also by deep sympathy born of common work and intimate knowledge of the nation's life and character. ²⁷

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- 23. John Bull, 15 May 1915.
 - 24. 108HC 5s., 554, 11 July 1918.
 - 25. 18HL 5s., 1031, 18 May 1915.
 - 26. 18HL 5s., 422, 3 Feb. 1915.
 - 27. The Times, 14 May 1915.

To conduct a concerted campaign to demonstrate their patriotism towards Britain a group of prominent business and professional men formed a Committee of Naturalised British Subjects of German and Austrian Birth.²⁸ In the early months of the war Asquith's Liberal administration adopted the position that naturalised British subjects of enemy origin considered a danger to the state could be dealt with under the Defence of the Realm regulations and it would be ill advised to give a minister or the Executive powers of revocation which should be in the hands of the courts. Moreover the government insisted that naturalisation conferred a status which, once given, was not expected by other countries to be capriciously, arbitrarily or hastily withdrawn.²⁹ Although there was a prima facie presumption that as British citizens naturalised subjects of enemy origin would be loyal to their adopted country, the government nevertheless proceeded on the assumption that such subjects posed a potential danger to national security.³⁰

A witch hunt against German-born naturalised subjects, particularly those in public life, was conducted by hardline politicians and some sections of the press, and the victims were subjected to the same remorseless vilification as their compatriots in Britain who still retained their German nationality.³¹

The government continued to take the view that the burden of

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- 28. C.C. Aronsfield, 'Enemy Aliens 1914-1918: German-born Jews in England During the First World War,' Jewish Social Studies, Oct. 1956.
 - 29. 68HC 5s., 932, 24 Nov. 1914; 18HL 5s., 267, 6 Jan. 1915; 18HL 5s., 265-6, 27 Apr. 1915.
 - 30. 22HL 5s., 475-6, 29 June 1916.
 - 31. Among the prominent figures who became targets of the witch hunts were Prince Louis of Battenberg, the First Sea Lord, and a relative of the royal family, Privy Council members Sir Edgar Speyer and Sir Ernest Cassel, and members of parliament Sir Alfred Mond and Arthur Strauss.

proving that a naturalised subject was a danger to the state should rest with those who wanted to take hostile measures against him. In introducing his new 'package' of aliens control measures in May 1915, Asquith strongly defended the overwhelming majority of naturalised citizens of enemy origin. They were, he said,

...decent, honest and respectable men, have given hostages to fortune in this country, and are carrying on legitimate trades and businesses, some of them professional men, some of them men employed in our most technical industries where their services can very ill be spared; and to initiate or to countenance anything in the nature of a vendetta against a class of that kind as a class would not only be disgraceful from the moral point of view, but most impolitic from the point of view of the best interests of this country. ³²

But although the prima facie presumption was that a naturalised British subject would 'do his duty', said the Prime Minister, under the new measures, where there was reasonable ground for suspicion against a citizen of hostile origin, 'we shall have the same power of detaining and internment him as if he had never been naturalised at all.'³³

The controversial Regulation 14B made under the Defence of the Realm Act (DORA) gave the authorities power to detain a person of hostile origin where it appeared 'expedient for securing the public safety or the defence of the realm.' British subjects could be interned without recourse to normal legal procedures,

but individuals who appealed against internment orders had a right to a hearing before the aliens advisory committees established under Asquith's May 1915 measures. Although the legality of the regulation was contested on several occasions in the courts it was consistently upheld.³⁴ Those interned included a number of people suspected of

32. 71HC 5s., 1876, 13 May 1915.

33. Ibid., cols., 1875-6.

34. J.M. Garner, International Law and the World War, 2 vols., (1920) includes a useful consideration of the cases.

espionage or communicating with the enemy, against whom there was insufficient evidence to bring them to trial, and a number of naturalised British subjects who by their actions, writings or speeches were deemed to have been disloyal to Britain and to have obtained naturalisation merely for business purposes. Where individuals appealed against internment orders - and most did - they had a right to a hearing before the aliens advisory committees, whose recommendations went to the Home Secretary for final decision. Few 14B internees were subsequently able to obtain their release although such cases were periodically reviewed at the Home Office, and, when it seemed discharge might be justified, referred to the aliens advisory committees for reconsideration. Those 14B internees who were released were subjected to stringent conditions.

MI5 maintained a regularly revised list of potential 14B cases, which was supplied through the Home Office to the police, who in turn kept a check on the movements of people on the list and also reported any fresh suspects immediately to MI5.³⁵ Information or complaints about naturalised subjects of enemy origin were frequently received by the police and military authorities from zealous members of the public and each case was carefully investigated. Instances where the subject concerned had been recently naturalised were scrutinised with 'special severity.'³⁶

Many saw regulation 14B as the necessary complement to the Aliens Restriction Order in ensuring that naturalised subjects of enemy origin as well as enemy aliens could be interned with the minimum of

35. Memo., Oct. 1917, HO 45/10881/338498.

36. Confidential memo., Samuel to Cabinet, 19 June 1916, AP, 127/229.

legal difficulty.³⁷ Even Simon, probably the most liberal of the wartime Home Secretaries, insisted that he could not be shackled by having to produce legal proof before taking action against suspicious people.³⁸ His successor at the Home Office, Samuel, made clear his belief that 'although a man changed his nation he did not always thereby change his nature' and 'there might be many who, although they had changed ostensible allegiance...as far as regards the safety and security of the State, ought still to be regarded as Germans.'³⁹ While, as shown earlier in this chapter, few enemy aliens were naturalised while McKenna and Simon were at the Home Office, it was under Samuel's regime that the practice was firmly established of refusing all applications for naturalisation from enemy nationals with the exception of British-born widows seeking re-admission to their original nationality.⁴⁰

The powers available to the Home Secretary under regulation 14B were used sparingly and there were repeated demands from the hard-liners that naturalised subjects should be treated in the same way as enemy aliens as regards liability to internment and restrictions imposed on those at liberty. Inevitably Admiral Beresford was a leading voice in the criticism, with his oft-repeated aphorism, 'once a German always a German'. In his view German-born residents 'must be traitors either to their own country or to ours.'⁴¹ The Earl of Meath felt similarly.

37. Law Times, vol. 139, 22 May 1915, p. 63, illustrates this point of view.

38. 72HC 5s., 844-5, 17 June 1915.

39. 80HC 5s., 1241, 2 Mar. 1916.

40. 100HC 5s., 1702, 17 Dec. 1917.

41. 22HL 5s., 470, 29 June 1916.

'Why,' he asked, 'should we imagine that the mere act of naturalisation could at once change the entire feelings of a man or a woman towards the country of his or her birth?...it is only natural to suppose that under the exciting stimulus of war some might consider it their duty to injure as far as they could, notwithstanding any oath they had taken, the enemies of their original mother country.'⁴² The same kind of sentiments were expressed by others in both houses of parliament, and in January 1917 the Unionist War Committee issued a report calling for a number of radical changes in the treatment of naturalised subjects. The report, prepared by the committee's Enemy Influence Sub-committee, chaired for much of its deliberations by Sir Edward Carson, proposed that naturalised citizens should not be eligible for membership of the Privy Council; if of hostile origin, should cease to hold naval and army commissions, and should not, without special permission of a Secretary of State, be allowed to hold any civil office where the salary exceeded £160 a year from public funds. The report also alleged, erroneously, that the authorities had failed to maintain a list of naturalised people.⁴³ (Complete lists of naturalisation certificates had been kept by the Home Office since 1844 and had been presented to parliament and published at intervals up to 1886 and annually since then. An alphabetical index of certificates was also prepared from time to time and was complete up to the end of 1914. Papers containing these statistics were made available for purchase by the public).⁴⁴

Although parliamentary opinion against naturalised subjects steadily hardened, successive Home Secretaries showed little inclination

42. Ibid., col. 465-6.

43. Statement issued by the committee reported in Law Times, vol. 142, 13 Jan. 1917, p. 182.

44. Manchester Guardian, 8 Jan. 1917.

to seek wider powers to revoke naturalisation certificates until the question was taken up by the Aliens Sub-committee of the Reconstruction Committee in 1916 under Samuel's chairmanship. Troup had earlier raised with the Reconstruction Committee the question of how British subjects of enemy origin who had been interned for suspected disloyalty should be dealt with at the end of the war. He suggested that 'it would probably not be considered desirable' that such subjects be allowed at the end of the war to revert to full possession of the privileges of British subjects. This, he said, raised the question of denaturalising those subjects of enemy origin who under the law of their native country still retained the nationality of and allegiance to that country, but such a course raised many difficult points and was complicated by the 'exceedingly diverse laws of other countries, including those of Britain's allies.'⁴⁵ A report submitted by Samuel's sub-committee to the Reconstruction Committee recommended that a judicial tribunal should have power to revoke naturalisation on the following grounds.⁴⁶

- (a) conviction of a serious offence committed at such time and in such circumstances as to indicate that the certificate had been obtained by false representation as to character;
- (b) conviction of an offence involving disloyalty;
- (c) if the tribunal, without any such conviction, finds that the continuance of the certificate is not conducive to the public good.

While recommending an extension of the grounds for revocation, the sub-committee pointed out that,

There appears to have been a general consensus of civilised opinion that nationality is a status not lightly to be assumed

45. Troup to Vaughan Nash, Secretary, Reconstruction Committee, 28 Apr. 1916, AP, 127/161.

46. HO 45/11177/32476/1.

or put off, and that it is not open to a State to go back upon what have turned out to be bad bargains... it is highly desirable that nationality acquired by naturalisation should be, as far as reasonably possible, equivalent in permanence to nationality acquired by birth, and so properly to be accepted in exchange for an original nationality. In other words it is desirable not to debase a coinage for which international currency is sought. ⁴⁷

The sub-committee, with the endorsement of the Home Office, also suggested that German citizens might properly (without amendment of the law) continue to be refused naturalisation in Britain for a period of perhaps five years after the war. The Home Secretary would retain his statutory powers to grant certificates in exceptional cases, principally those of British-born widows who had been married to Germans, but also where enemy alien men or their sons had voluntarily enlisted in the British armed forces. The question of the grant of naturalisation to subjects of Austria-Hungary, Turkey and Bulgaria was considered to be of less importance, and not suitable for settlement by the imposition of any general rule. All the states concerned, especially Turkey and Austria-Hungary, included subject races whose members had a special claim for sympathetic treatment. ⁴⁸ The sub-committee's proposals were accepted by the Reconstruction Committee, but with the proviso that the power of revocation should be vested in the Home Secretary acting on the advice of a judicial tribunal. ⁴⁹

A draft bill based on the sub-committee's recommendations was submitted to the Imperial War Conference in April 1917. The main purpose of the measure was 'to introduce wider powers of revoking certificates of

47. Ibid.

48. Cd. 8566, 1917.

49. HO 45/11177/324746/1.

naturalisation and to provide machinery for the purpose,' but it also made minor drafting amendments to the British Nationality and Status of Aliens Act of 1914.⁵⁰ In a memorandum accompanying the draft bill, the Home Office reminded the conference that 'A revocation of nationality is a serious step, and should be carried into effect only for grave reasons and after inquiry and report by a committee containing some person of judicial experience, and not by merely administrative action.' The Home Office also asked the conference to note two practical difficulties raised by revocation: (1) The status of the wife and minor children, if any, of the person whose certificate was revoked, and (2) the treatment to be given after revocation to the person affected. In respect of (1) the draft bill proposed that the Home Secretary should deal with each case as he thought best in the circumstances, and it was assumed that he would usually act on the recommendation of a judicial tribunal. Unless the Home Secretary ordered otherwise the wife's nationality would remain unaffected, but she might have an optional power to make a declaration of alienage. As to (2) the individual concerned would be dealt with in accordance with the aliens legislation in force at the time. The Home Office believed that 'while it is proper and desirable to give effect to the general popular feeling that persons of enemy origin should not be allowed to retain a citizenship to which they have proved themselves disloyal,' it was unlikely that it would be necessary to make many revocations. Accurate figures were not available as to the number of naturalised British subjects of enemy origin living in enemy countries

50. Among the aims of the proposed minor amendments were to allow time spent in the service of the Crown to be reckoned as equivalent to residence in the British dominions and to modify the definition of 'British subject' to cover the case of a person who acquired British nationality by annexation. (Cd. 8566, 1917).

or elsewhere abroad who had 'adhered' to the enemy, but only 25 such cases had been reported to the Home Office. Of the approximately 6,000 male British subjects of German or ^{Austro-}Hungarian extraction in the United Kingdom at the beginning of the war, by March 1917 only 35 had been interned under Regulation 14B.⁵¹

The Imperial War Conference agreed a resolution recognising 'the desirability of securing uniformity of policy and action throughout the Empire with regard to naturalisation' and commended the British proposals to the governments represented (Canada, India, Newfoundland, New Zealand and South Africa).⁵² Consideration by these countries was protracted and Lloyd George's government came under heavy parliamentary pressure to take legislative action on the naturalisation issue. The former Home Secretary, Samuel, called on the government to provide greater powers to denaturalise individuals 'who were clearly showing that they are holding allegiance as a mere formality, and that their heart is not in the country whose citizenship they have, for financial reasons, assumed.'⁵³ General Croft, Lord Beresford and other hardliners demanded a much more indiscriminate revocation policy.⁵⁴ Croft urged that every man naturalised no more than four years before the war and since it began should be denaturalised, regardless of status or whether he was considered essential in some war industry.⁵⁵ Beresford's view was characteristically emotive, extreme and unsubstantiated:

51. Cd. 8566, 1917.

52. Ibid.

53. 90HC 5s., 716, 14 Dec. 1917.

54. See, for example, 98HC 5s., 1574, 31 Oct. 1917; 99HC 5s., 14, 12 Nov. 1917.

55. 100HC 5s., 1682, 17 Dec. 1917.

We have been faced with very grave national dangers in the present war through alien enemies who have become naturalised, some of whom have been locked up. In my humble opinion all should have been locked up at the very beginning of the war. We know that some of them have consorted with spies, traitors, sedition mongers, and those people who call themselves pacifists and forget what our men are doing in the trenches and on the sea for the honour and defence of our country. 56

Although the government reminded their critics that the question of naturalisation had become an imperial matter and not one for Britain alone, parliamentary impatience at the lack of positive action by other countries of the Empire left the government little option but to introduce national legislation, principally to extend powers of revocation. Cave was anxious that the new measures should not devalue the status of the naturalised subject, but he agreed that revocation powers should be available for use in cases where the continued status of naturalised subject was 'not conducive to the public good.' He reminded parliament that, since the 1914 British Nationality and Status of Aliens Act had made naturalisation an imperial matter, a withdrawn certificate in Britain affected British nationality in the dominions. Moreover, any legislation introduced would not be simply a war measure, but would have a permanent effect.⁵⁷ A comparatively moderate bill was introduced by Cave in May 1918, but its passage through parliament took place during a period in which public and parliamentary antagonism to enemy aliens and naturalised subjects of enemy origin had reached its highest level since the hysteria of the early war period, and the legislation was subject to much amendment in both houses designed to make its provisions stricter. Despite the clamour for swingeing measures against naturalised subjects there remained some cooler voices as Cave's bill was discussed in

56. 27HL 5s., 772, 17 Jan. 1918.

57. 100HC 5s., 1691-2, 17 Dec. 1917..

parliament. Lord Finlay of Nairn, the Lord Chancellor, urged his fellow peers to keep their heads and not to 'rush into extreme measures which I am tempted to think would make us a little ridiculous to a great many of our best friends.'⁵⁸ Even Samuel, a leading advocate of wider revocation powers, believed that the sweeping withdrawal of certificates advocated by some hardliners would be 'wholly unwarranted by the circumstances' and if allowed would 'create grave injustice in many cases.'⁵⁹

When the bill received royal assent on 8 August as the British Nationality and Status of Aliens Act of 1918,⁶⁰ the powers provided to revoke certificates of naturalisation were the most comprehensive in any legislation before or since. In addition to retaining the provision in the 1914 BNSA Act for revocation in cases where naturalisation was obtained by false representation or fraud, the new legislation empowered the Home Secretary to revoke a certificate where he was satisfied that the recipient,

- (a) has during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy state, or been engaged in or associated with any business which is to his knowledge carried on in such a manner as to assist the enemy in such war; or
- (b) has within five years of the date of the grant of the certificate been sentenced by any court in His Majesty's dominions to imprisonment for a term not less than twelve months, or to a term of penal servitude, or to a fine of not less than one hundred pounds; or
- (c) was not of good character at the date of the grant of the certificate; or

58. 30HL 5s., 1252, 26 July 1918.

59. 108HC 5s., 626, 12 July 1918.

60. 8 & 9 Geo. 5, c. 38.

- (d) has since the date of the grant of the certificate been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm, or company carrying on business, or an institution established, in His Majesty's dominions, or in the service of the Crown, and has not maintained substantial connection with His Majesty's dominions; or
- (e) remains according to the law of a state at war with His Majesty a subject of that state.

The Home Secretary was also empowered to revoke a certificate in any case where he judged its continuance was not conducive to the public good. He had discretion to grant a certificate to any British-born widow of an enemy alien who declared her wish to be re-admitted to British nationality, and Cave made it clear that such applicants would continue to be treated with sympathy.

I have made it a practice to look with the greatest of favour upon the application of a British-born widow of a German to regain her British nationality, and I have naturalised dozens of poor women upon that ground alone. ⁶¹

The act provided that no citizen of a country which was at war with the United Kingdom on 8 August 1918 could be granted a certificate of nationality until 10 years after the termination of the war, unless he had served in the allied forces, or was a member of a race or community known to be opposed to the enemy governments, or had been at birth a British subject. The war did not officially end until 31 August 1921, which meant that many former enemy aliens did not qualify for British nationality until 1931. Of the 13,535 foreigners naturalised between 1921 and 1931 only 35 were Germans. ⁶²

Under the terms of the act any naturalised subject who had at any

61. 108HC 5s., 582, 11 July 1918.

62. Home Office Naturalisation Returns and London Gazette.

time held the nationality of an enemy country was referred by the Home Office to a committee appointed to scrutinise and recommend whether or not certificates held by such subjects should be revoked.⁶³ The committee, chaired by Mr. Justice Atkin⁶⁴ and including two other members, Lord Hambleton and Judge Radcliffe, assumed considerable influence. Although some formal rules of procedure were laid down by the Home Office, the committee had considerable autonomy in how it conducted hearings. It was vested with all the powers, rights and privileges of the High Court in being able to enforce the attendance of witnesses, examine them under oath or affirmation, issue a commission or request to examine witnesses abroad, compel the production of documents, and punish persons guilty of contempt. For security reasons the committee invariably held its hearings in private during the war. The Home Office was bound to accept the committee's recommendations in cases involving enemy aliens naturalised after the outbreak of the war, but only 15 revocations resulted from 207 such cases considered by the committee. Most of these were dealt with under the disloyalty category. In cases dealt with under other headings defined in Section 7 of the Act, the subject commonly had a right of an inquiry by the committee or could have such an inquiry at the discretion of the Home Secretary. There was also provision for the Home Secretary to refer cases to the High Court, but in practice this was never done.

Even if a subject was denaturalised, however, that did not

63. The Certificate of Naturalisation (Revocation) Committee was established on 20 Aug. 1918. Its terms of reference were: 'To be the committee referred to in sub-section (4) of section 7 of the BNSA Act, 1914, as amended by the BNSA Act, 1918.

64. Mr. Justice Atkin was replaced by Mr. Justice Salter in Mar. 1919.

necessarily mean that the State revoking the certificate was then free of all obligation to the individual concerned. As a ^{former} senior Home Office official noted,

...a state cannot sever the tie of nationality in such a way as to release itself from the international duty, owed to other states, of receiving back a person denationalised who has acquired no other nationality, should he be expelled as an alien of the state where he happens to be. ⁶⁵

During the inter-war years the powers to revoke nationality assumed by Britain and other countries in 1914-18 had far-reaching social and political implications, with many subjects of the belligerent nations becoming stateless, a situation further complicated by the creation of new state boundaries under the peace treaties. Most of the revocations in Britain during the immediate post-war years arose from the war and involved individuals living outside countries of the British Empire. The harsh revocation policy spawned by the First World War continued into the 1930s and during the period 1918-34 some 273 British subjects had their naturalisation certificates cancelled.⁶⁶ After that revocations dwindled to a trickle and there were very few during or after the Second World War.

The perceived danger from naturalised subjects of enemy origin, which ultimately led to the wide revocation powers in the 1918 BNSA Act, proved largely unfounded. No serious charge of disloyalty was brought in the courts against any such subject and there appears to have been no substantiated evidence of naturalised subjects engaging in activities which posed a serious threat to national security or of them exerting a sinister influence on British society as alleged by many propagandists and hardline politicians.

65. Sir John Fischer Williams, 'Denaturalisation', The British Year Book of International Law (1927), pp. 45-61.

66. J. M. Ross, op. cit.

CHAPTER SEVEN

ALIENS BRANCH AND PORT CONTROLS

Some form of control over the movement of aliens through British ports has been operated for centuries, with a widely varying degree of stringency and effectiveness.¹ But during the First World War it assumed a greater intensity and sophistication than ever before, and the foundation was firmly laid for the modern immigration service.²

In the early months of the war the adequacy of the controls at some ports, most notably London, was suspect because of the lack of trained manpower. Urgent steps were taken to recruit officers to the aliens service, and a series of new regulations and ad hoc measures were introduced to tighten security at the ports. Aliens could enter the country only through 'approved ports,' other ports being declared 'prohibited.' Elaborate precautions were taken to keep track of alien arrivals, and particular attention was paid to regular visitors, such as merchant seamen, who were regarded as potential couriers or agents for enemy powers.

This chapter considers the proliferation of port controls during the war and the development of the organisation which was primarily responsible for implementing them.

For most of the decade before the First World War the entry and

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1. See T.W.E. Roche, The Key in the Lock (1969), for a descriptive account of immigration controls in Britain from the Norman conquest.
 2. Restrictions on aliens entering and leaving the United Kingdom were set out in detail in Part I of the Aliens Restriction Order of 5 Aug. 1914, and steadily extended under later orders. See appendix II.

departure of aliens through British ports was regulated by the provisions of the 1905 Aliens Act.³ The Home Office was responsible to parliament for the administration of the act and the new port control organisation was headed by William Haldane Porter, who was designated Inspector under the Aliens Act.⁴ The corps of officers he assembled before the war came largely from the customs and excise service, which had assumed responsibilities for immigration and emigration controls at the ports from early times.⁵ Haldane Porter's men remained formally under the jurisdiction of the Board of Customs and Excise and their duties under the Aliens Act were settled by consultation between the Board and the Home Office. The relationship between the two departments was generally cordial, but there is evidence of some friction in the immediate pre-war years over the precise division of authority. Despite this, Haldane Porter, by virtue of his powerful personality and drive and the personal interest that he took in each of his recruits, succeeded in building up a considerable esprit de corps in his organisation.⁶

When the war began Haldane Porter's 'Aliens Branch' had to cope with a rapidly expanding range of responsibilities. Initially recruitment did not keep pace with the demands placed upon the service, but Haldane

3. See discussion of the act in chapter one.

4. Sir William Haldane Porter (1867-1944), a barrister, served as Secretary to the Royal Commission on Alien Immigration, which reported in 1903, before being appointed H.M. Chief Inspector under the Aliens Act of 1905. After heading the aliens service during the war, he was designated Chief Inspector of the Aliens Branch in 1919, a post he held until leaving the public service in 1929.

5. See Edward Carson, The Ancient and Rightful Customs (1972) for a discussion of the development of the customs and excise service.

6. HO 45/10892/357410.

Porter proved a strong and persistent advocate for his organisation in Whitehall and the manpower position was steadily improved. The cadre of customs officers who formed the pre-war basis of the Aliens Branch was augmented after August 1914 by men from other branches of the public service, such as the Factory Inspectorate, and by personnel with specialised knowledge of port procedures, notably merchant marine officers. Previously classified as 'immigration officers', members of the service were from the beginning of the war designated as 'aliens officers.'⁷

By the end of September 1915 the Aliens Branch, under Haldane Porter's leadership, comprised one deputy inspector, five superintending aliens officers and 54 full-time aliens officers stationed at the approved ports, with customs officers fulfilling the role of aliens officers in addition to their normal duties, at the prohibited ports. The branch also had on its strength 12 interpreters deployed at the approved ports.⁸

Improved pay and allowances for aliens officers and supervisory staff were approved by the Treasury because of the increase in the volume and importance of their work.⁹ A substantial salary increase for Haldane Porter was authorised after Troup had submitted in October 1915 that his remuneration was 'entirely inadequate to the position which he occupies and is insufficient...for the heavy and responsible work he is called upon to perform.' Moreover the senior officials with whom Haldane Porter had to deal on a daily basis were on considerably higher pay rates.¹⁰

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7. The designation 'aliens officer' was changed to 'immigration officer' under the Aliens Order of 1920.
 8. HO 45/10732/255987/86 and 231.
 9. HO 45/10732/255987/38 and 130.
 10. HO 45/10732/255987/86.

In the early days of the war Haldane Porter and his small headquarters staff were inundated with requests for guidance on problems which were constantly arising at the ports in connection with aliens, and there was frequent consultation with the Foreign Office, War Office and Admiralty.¹¹ Such was the pressure of work on Haldane Porter and his colleagues that for the first year of the war he was virtually precluded from visiting his staff in the field, an activity to which he had previously attached much importance.¹²

The principle task of aliens officers at the ports was to detect enemy agents or other undesirables and offenders against the Aliens Restriction and Defence of the Realm Acts and the orders made under them. With only Belgium and part of France occupied by Germany, civilian traffic continued between Britain and much of western Europe and the Iberian peninsula, making the movement of agents and information in both directions a relatively simple matter. The situation was further complicated in the early war period by the flood of refugees to and from the continent, including many French, Belgians and Americans returning home. The Times reported that travellers from the continent had been amazed at the apparent ease with which aliens were allowed into Britain,¹³ and there was much speculation in the press about the extent to which the influx of Belgian refugees provided cover for the entry of enemy agents. There seems little doubt on subsequent evidence that fears on this score were exaggerated.

In the early months of the war the Port of London, because of its size and the inadequate staffing of its many docks and wharves, was

11. Ibid.

12. Ibid.

13. The Times, 26 Aug. 1914.

considered by the military authorities as specially vulnerable to unauthorised entry and departure by enemy nationals.¹⁴ The Home Secretary, Simon, 'positively agreed' with Troup's assessment that London was 'the weakest point in our defence against espionage' and 'Any spy who is or looks like a sailor can easily get into or out of London docks.'¹⁵ The total staff of the Aliens Branch in the Port of London during the first year of the war consisted of 12 officers, six on secondment from the customs and excise service, and six from the Factory Inspectorate. All were stationed at Tilbury, the approved part of the port, and they attempted as far as possible to check vessels heading for other moorings up river as well as those docking at Tilbury. The volume of traffic made it impossible to examine all ships at Tilbury and there was no alternative but to visit vessels at the docks or wharves where they berthed.¹⁶ In a submission to the Treasury in October 1915 Troup sought authority for the immediate recruitment of additional aliens officers. He pointed out that London was the only port in the United Kingdom at which scrutiny over ships arriving and leaving was seriously inadequate, and that the poor level of supervision had been the subject of strong representations to the Home Office by the military and naval authorities.¹⁷ The Treasury promptly approved the appointment of an extra 25 aliens officers and, in addition to the group of officers based at Tilbury, new teams were established at the London, Surrey, Victoria and West India docks. The enlarged force of officers on the Thames

14. HO 45/10732/255987/86.

15. HO 45/10732/255987/88.

16. HO 45/10732/255987/32.

17. Troup to Lord Commissioners of the Treasury, 6 Oct. 1915, HO 45/10732/276521/30.

was headed by Lieutenant Commander Thomas N. Keen, Royal Naval Reserve, former Dock Master at the Port of London, whose services were made available to the Home Office by the Admiralty.¹⁸ Keen's staff was further augmented early in 1916 as the work of the service expanded at the London docks. Aliens officers were stationed at each of the docks between London Bridge and Crossness, but for economy reasons, responsibility for such aliens control work as was necessary at moorings further down river was left to customs officers.¹⁹

Aliens officers were empowered on the authority of the Secretary of State to 'enter on board any vessel, and to detain and examine all persons at or leaving any port in the United Kingdom, and to require production of any documents by such persons....'²⁰ Enemy aliens could leave only on the authority of a deportation order or a special permit from the Secretary of State, except in cases of members of the British forces, prisoners of war or diplomats in certain categories.²¹ Any alien seeking admission to the country had to prove he was coming on urgent or necessary business, for legitimate trading purposes or for other adequate reasons. He was required to carry a passport or other document establishing his identity, which was examined by the British consul in the country of embarkation as well as by aliens officers on arrival in the UK.²² Regulations were imposed under both the Aliens Restriction and Defence of the Realm Acts which made the possession of a passport or identity document mandatory for entry or departure from the United Kingdom, except in cases

18. HO 45/10732/255987/88.

19. HO 45/10732/255987/128.

20. Aliens Restriction (Consolidated) Order, 9 Sep. 1914.

21. Defence of the Realm Act (Consolidated) Order, 28 Nov. 1914.

22. 98HC 5s., 482, 22 Oct. 1917.

where special permission had been obtained from the Secretary of State. The passport had to contain a photograph and have been issued during the previous two years.

Although heavy penalties were prescribed for abuse of the passport regulations there is little doubt that there was considerable use of forged documents early in the war by enemy aliens leaving the country under the guise of neutrals.

Aliens officers had not only to ascertain the identity of travellers and their authority to enter or leave the country, but also to ensure that they were not carrying letters, messages or other materials which might contain information intended for an enemy power or one of its agents. Alien passengers arriving in Britain were issued with a notice warning that,

The carrying to or from the United Kingdom of letters, written messages or memoranda is strictly forbidden, and no one may carry any printed or written matter (including plans, photographs or other pictorial representations) out of the United Kingdom to any neutral country in Europe or America without a permit from the Chief Postal Censor. ²³

Aliens were also forbidden to bring into the country such 'strategic' items as firearms, fuel, signalling apparatus, pigeons, motor vehicles, cipher codes or other means of conducting secret correspondence. Aliens officers did, however, have the significant power to waive these regulations if they deemed that it was safe to do so in the case of aliens from a friendly country. ²⁴ A major innovation made in February 1917, which has survived to the present day, was the granting to aliens officers of authority to attach conditions when giving an alien permission to land.

23. Defence of the Realm Act (Consolidated) Order, 28 Nov. 1914; HO 45/10828/323249/2.

24. Aliens Restriction (Consolidated) Order, 9 Sept. 1914.

These conditions were usually endorsed on the alien's passport, and failure to comply with them constituted an offence under the Aliens Restriction Act.²⁵

From the early days of the war aliens of all nationalities entering or leaving Britain had to use one of the locations designated as an 'approved port', all other ports being declared prohibited. Enemy aliens could not use the approved ports without prior permission from the Secretary of State. Initially the approved ports were Aberdeen, Dundee, Newcastle-upon-Tyne, West Hartlepool, Hull, London, Folkestone, Falmouth, Bristol, Holyhead, Liverpool, Glasgow and Dublin.²⁶ The list was subsequently amended to exclude Aberdeen, Dundee and West Hartlepool and to include Southampton.²⁷ While aliens officers manned the approved ports, controls at other ports and harbours were administered by customs officers, working closely with the naval, military and police authorities to prevent the landing and embarkation of alien passengers and controlling the movements of alien masters and crews. These duties were considered by the Commissioners of Customs and Excise to be 'analagous to, but much more onerous and intricate than the aliens work in time of peace.'²⁸

Travel to any country deemed by the government to be a likely centre for German espionage agents was strictly controlled by the Permit Office, set up under Home Office jurisdiction in March 1915.²⁹ Initially

25. Circular, HO to chief constables, 15 Sept. 1917.

26. Aliens Restriction (Consolidated) Order, 9 Sept. 1914.

27. HO 45/10828/323249/2.

28. Seventh Report of the Commissioners of His Majesty's Customs and Excise for year ended 31 Mar. 1916, Cd. 8428, 1917.

29. HO 45/10828/323249/2.

concerned with travel to Holland, the work of the office was subsequently extended to deal with passengers to Norway, Sweden, Denmark, Russia, Spain, Portugal and South America. The inter-departmental committee appointed to advise on the operation of the Permit Office was headed by Troup and included Pedder, Haldane Porter, and representatives of the Foreign Office, Admiralty and War Office.³⁰ The main Permit Office was located in the quadrangle of the Home Office and there were branches at Hull, Newcastle-upon-Tyne and Liverpool. Long queues outside the London Permit Office in the early days of the war, a contemporary civil servant noted, included,

....Alsations, Czechs, Poles, Italians, and, of course, Germans; German prostitutes, anxious and tearful, seeking permits to go to Argentina and Brazil; German schoolgirls, bursting with Teutonic arrogance, who scarcely condescended to give their names to a representative of a race which they believed to be already beaten; German bands, still in their uniforms and clutching their instruments, from the Clyde steamers and seaside resorts.³¹

Difficulties often arose at the Permit Office because there were no staff members able to speak the languages of the wide range of nationality groups involved. Applicants for permits often had to sit and wait while staff tried, not always successfully, to find someone to interview the alien in his own tongue. The language problem was exacerbated when Turkey entered the war and applicants included Levantines, Armenians, Arabs and other members of Ottoman subject races.³²

Records of the movements of all aliens between Britain and Europe were maintained in a card index at the Home Office, and later in the war the system was expanded to include traffic to and from other parts

30. Home Office List, 1918.

31. Sir Harold Scott, Your Obedient Servant (1959), p. 37.

32. Ibid.

of the world. This 'traffic index,' which was to become a permanent feature of aliens control in Britain, was complemented by the 'central register' of aliens registered with the police.

Aliens officers at the ports were backed up by members of the Special Branch,³³ military intelligence officers and in some cases by representatives of the French and Belgian intelligence organisations, to provide what one former Home Office immigration official termed an 'awe inspiring tribunal.'³⁴ By late August 1915, according to military intelligence, German agents were finding that the ordinary passenger routes into and out of the United Kingdom were so closely watched, and the permit system so strict, that these channels of communication had become almost useless to them. There was evidence that an alternative means of getting agents into and out of the country was by the use of small merchant vessels running between Britain, Holland and Scandinavia. Aliens were known to have been smuggled to Holland on ships sailing between London and Amsterdam. Aliens officers were instructed to obtain details of tramp steamers entering and leaving ports, and pay greater attention to the possibility of enemy agents being concealed on such vessels.³⁵ Police

33. There was close co-operation between the aliens service and the police from the early days of the war. Before the war began the Home Office had advised chief constables that

'It will be the duty of the Police to give the Aliens Officers generally such assistance and support as they may require in dealing with the aliens; and for this purpose the Police should keep in close touch with these officers. In particular the Police should be ready to take into custody any aliens who may be detained by the Aliens Officers...On receiving such alien the Police should take steps with a view to his being prosecuted for the offence which has led to his detention by the Aliens Officer.' (Circular, HO to chief constables, 30 July 1914)

34. Roche, op. cit., p. 88.

35. MO 5(g), WO to HO, secret memo, 19 Aug. 1915, HO 45/10727/254753/98.

forces were also asked to show extra vigilance at landing places in their areas.³⁶

As a further precaution military guards were placed on ships which docked in Britain after visiting neutral European ports. The duties were carried out largely by territorial soldiers because regulars could not be spared, and by April 1918 about 1,100 men were employed on this work throughout the United Kingdom.³⁷

But the possibility of enemy agents entering Britain under the guise of seamen of neutral nationality remained a source of concern to the intelligence authorities, and a number of warnings were issued to the police and port staffs to show particular vigilance in 'screening' ships' crews.³⁸

Ships arriving at British ports from neutral European countries were numerous during the early war period and it was found impracticable to prevent at least the master landing to conduct the ship's business ashore. With the subsequent reduction in sea traffic, the Home Office, in conjunction with military intelligence and other departments concerned, evolved a system which could effectively prevent anyone landing from such ships.³⁹ The master was required to furnish particulars to an aliens officer of all aliens aboard his ship and was forbidden to allow any person to land or embark without the permission of an aliens officer. The master was also obliged to provide passages to his ship's destination for any alien designated by a Secretary of State or an aliens officer. If the ship belonged to the same company as the vessel on which the alien arrived in Britain, the master could be required to provide the passage free of charge. Any alien, ship's master or other person who arrived or

37. HO 45/10841/335981/9.

38. Circular, HO to Chief Constables, Feb. 1918, HO 45/10991/338498.

39. HO 45/10841/335981/9.

left without the permission of an aliens officer, refused to answer reasonable questions from such an officer, made false statements or refused to produce a document required by the officer, acted in contravention of the Aliens Restriction Act.⁴⁰ There were numerous cases of seamen overstaying the time specified on their permits; most of the offenders were dealt with by withdrawing permission to land, but in more serious cases they were prosecuted. By October 1916 more than 50 convictions had been recorded.⁴¹ The Home Office became concerned, however, that in imposing penalties the courts were showing little discrimination between minor and serious offences. The department classified the offences under three headings:⁴²

- a. Outstaying the hours specified in a landing permit or failing to fulfil the conditions attached to the permit.
- b. Landing without a permit from a ship which had arrived from an allied or extra-European port.
- c. Landing without a permit from a ship which had arrived from a neutral European port.

Offences under (a), where the fact that the alien seaman had been permitted to land indicated that there was not much risk of espionage, were not considered serious enough to warrant more than a fine, with imprisonment for repeated offences. Offences under (b) and (c), on the other hand, were felt by the Home Office generally to require more severe treatment. This was particularly so in the case of (c) as it was deemed to be,

40. Aliens Restriction (Consolidated) Order, 9 Sept. 1914.

41. HO 45/10732/255987/128.

42. Circular, HO to chief constables, Feb. 1918, HO 45/10991/338498.

...of the greatest importance that alien seamen from ships trading between Norway, Sweden, Holland, Denmark or Spain and this country should not be allowed to land (save in exceptional cases), owing to the grave risk of such seamen conveying information to the enemy. ⁴³

The Home Secretary urged the police to ensure that courts were properly informed as to the relative importance, from the security point of view, of the various kinds of offences committed by alien seamen so that they were in a position to distinguish between cases and impose suitable penalties. ⁴⁴

While port controls became progressively more comprehensive and efficient, the military authorities in particular remained worried about the possibility of aliens attempting to land illegally on beaches or unfrequented parts of the coast. Area commanders were instructed by the War Office to issue orders to troops on coast-watching duties to stop and question any person landing on the coast 'who appears to have arrived from overseas or to have been in communication with any vessel lying off the coast...'. If the person was found to be an alien he was to be handed over to the police for further examination. ⁴⁵

The efforts of the authorities to prevent enemy aliens entering the country as seamen were paralleled by their concern to deter enemy nationals leaving under the guise of members of ships' crews. With few places available on ships for passengers, the Home Office warned the police in September 1917 that,

...there is a considerable risk that aliens may attempt to leave the country by signing on as seamen of a crew and thus escaping the special measures in force for the control of alien passengers. The Aliens Officers have been instructed

43. Ibid.

44. Ibid.

45. Instructions and Notes on the Defence of the Realm Regulations, issued by GHQ, Home Forces, 1918.

not to allow any alien to sign on or embark as a member of a crew unless he holds a seaman's registration card. Any case therefore of an alien applying for a seaman's registration card should be carefully investigated and the card should not be issued unless the alien can produce satisfactory evidence that he really is a seaman. Further, if the applicant has been resident for some time in the United Kingdom, the Police should satisfy themselves by enquiries that it is proper that he should have facilities for embarking as a seaman rather than as a passenger. ⁴⁶

A number of aliens were arrested as they attempted to leave the country posing as seamen, but others probably succeeded in escaping undetected, some perhaps using documents obtained from neutral seamen. ⁴⁷ As regulations were progressively tightened and port staff became more experienced, abuses of the system became far more difficult. Moreover the number of aliens likely to try and leave the country illegally was greatly reduced by internment and repatriation.

To cope with the constantly increasing burden of work falling on the Aliens Branch, both at the Home Office and in the field, the staff of the branch more than doubled between October 1915 and June 1917. Apart from junior clerical staff the strength rose to 147, including one deputy inspector, two clerks, nine superintending aliens officers (based at Liverpool, Southampton, Folkestone, Cardiff, Tilbury, London, Hull), nine chief aliens officers (at Tilbury, Liverpool, Glasgow, Bristol, Newcastle-upon-Tyne, Cardiff, Swansea, Newport and Barry Dock) 114 aliens officers, and 12 interpreters. ⁴⁸ Because of pressure of work on the branch and to enable better supervision of staff at the ports, a second deputy inspector was appointed in July. ⁴⁹ To permit the branch to retain its trained staff, aliens officers were not subject to conscription under the

46. Circular, HO to chief constables, 15 Sept. 1917, HO 45/10881/338498.

47. 80HC 5s., 1682, 9 Mar. 1916.

48. HO 45/10732/255987/231.

49. Ibid.

Military Service Acts of 1916.

As the size of the Aliens Branch was progressively increased, so were its powers and effectiveness, and it is doubtful whether more than a small handful of enemy agents were able to evade the system of controls at the ports.⁵⁰ Some at least of the 15 spies who were executed during the war were arrested at the ports, and the evidence of aliens officers helped to convict them.⁵¹

Many of the men recruited to the Aliens Branch during the war on a temporary basis stayed on afterwards and were joined by returning servicemen to form the basis of the modern immigration service as a department of the Home Office. The importance of the role of Haldane Porter in helping to establish the service can hardly be exaggerated. He was knighted in 1926 and when he left the service at the end of 1929 to take up a commercial appointment, a senior colleague aptly summed up his contribution:

The penetrating intelligence, unflinching purpose and superlative leadership of Sir Haldane Porter has laid the foundation of a service with a splendid tradition despite its youth. Whatever the future holds in store for us, Sir Haldane Porter's reign of twenty-four years has impressed his character indelibly on the Aliens Branch...⁵²

50. Memo on work of Aliens Division for government record, 12 Jan. 1918, HOR.

51. Roche, op. cit., p. 82.

52. 'Retrospect - Aliens Control in the UK 1829-1929', paper by Senior Superintending Inspector, Immigration Department, Home Office, 1929 quoted in Roche, op. cit., p. 116.

CHAPTER EIGHT

EMPLOYMENT AND MILITARY SERVICE

The use of enemy alien manpower to aid the British war effort, either in work of 'national importance' or through some form of military service, was an issue of continuing controversy during the First World War, which successive governments never satisfactorily resolved.

Opportunities for useful and worthwhile work in the internment camps, where most able bodied enemy alien men of military age spent the war, were limited, and the efforts of the authorities to place uninterned enemy nationals or paroled internees in agriculture and other industries shorn of British labour by the military recruiters were often frustrated by the prejudices and fears of potential employers, trade unions and indigenous workers. The situation was made more difficult by the reluctance of the War Office to detach soldiers from what were considered more essential duties to act as guards for working parties of prisoners employed on farms and elsewhere.

Unlike combatant prisoners (other than officers and non-commissioned officers), civilian internees could not, under the terms of the Hague Convention, be compelled to work, except for carrying out routine fatigue duties at their camps. Most were, however, prepared to do so to help support their families, to be able to buy extra food or other items from the camp canteen, or simply to help combat the monotony of camp life. The few enemy aliens either in the camps or outside who refused to help the British war effort by working probably did so either out of patriotic feelings for their homeland or because of concern over possible punitive action against them should they subsequently return to the country whose nationality they held. German citizens had good

reason to feel apprehensive since their government had threatened action against any of them who helped Britain's war effort.¹ The Home Office found that many Austrians would have preferred to have been compelled to work. They were quite willing to work but 'afraid their government may not like their volunteering.'² Compulsion was ruled out, but ultimately uninterned enemy aliens who refused to carry out work of national importance were liable to internment.

Despite an acute shortage of labour in the later war years and rising public resentment, nurtured by the anti-alien propagandists, at the spectacle of thousands of able bodied men apparently languishing idly in internment camps at public expense, the problem of finding work for internees was never treated by wartime governments with the kind of priority that many in parliament, most prominent among them Lord Newton, thought warranted.

Some enemy aliens were released from the camps in the later war years on a form of parole for employment on work of national importance, mainly as agricultural labourers, and a few avoided internment because they possessed skills specially valuable in war industries. The continuing liberty of enemy alien men of military age, even if they were engaged on work of national importance, provided a constant target for the hardliners and propagandists. Some of these men, it was argued, were prospering in jobs and businesses vacated by British men serving in the armed forces, but few instances were ever cited.

A small number of enemy aliens, all members of the 'friendly' races and mainly Czechs, were allowed to serve in combatant units of the British Army and other volunteers were placed in a specially constituted

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1. Memo. on work of B Division for government record, HO, 12 Jan. 1918, HOR.
 2. HO 45/10831/326555/19.

non-combatant labour battalion of the Middlesex Regiment. The War Office and later the National Service Department never gave more than reluctant agreement to enemy aliens undertaking military service in any capacity, and in the later stages of the war blocked most such enrolments.

Some enemy aliens were allowed to leave Britain to enlist in the armed forces of allied countries, and a number were virtually compelled to do so. Able bodied Alsatian men of military age, for example, were confronted with the stark choice of either joining the French Army or being interned.

The relatively few enemy alien men of military age left uninterned in Britain after the early years of the war nominally faced the alternatives of either undertaking work deemed by the authorities to be of 'national importance' or military service, generally in a non-combatant labour unit.

CIVILIAN EMPLOYMENT

Immediately after the outbreak of the war the government faced pressure from MPs to prevent German and Austrian nationals from holding jobs in Britain on the grounds that some British workers were unemployed. The cabinet were reluctant to add to the growing number of unemployed enemy aliens since many of them were becoming destitute and were seen as potential social danger and drain on public funds. Moreover it was clear that a total ban on employment of enemy nationals could have greatly disrupted trade. Instructions were nevertheless issued to local employment exchanges in the early weeks of the war that no person believed to be an enemy alien was to be placed in employment, and particulars of all registrants at the exchanges had to be submitted to the chief constable of the district. These instructions were later modified so that enemy nationals could be placed in jobs for which no British workman could be found.

With a shortage of internment accommodation and government policy still tentative, enemy aliens interned during the early months of the war were in many cases released if they could satisfy the authorities that they would not constitute a danger to the community or become destitute and a charge on public funds, which for most meant that they had to show they would be able to obtain employment after their release. The police had to verify that a job awaited an internee before he was released.³ The critical reception by many politicians of the liberal release policy was prompted partly by concern at what they expected would be the hostility of British workers to jobs being given to enemy aliens discharged from the internment camps. The Earl of Mar warned,

I have been informed on very good authority that among our working classes alarming discontent has sprung up, and it is likely to grow, against the further employment of aliens to the serious detriment of our British workmen. If that discontent should assume still greater proportions I need scarcely say that the government will incur very serious responsibility in allowing such a state of affairs to exist..⁴

Viscount Galway observed,

It is to my mind extraordinary that the government should go out of their way to announce that they will release at once alien enemies who can get work, because re-employment of these men at the present moment must mean displacement of British labour...⁵

A few politicians, such as Lord Bryce, publicly supported the release of 'safe' enemy aliens, although they recognised that many of the men had little prospect of finding work. In some cases their businesses had closed down and in others former employers refused to take them back.⁶ There were several cases where British workmen refused to work with enemy

3. 18HL 5s., 501, 10 Feb. 1915.

4. 18HL 5s., 432, 3 Feb. 1915.

5. 18HL 5s., 499, 10 Feb. 1915.

6. Ibid., col. 504.

aliens or even naturalised Germans,⁷ but the problem never approached the scale predicted by the more alarmist politicians.

In early 1915 there were a number of stories in the newspapers and complaints from members of parliament to the Home Secretary that the Metropolitan Police had been actively trying to get enemy alien hotel and restaurant workers reinstated in jobs that they had lost, where necessary replacing British staff. This alleged favoured treatment of enemy subjects, branded by indignant parliamentarians as 'monstrous' and 'unpatriotic',⁸ was strongly denied by Henry, the Metropolitan Police Commissioner, and by McKenna. The police had not been trying to find jobs for enemy aliens, said Henry, but had merely been checking on them for the War Office.⁹ The Home Secretary pointed out that during the four months from 1 October 1914 to 31 January 1915, only 62 Germans and Austrians had found work in hotels, boarding houses and restaurants in London, and of these 32 were members of the friendly races.¹⁰ Allegations that the Royal Irish Constabulary and the Dublin Metropolitan Police had been used to find jobs for enemy aliens released from internment in Ireland were denied by the Irish Secretary, Augustine Birrell.¹¹

The number of aliens at large was progressively reduced by the stricter internment policy introduced in May 1915 and the authorities had to turn their attention increasingly to the problem of finding work for the swelling population in the internment camps. One of the most persistent advocates of the use of enemy alien internee labour was Lord Newton who,

7. See, for eg., 71HC 5s., 1875, 13 May 1915 and 105HC 5s., 1097, 25 Apr. 1915.

8. 18HL 5s., cols. 424 and 432, 3 Feb. 1915.

9. Ibid., cols. 126-7.

10. Ibid.

11. 69HC 5s., 265, 8 Feb. 1915.

although a junior minister, was often critical of the government's relative lack of success in placing prisoners in useful work during the early war years. After one speech in the House of Commons in November 1916, he noted in his diary, 'I must have forgotten I was a member of the government. Find it difficult to speak with patience of the manner in which the question has been managed.'¹² At Newton's suggestion, early in 1916 the Home Office launched a modest experiment in Cheshire (Newton's home county) under which farmers were encouraged to employ civilians of Austro-Hungarian or Ottoman nationality (Germans were not included because public prejudice was deemed to be too strong to make their acceptance likely). The employer had to provide the prisoners with food and lodging, pay them the prevailing agricultural wage in the district and ensure that they reported periodically to the police. Although the employer was expected to maintain broad supervision of the individual or small groups of enemy alien workers assigned to him, no liability attached to him if any such worker absconded.¹³ Where larger gangs of prisoners were employed on farms or public works projects military guards were provided, but the War Office opposed the employment of parties of less than 100 because of the heavy demand for guards that this created.¹⁴ The use of civilian volunteers to guard the working parties was rejected because few such volunteers could be available on a round-the-clock basis as were members of the armed forces.¹⁵ The results of the Home Office scheme for placing non-German civilian prisoners

12. Diary entry, 12 Nov. 1916, referred to in Lord Newton, Retrospection (1941), p. 229.

13. 23HL 5s., 473, 14 Nov. 1916.

14. 87HC 5s., 1175, 21 Nov. 1916.

15. 23HC 5s., 477-8, 14 Nov. 1916.

in agricultural work were disappointing. Instead of being welcomed by the landowners and farmers of Cheshire, as Newton had hoped, the scheme was derided and Newton told the House of Lords that he had been denounced as a 'semi-dangerous lunatic who is anxious to let loose on the County of Cheshire a gigantic flood of German spies,' and had 'found it an almost impossible task to induce people to realise that a Croat, or an Armenian, or a Galician is not the same thing as a German spy.' ¹⁶

Although the employment of interned civilians was not one of Newton's responsibilities as head of the prisoner of War Department he nevertheless assumed the unofficial role of 'employment agent' for the internees, ¹⁷ and during the summer and autumn of 1916 conducted a vigorous campaign to persuade the government and potential employers of the logic of using enemy alien labour. In mid-July 1916 he declared himself 'so scandalised at the spectacle of these thousands of men being unemployed that I could not help making representations to the various departments concerned,' but his efforts had met with failure in almost every case, not because of failings in the departments but 'entirely due to the stupidity and ignorance which prevails in this country and which is fostered and pandered to by a certain section of the press and certain individuals.' ¹⁸ Newton said he found the opposition to the employment of enemy aliens unintelligible since it was not proposed to use them as cheap labour and undersell workers on the normal labour market. They would be employed only for the duration of the war and would be paid

16. 21HL 5s., 1126, 18 May 1916.

17. Grey said Newton had constituted himself into a labour bureau or labour exchange, but Newton denied this (23HL 5s., 484, 14 Nov. 1916).

18. 22HL 5s., 716, 13 July 1916.

standard local wages. In some cases where employers were prepared to give work to enemy aliens, as soon as their intention became known British workers in their employ threatened to strike. Decrying the neglect of the manpower potential in the internment camps at a time when the country was short of labour, Newton warned that unless more intelligence was displayed in utilising alien labour, at the end of the war there would be 'thousands of these men still behind barbed wire, demoralised and perhaps ruined and in broken health, who will constitute a serious difficulty with which we shall have to deal.'¹⁹ He estimated that up to mid-November only about 45 civilian internees had been given work by outside employers, and in each case the prisoners had apparently proved satisfactory.²⁰

The resistance to the use of enemy alien labour persisted well into 1916, particularly in agriculture, although food production had fallen significantly since the beginning of the war because of shortage of manpower. Between 300,000 and 400,000 men had left agriculture for military service, and it had become almost impossible to retain existing arable land in cultivation.²¹ The President of the Board of Agriculture, Earl Crawford, promised to devote 'the whole influence' of his department to exploiting alien labour.²²

It proved easier to place combatant prisoners than civilian internees in work. In general the combatants were physically better equipped for the type of employment where labour was most needed, eg in agriculture and public works projects, and they could be more easily

19. Ibid., col. 717.

20. 23HL 5s., 475, 14 Nov. 1916.

21. Ibid., col. 482-3.

22. Ibid., cols. 480-1.

organised into disciplined working parties and deployed to areas where they were needed. The civilians were confined to fewer camps, with the vast majority housed on the Isle of Man, and those interned near their families were naturally anxious not to be moved around the country, often to remote areas. Of the 25,000 combatants in the internment camps by mid-November 1916, about 5,000 were employed in various capacities, mainly in agriculture and forestry, and the remainder included 900 officers and NCOs and between 2,000 and 3,000 invalids or wounded men who were excused work. By Christmas 1916 about 8,600 combatant prisoners were employed in or earmarked for work of national importance.²³

Much less progress was made in finding work for civilian internees, despite the efforts of the Whitehall departments concerned. The Manpower Distribution Board, set up by the Cabinet early in July 1916 'to determine all questions arising between government departments relating to the allocation or economic utilisation of manpower' did little to improve the situation. The Board had been given no executive powers and its main recommendations were opposed by the Ministry of Munitions and other interested departments and were not acted upon by the cabinet.²⁴ In December 1916 the crucial need for efficient utilisation of available manpower was recognised by the formation of the National Service Department with Mr. Neville Chamberlain as Director-General.²⁵ During the same month

23. 85HC 5s., 1655, 21 Dec. 1916.

24. Chamberlain Papers, Birmingham University, NC 8/5/3/1 - 8/5/4/15.

25. The department was established as a ministry on 28 Mar. 1917 under the National Service Act 1917 (7 Geo. 5 c. 6), and its object was 'to make the best use of all persons, whether men or women, able to work in any industry, occupation or service.' In Aug. 1917 the ministry was re-organised and its powers extended to include the take-over of responsibility from the War Office on 1 Nov. for recruitment to the armed forces (see Cd. 9005, pp. 85-6).

an inter-departmental committee was established under the chairmanship of James Hope, a Lord Commissioner of the Treasury, 'to consider questions relating to the employment of prisoners of war,'²⁶ Chamberlain's new department was welcomed by the Home Office and Troup believed that its existence would make it impossible to leave uninterned enemy aliens 'to go on making money in any way they choose when British subjects are required to give up their ordinary businesses or occupations and undertake national service in other industries.' He felt the opportunity should be taken to ascertain from the police which exempted enemy aliens were currently engaged in work necessary to the war effort and in the case of those who were not, to decide what work of national importance they might undertake. Those who refused to do such work should be interned Troup believed.²⁷

In early January 1917 the Metropolitan Police carried out a survey to ascertain the occupations and marital and family status of uninterned German men of military age (17-55) living in the London area. Of the 1,862 aliens covered in the survey, 466 had served some time in internment camps and been released. The breakdown was as follows:²⁸

Owners of shops and restaurants.	125
Employees at shops and restaurants.	419
Managers of own businesses other than retail outlets and 'controlled' estabs.	186
Employees of businesses other than retain outlets or 'controlled' estabs.	815

26. Home Office List, Feb. 1917.

27. Memo, Troup, 21 Jan 1917, HO 45/10818/317810/7.

28. Report by New Scotland Yard to Home Office dated 8 Jan. 1917, HO 45/10831/326555/2.

Employees at 'controlled' estabs.	48
Members of professions.	91
Unemployed.	178
	<hr/>
	1,862
	<hr/>

On 24 February the Home Office circularised all police forces ²⁹ asking them to review exemptions from internment and repatriation granted to enemy alien men of military age in their areas 'with a view to withdrawing them,'

- (1) in any case where the conduct of the exempted person has not been entirely satisfactory or any reasonable suspicion as to his actions or character has arisen;
- (2) in all cases where the exempted person, not being aged or an invalid, is not fully employed in some work which is useful and necessary for the country during the war.

The police were asked to provide similar reports on male enemy aliens, whether registered or not, between the age of 16 and 18. To decide what occupations were 'useful and necessary' the police were referred to the official 'List of Trades and Occupations of Primary Importance' issued by the National Service Department, ³⁰ but were allowed some discretion in interpreting the circular where an occupation was not officially listed. Very few enemy aliens interrogated during the survey were subsequently interned and only one or two recommended for repatriation. About three-quarters, or nearly 6,000 of the men, were recommended by the Home Office

29. Circular, HO to chief constables, 24 Feb. 1917. The text was agreed with the Reserved Occupations Committee.

30. The main classifications in the list of trades of primary importance were mining and quarrying; metals, machines, implements and conveyances; woodworking; pottery and glass; building and construction work; textiles and allied trades; chemical, oil and related products; leather; transport; agriculture; food, and public utility services.

to the National Service Department as suitable candidates for the national service scheme; the remaining 25 per cent were classified as 'satisfactory', ie they were ready to do useful work if asked or were unfit for any type of work.³¹

Enemy alien 'volunteers' in the national service scheme were deemed to be available for any class of work, skilled or unskilled, manual or office work, but with the following limitations:³²

- (a) None were to be placed in such work against their will, and none were in any circumstances to be placed in factories where explosives were manufactured.
- (b) They were not to be given jobs in which they would be much in public evidence, eg serving at counters or acting as messengers.
- (c) They were not to be placed in prohibited areas without permission of the chief constable of the locality.
- (d) They were not to be given posts where naval or military intelligence of any kind would be at their disposal, eg clerical work at a military establishment.
- (e) If they were placed in railway employment it was only to be in positions where they could have nothing to do with the working of the line, eg they could be appointed as porters but not pointsmen.

Those who refused to accept work, other than war work, considered by the authorities to be 'suitable' were to be reported immediately to the National Service Department and were liable to internment. It was for the managers of labour exchanges, as the local officers of the National Service Department, to decide what work enemy aliens could reasonably be called upon to perform, and, in the event of refusal or unsatisfactory performance, to decide whether the offending aliens had sufficient excuse for his actions or should be reported to the National Service Department.

31. HO 45/10881/338498 and 95HC 5s., 1684, 9 July 1917.

32. 24HL 5s., 78, 29 Mar. 1917.

Adverse reports were passed to the Home Office and were considered grounds for internment without further inquiries.³³

Enemy aliens were normally barred from employment in 'restricted occupations,' work considered non-essential to the war effort. Industries placed wholly or partly in this category included those engaged in the manufacture of jewellery, fancy leather goods, furriers, bespoke tailoring, furniture, carpets and rugs, wallpaper, silks, lace, hats and caps, linoleum, cutlery, brushes, paper, stationery, printing and bookbinding, and 'luxury' foods, such as biscuits, chocolate and confectionery.³⁴ Where an enemy alien had volunteered for work of national importance he could be employed temporarily in a restricted occupation while awaiting placement through the national service scheme.³⁵ Despite the shortage of labour in several key industries and the existence of the national service scheme,³⁶ the results of the combined efforts of several Whitehall departments to place uninterned enemy aliens in work of national importance were hardly more encouraging than the continuing attempts to find employment for internees outside the camps.

The limited Home Office scheme launched early in 1916 to find agricultural work for non-German internees was augmented a year later by a wider scale programme under which suitable prisoners were allowed out on licence to work in the food production and distribution industries and certain other industries of national importance but not connected with war

33. HO 45/10831/326555/19.

34. HO 45/10831/326555/2.

35. HO 45/10831/326555/19a.

36. The total number of 'useful' workers from among uninterned workers in the national service scheme did not exceed 300 (Unpublished report by M.L. Waller, head of the Home Office Prisoner of War Branch, April 1919, HO 45/11025/410118/2).

operations. They were allowed to work only as employees and could not own, control or manage businesses. Their licences did not allow them to compete for work with British labour and they were barred from employment as waiters or domestic servants.³⁷ The Home Office advised camp commandants that when an internee was released on parole he should be warned that his licence was liable to cancellation at any time if that appeared desirable in the public interest, and the parolee,

...should be advised strongly to do his work quietly and keep to himself and to avoid, as far as possible, coming into contact with the general public as in the present state of public feeling, this might provoke hostility towards him and make it necessary to re-intern him without any fault of his own.³⁸

Agriculture remained the principle focus of the government's efforts to place parolled prisoners in work. Farmers wishing to employ parolees had to obtain forms from their County Agricultural Committees and submit them after completion to the Prisoner of War Branch at the Home Office. A prisoner was then assigned as quickly as possible to the applicant, at no cost to the employer. The Board of Agriculture assured farmers that,

Should he (the parolee) misconduct himself, or should the employer have other reasonable ground for wishing to terminate the employment, the man will be re-interned, also free of cost to the employer.³⁹

The parolees were not allowed to work in prohibited areas on the East Coast but could be employed under special conditions in prohibited areas elsewhere.⁴⁰ The employing farmer had to undertake to:

(a) tell the police when the prisoner arrived;

37. 24HL 5s., 787, 29 Mar. 1917.

38. Circular, Home Office to commandants of civilian internment camps, May 1918, HO 45/10881/340700/852.

39. Circular, Board of Agriculture to farmers, Oct. 1917.

40. Ibid.

- (b) lodge him on the employer's premises; and remember that he may not change his address, nor travel more than five miles from his (the employer's) premises, nor proceed beyond any other bounds which may be imposed by the police, without getting special permission from them;
- (c) feed him;
- (d) employ him upon work which directly or indirectly increases the production of food;
- (e) pay him the district rate paid to British labourers for the work, on the understanding that the employer is entitled in ordinary cases to deduct 15 shillings per week in respect of the man's board and lodging;
- (f) see that the man is insured under the National Health Insurance Act;
- (g) tell the police at once if he should misconduct himself in any way, or should abscond; or if the employer should desire to dismiss him;
- (h) discontinue his employment at the end of the war, or as soon thereafter as British labour is available.

The prisoner for his part had to give an assurance, as a condition of his release, that he would:

- (a) do nothing that could harm the British Empire or its Allies in any way;
- (b) conduct himself properly in every way and do the work which was given to him. ⁴¹

Parolees who refused to work were liable to be returned to their camps at their own expense and there placed on the lower scale of rations designated for non-workers. ⁴² Despite many appeals by ministers and circulars and notices from the Board of Agriculture, the Home Office and other departments, however, the response of potential employers remained cool, if not hostile, to the programme. By mid-June only about 900 civilian prisoners, the vast majority Austro-Hungarians, had been released

41. Ibid.

42. 105HC 5s., 1530, 1 May 1918.

on licence to work in 'essential industries', principally agriculture.⁴³ The feasibility of using prisoners in the coalmines was considered by the Coal Controllorate in consultation with the War Office, but was ruled out on safety grounds and because of the expected strong opposition of British miners to working with enemy labour.⁴⁴

The picture continued to be markedly different for combatant prisoners. By late July 1917, 23,620 out of 40,234 combatants held were usefully employed outside the camps and 2,590 were standing by to begin work as soon as accommodation could be found for them in the areas in which they were needed. The balance was made up almost entirely of prisoners who were exempt from work either because of their rank or medical condition.⁴⁵

Most combatants were employed under arrangements made by the Board of Agriculture in conjunction with the War Office. Prisoners of suitable physique or with previous agricultural experience were allocated to War Agricultural Committees throughout the country in batches of 75, then housed at central depots for duty with small working parties under guard on farms in the area.⁴⁶

In October 1917 the Board of Agriculture, dismayed at the continuing reluctance of farmers to employ paroled civilian internees as 'living-in' labourers, issued a circular attempting to dispel commonly held fears and to extol the merits of the alien workers.

43. 25HL 5s., 443-4, 14 July 1917, and 25HL 5s., 660, 27 June 1917.

44. 11OHC 5s., 581, 22 Oct. 1918, and 11OHC 5s., 1912, 5 Nov. 1918.

45. 96HC 5s., 1447, 26 July 1917.

46. Circular, Board of Agriculture to War Agricultural Committees, 16 Jan. 1917, published in Board of Agriculture Journal, vol. 23, no. 11, Feb. 1917.

From enquiries which the Board have made in a selected number of cases where farmers have availed themselves of the opportunity provided, it is clear that the men already placed out have given every satisfaction to their employers. The farmers state that the men are invariably willing and useful, and give no trouble whatsoever.

The men provided under the scheme are not Germans, but are Austrians or Hungarians, or belong to races which are, generally speaking, friendly to the Allies. They are usually able to speak at any rate a little English.

In no case has there been any difficulty between the men employed and the labourers already working on the farms, as it has been quickly recognised that the men are only in a technical sense enemies and are anxious to do anything they can to help the country of their adoption. 47

In December 1917 an inter-departmental committee was established by the National Service Department, under the chairmanship of Lord Burnham, to advise the minister on questions concerning the employment of aliens on work of national importance. 48 The efforts of the committee were directed in particular towards exploiting the considerable labour potential among aliens of allied and neutral nationality, who far outnumbered uninterned enemy aliens. About 13,000 enemy aliens remained at liberty while allied aliens numbered some 128,000 and neutrals 33,000. By the time the committee held its first meeting on 22 January 1918 only about 4,000 allied and neutral aliens had volunteered for work of national importance, and nearly all of those had specified that they were only available on a part-time basis. 49 A further view of exemptions of enemy aliens from internment or repatriation was carried out by the Home Office in the spring of 1918, and it was made clear to those allowed to remain free that the price of their liberty was readiness for employment in work of national importance. 50

47. Circular, Board of Agriculture to farmers, Oct. 1917.

48. Home Office List, April 1918.

49. HO 45/10832/326555/48.

50. Submission by Aliens Division for use in War Cabinet Report, 29 Nov. 1918, HOR.

Despite the increasingly critical shortage of labour in agriculture and other essential industries during the winter of 1917-18,⁵¹ the efforts of the authorities to persuade employers to accept internee labour produced disappointing results. By mid-February 1918 only 2,000 civilian internees had been placed in outside work while an estimated 5,000 were engaged in some kind of useful work in the camps. By contrast all but 400 of the 30,000 eligible combatant prisoners were employed in agriculture, forestry, building, quarrying and other work.⁵² The situation remained much the same until the armistice. In March 33,889 combatant prisoners were in employment but only 2,159 civilians, in June the comparative figures were 45,710: 2,360; in September, 62,106: 2,573; in December, 66,853: 1,356.⁵³

A few uninterned enemy aliens of the friendly races were among the growing number of foreigners permitted during 1917-18, after careful 'screening' by the police and military authorities, to work in the munitions industry and in other sensitive categories of employment in the later years of the war. A close check was kept by military intelligence on enemy nationals in this type of employment, all of whom were required to carry special identity books. Apart from the munitions industry, other areas of employment where enemy aliens were subjected to special scrutiny by MI5 included military and naval establishments; telegraph, telephone and railway companies involved in the transmission of official messages or carriage of members of the armed forces; military or any other categories

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51. Geddes, Minister of National Service, said on 14 Jan. 1918 that 420,000 men needed for work of national importance (101HC 5s., 86).
 52. The War Cabinet Report for 1917, Cd. 9005, 1918.
 53. Unpublished report by Lieut-Gen. H.E. Belfield on work of Directorate of Prisoners of War, WO, 26 Mar. 1920, HO 45/11025/410118/5.

of hospitals dealing with military personnel; canteens, clubs or other organisations of a social, benevolent or religious nature conducted wholly or partly for the benefit of or used by members of the armed forces.⁵⁴

According to figures compiled by MI5, by the end of January 1918 just over 40,000 aliens, including about 800 of enemy nationality, had been approved for employment in munitions and other sensitive occupations, excluding those who had subsequently been permitted to leave the country.⁵⁵ A few Germans of military age exempted from internment because of their special skills in such fields as the production of prismatic lenses, electrical apparatus and chemicals, were gradually interned after the end of 1917 as British workers were trained to replace them.⁵⁶ The exemption of Germans for work in these fields, usually made at the request of the War Office or the Ministry of Munitions,⁵⁷ had usually been regarded with some misgivings by MI5.⁵⁸ The Home Office, too, suspected that not all alien workers claimed by their employers to be carrying out work essential to the war effort were in fact doing so.⁵⁹

Ultimately the contribution of enemy alien civilian labour to Britain's war effort was negligible. The majority of enemy men of working age spent most of the war in internment camps doing little or no

54. Order by Home Secretary, 15 Nov. 1917, under Article 22A of Aliens Restriction (Consolidated) Order 1916.

55. HO 45/10809/311425/3.

56. Belfield report, op. cit.

57. 83HC 5s., 1073, 29 June 1916.

58. Draft of Cmd. 8419, June 1916, HO 45/10817/317072/5.

59. HO 45/10817/317072/5.

nationally useful work. The prejudices and fears of potential employers, the trade unions and British workmen were a strong factor in blocking the employment of civilian internees outside the camps in the early war years. Later as the shortage of labour became acute this opposition diminished, but the government, perhaps afraid of the volatility of public opinion on the aliens question or preoccupied with more pressing wartime problems, showed insufficient will or imagination to solve the apparently simple question of how to place willing workers in a labour force critically short of able bodied men.

MILITARY SERVICE

Service by enemy aliens in Britain's armed forces as an alternative to performing civilian work of national importance was confined largely to the enrolment of members of the 'friendly' races in an infantry works battalion established in 1916 after the introduction of conscription. A few enemy nationals, mainly of Czech origin, were allowed to enlist in combatant units and a number of 'friendlies' were permitted to leave the country to serve in the armies of other allied countries, principally those of France and Serbia. During the early war years some friendlies were permitted to go to France to join the French Foreign Legion.

The passage of the military service acts and the drafting of increasing numbers of British men into the armed forces made the position of uninterned enemy alien men, who were ostensibly exempt from military service, a matter of great political sensitivity. Popular resentment against alien men of military age working and running businesses free of competition from British men who had been called up for military service, often made no distinction between enemy, allied and even neutral aliens.⁶⁰

60. For parliamentary comments on public attitudes see, for example, 21HL 5s., 266, 2 March 1916; 90HC 5s., 715, 14 Feb. 1917; 92HC 5 s., 909, 2 Apr. 1917; 95HC 5s., 1108, 9 May 1917.

International law offered no positive direction on the question of military service by aliens living in a belligerent country, but there was a widely accepted general principle that foreign nationals should not be conscripted into ordinary military service on the grounds that: ⁶¹

- i. War is a political act, and aliens, being denied political rights, may not be burdened with political obligations;
- ii. to participate in war might put them in the position of engaging in hostilities against their own country, or, at all events, against a country with which their own State may be in alliance or on terms of peace and friendship.

To try to ensure the aliens of allied nationality did not avoid military service, Britain concluded a series of conventions with other allied governments under which subjects of allied states of military age living in Britain could be compelled to serve in the British Army if they did not return to their own countries within a specified period. The same rules applied to British subjects living in other countries with which reciprocal agreements were made. ⁶²

The position of neutral aliens in respect of military service was considered at the Hague Convention of 1907, but no firm agreements were reached. Customary law and usage continued to provide the only guidelines, ie: ⁶³

- i. The general rule is that neutral subjects may not be enlisted against their will for ordinary military service, especially so for operations abroad (unless, perhaps, they have exercised, political rights in the country in which they are resident);
- ii. Exceptionally (and subject, of course, to special conventions between a belligerent and the neutral state concerned) resident aliens may be required to perform service in the military or civic national guard,

61. Coleman Phillipson, 'General Intelligence: Aliens and Military Service', Law Times, vol. 144, 20 Apr. 1918, p. 445.

62. The conventions were made under the authority of the Military Service (Conventions With Allied States) Act 1917.

63. Coleman Phillipson, op. cit.

or local police, for the purpose of maintaining internal peace and order, and for defending the country against an external enemy when the existence of the social order or the safety of the civil population is endangered...

Allied and neutral aliens in Britain who were not liable to or unfit for military service were precluded under the Aliens Restriction Order and Defence of the Realm regulations from opening or conducting businesses to the prejudice of British subjects serving in the armed forces or carrying out national service. The employment of aliens was restricted as far as possible to work of national importance.

The intermittent friction between the War Office and the Home Office on alien matters during the war was probably nowhere more acute than over the question of service by enemy aliens in the British forces. The Home Office consistently advocated military service for suitable enemy nationals, normally in a labour battalion, and believed that internees should be eligible for enlistment on the same basis as uninterned aliens. Enlistment of aliens in the British army was nominally allowed up to a total of 2% of the total manpower of the armed forces. The men could serve in the army but not the navy, and could not hold combatant commissions. Administrative arrangements for enlistment of friendly aliens were settled by an inter-departmental committee comprising representatives from the War Office, Home Office, and Local Government Board, with a member of the Central Appeal Tribunal as chairman.⁶⁴ But the War Office, and later the National Service Department when it became responsible for military recruitment, showed little enthusiasm for enlisting enemy aliens, particularly those in internment camps, in any capacity. With the exception of a few Czechs with acceptable bona fides, enemy aliens were effectively precluded in the later stages of the war

64. Army Council Instruction 1156, 8 June 1916.

from military service.

Of all the races who were technically enemy aliens but were regarded as friendly towards Britain, Czechs of Austrian nationality were always treated with particular sympathy and provision was made for them to serve, in suitable cases, in combatant units of the army. Enemy aliens of other races had in the main to undertake military service only in work units. The Czech community had a strong lobby in Britain from the early days of the war through the Legion for British Service and the Czech National Alliance.⁶⁵ On the third day of the war nearly all Czech men in London sent their names to the War Office, through Admiral Charles Beresford, offering to serve in the army free of pay.⁶⁶ The special position of the Czechs was strengthened by powerful backing of the allied cause by such leaders as T.G. Masaryk. Some Home Office officials, however, came to believe that although the Czechs were among the most favourable enemy aliens of the friendly races, the preferential consideration they received was scarcely justified. It was felt that in the early war years the War Office probably gave excess weight to the certificates issued by Czech expatriate committees testifying to their countrymen's loyalty to the allied cause. Such documents were regarded by the Home Office simply as recommendations and as affording some evidence of support of an application for exemption or release from internment, 'which, upon scrutiny and consideration of all the circumstances, may or may not be accepted.'⁶⁷ Despite the reservations of the Home Office, the special

65. HO 45/10818/317810/11.

66. H. Hanak, Great Britain and Austria-Hungary During the First World War: a study in the formation of public opinion (1962), p. 117.

67. R.S. Nolan, Prisoner of War Department, HO, to Colonel W.A. White, Adjutant-General's Branch, WO, Aug. 1916, 'HO 45/10818/317810/1b.

consideration given to the Czechs by the military authorities in the early period of the war was reaffirmed in November 1916 by the issue of an Army Council Instruction. This stated that Czechs in possession of registration authenticated by the Metropolitan Police after inquiring into the alien's background and vouched for by the Czech Central Committee (an amalgam of various emigre groups) were to be treated as friendly aliens and their enlistment dealt with in accordance with the regulations laid down for allied and neutral aliens. The registration certificate was not obtainable by Czechs living outside London or by those interned. Possession of the certificate meant that a Czech could serve in any category of service in which British subjects were accepted.⁶⁸ By July 1917 nearly all Czech men of military age who were physically fit were in the army, thanks largely to the efforts of the Czech Central Committee, which was formed principally to persuade their uninterned compatriots to 'volunteer' for military service. Most of those who did not volunteer were interned.⁶⁹

The position of military age Alsatians of German nationality proved particularly difficult to resolve and ultimately many members of this group were faced with the stark choice of either joining the French Army or being interned in Britain. The argument of the Alsace Lorraine Patriotic League, which claimed to represent the Alsatian community in Britain, that their compatriots were of French descent and sympathy and should therefore be exempt from internment, was countered by the French government, earnestly supported by Britain, with the view that the Alsatians should prove their patriotism by military service. Alsatian men of military age were required to report to the French Consul-General in

68. Army Council Instruction 2120, 28 Nov. 1916.

69. H. Hanak, *op. cit.*, pp. 117-8.

London. If he considered that they ought to serve in the French Army and they could show no valid reason for not doing so, he made arrangements for them to be returned to France for enlistment. All Alsatian men from 18 to 40, whether married or not, were liable to be conscripted. The French military authorities established an organisation for 'screening' and then deploying the returning Alsatis to appropriate army units. Alsatis who undertook military service were offered the opportunity of becoming French citizens.⁷⁰ Some Alsatis, supported by the Alsace-Lorraine Patriotic League, expressed fears that by joining the French Army and exposing themselves to the risk of capture they jeopardised the safety of relatives still living in Alsace-Lorraine, who might be the subject of reprisals by the Germans. This concern was viewed with some scepticism in Britain, since most of the Alsatis sent to France could hardly be classed as volunteers, and some Alsatis had sought employment in the munitions industry as an alternative to internment. Surely, it was argued by the sceptics, reprisals were just as likely if the Alsatis voluntarily made munitions for Britain as if they were recruited into the French Army. Moreover it was rather easier for the Germans to find out the names of munition workers in Britain than of men serving in France because of the special precautions taken by the French Army to conceal the names of Alsatian soldiers.⁷¹ Except with their own consent, Alsatis serving in the French Army were, as far as possible, not sent to any location in which they would run a risk of direct contact with the German forces.⁷² In the early period of the war a number of Alsatis who were released from internment on the understanding that they would go to France to enlist

70. HO 45/10760/269510/25-32-34.

71. HO 45/10760/269510/34.

72. HO 45/10760/269510/20a.

for military service failed to do so and were re-interned. A system was then established to ensure that the men were en-route to France before they were released from custody.⁷³ During 1916 the French adopted a more lenient policy towards the Alsatians, allowing certain individuals to work in the munitions industry or other useful civilian work as an alternative to military service. This removed the crude choice which had faced Alsatians in Britain of 'internment or the trenches,' but, in the view of Home Office officials at least, made the case even stronger for returning Alsatians to France to make their contribution to the allied cause.⁷⁴

During the first year of the war a number of enemy aliens, principally Poles and Austrian subjects of Slav race, were permitted to leave Britain to join the French Foreign Legion. They were generally posted to Africa and were not sent to the western front without their consent. When Samuel was Home Secretary some of his officials raised the possibility of asking all enemy aliens who claimed that they were friendly to the allies if they were prepared to serve in the French Foreign Legion. The purpose of the question would be twofold: to test the real commitment of the aliens to the allied cause and to secure recruits. The test was considered to be a fair one because aliens would not be asked to fight against their fellow countrymen and their enlistment would release French soldiers from other theatres for service at the Western Front. In urging that enemy aliens should be put to the test a Home Office official wrote,

If the protestations of sympathy by reason of which they

73. HO 45/10760/269510/25e.

74. HO 45/10760/269510/45.

are at liberty are genuine, they ought, generally, to be ready to do this, instead of living here in more or less ordinary freedom, and, in some instances, upon the employment which Englishmen and Frenchmen have been compelled to abandon for military service. 75

Samuel agreed that it was 'an excellent suggestion,' but it is doubtful if it could have been implemented since the French had decided in August 1915 that subjects of enemy states, with the exception of Alsatians, should not be admitted to the Legion. 76

The French did, however, relax nationality qualifications for their regular army during 1916 by permitting Poles to enlist. 77 During 1917, after the Russian Provisional Government had declared Poland independent, a separate Polish Army was constituted in France and many Poles from Britain were recruited. From this time Poles, whether of Russian, German or Austrian nationality, were generally treated as 'alien friends' and were given the option of joining their own national army, the British Army, or returning to Russia under an Anglo-Russian agreement to serve in the Russian forces. 78

While the War Office did not object to the release of enemy aliens of the friendly races for service in allied armies, it always took a much more conservative view on the enrolment of such men in the British armed forces. The department was particularly opposed to taking recruits from the internment camps, despite the Home Office's contention that there was little ground for differentiating between interned and uninterned men. Most enemy aliens of the friendly races were not in the camps because there

75. Memo., R.S. Nolan, 13 July 1916, HO 45/10818/317810/1c.

76. Ibid.

77. HO 45/10818/317810/1a.

78. HO 45/10740/262173/49.

was any firm suspicion against them, and a large majority was thought to be strongly in favour of the allied cause.⁷⁹ The Home Office urged the War Office to consider making similar arrangements to those of the French who allowed aliens of friendly races to enlist providing their bona fides were fully satisfactory. Troup wrote to the Secretary of the War Office in July 1916,

The Secretary of State does not doubt that it would be possible to devise a system for the consideration of each case individually, and he would be willing to render to the Army Council any practical assistance in the matter.⁸⁰

If it was deemed inadvisable that such men should undertake active service at the front, said Troup, they might usefully be employed in labour battalions. 'Their employment there, even in cases of doubtful loyalty, would be no more dangerous than that of British subjects whether naturalised or natural-born of enemy origin.' Troup cited cases brought to the Home Secretary's attention of families where a son had been born abroad and was classified as an enemy alien while his brothers, born in Britain, were British subjects serving in the army. The enemy alien son was exempt from internment because of his obvious British sympathies, but also was under no obligation to undertake military service. Such cases were not only anomolous, said Troup, but were bound to cause ill feeling and friction in the areas where such men lived and in some instances were carrying on businesses vacated by British citizens serving in the forces.

In August 1916 the War Office formally laid down the principle that, in certain cases, men of military age whose sympathies were considered by the Army Council to be entirely loyal to Britain, although technically

79. Memo., M.L. Waller, 8 Apr. 1918, HO 45/10818/317810/15-16.

80. Troup to Secretary, War Office, 20 July 1916, HO 45/10818/317810/1e.

of enemy alien nationality, could be accepted for service in the army. The class of men entitled to consideration under this ruling was limited to those born of enemy parents, who were brought to and had remained in Britain since infancy, and whose sympathies and conduct, and those of their parents, had been consistently loyal to this country.⁸¹ The Army Council ruled that every recruit or serving soldier whose father was of German, Austrian, Hungarian, Turkish or Bulgarian nationality, whether naturalised British subjects or not, should be assigned to an infantry works battalion of the Middlesex Regiment, and sent to Pease Pottage Camp at Crawley, Sussex. The unit was designated as the 30th (Works) Battalion, and the general officers commanding Northern, Western and Southern Commands were each instructed to send the officers and NCOs for one company of the battalion. In cases where recruiting officers or commanding officers were doubtful whether to send a man to the works battalion their instructions were to refer the matter up through usual channels to the War Office.⁸²

Despite the inauguration of the labour battalion, however, the War Office attitude to enlistment of enemy aliens remained ambivalent if not hostile. The Home Secretary, Samuel, on the other hand, advocated the new arrangements enthusiastically, particularly for the cases of uninterned enemy nationals. Samuel felt strongly that all 'friendlies' who had been exempted from internment on the grounds of their nationalist sentiments and support for the allies, should be called upon to demonstrate their professed loyalty since,

...to grant them immunity in the absence of any provision for proof of their sentiments by service would render their lot

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81. Infancy was generally taken to mean under the age of 10. (HO 45/10818/317810/4).
82. Army Council Instruction 1613, 18 Aug. 1916.

easier than that of British or allied subjects in this country and, by enabling them, in many instances, to profit by the fact of these latter having been obliged to abandon their businesses or employment for military service, might provoke popular resentment. 83

Some senior Home Office officials accepted, however, that the caution of the War Office was 'proper' 84 and that ultimately the choice of aliens selected for military service rightly rested with the War Office.

They (the War Office) alone know what is the need of men whether for fighting or labour units and they alone must estimate how far they are prepared to take risks. 85

Troup appears to have been more committed than some of his colleagues to the concept of military service by aliens. In late 1916 he suggested that internees who had expressed willingness to join a labour battalion should receive drill training at the Feltham camp, where most friendly enemy aliens were held. This was opposed by the commandant at Feltham and his position was supported by some senior civil servants at the Home Office. They felt that such drilling would be interpreted by some prisoners as compelling men to become soldiers, and some volunteers would rather not have it known among their more patriotic fellow countrymen that they were willing to fight for the allies. There was also the possibility of reprisals against British prisoners if it was known that Britain was defying international convention and compelling civilian internees to undertake drill. The commandant had no power to order the internees to drill and there could be no legal sanctions against those who refused. A further difficulty was that no member of the Feltham staff was qualified to drill 200-250 men speaking several different languages. Troup's

83. Memo., H. Samuel, 11 Sept. 1916, HO 45/10818/317810.

84. HO 45/10818/317810/4.

85. Memo., J. Fischer Williams, Nov. 1916, HO 45/10818/317810/4.

suggestion was tacitly ignored and such drill as was undertaken by enemy aliens was generally carried out when they were assigned to a labour battalion. ⁸⁶

Inquiries conducted for the Home Office in the internment camps and among the emigre groups indicated that many enemy aliens of the friendly races would be prepared to serve in a works battalion, but objected to assignment to the 30th Middlesex Battalion because it included a number of Germans. The Home Office suggested that a separate works battalion for friendlies only should be established; the War Office agreed to consider the idea, but it was never implemented. ⁸⁷

When the Home Office pointed out in December 1916 that at the Feltham camp alone there were 200 enemy aliens of friendly race ready and willing to be enlisted in labour units, the War Office replied with some irritation that,

...the solution with regard to the 200 men at Feltham is not so simple as you appear to think. There are several objections to be overcome, and the concurrence of other departments has to be obtained before any final decision can be arrived at. For instance we have to consider whether these men should be properly enlisted, what rates of pay should be instituted in their case and what separate allowances should be issued, whether they should be entitled to a pension if damaged, and questions of this nature, all of which are to be referred to other departments. ⁸⁸

The use by the War Office of what appeared to be stalling tactics and its reluctance to adopt a clear-cut position on enlistment of enemy aliens, prompted Waller of the Home Office Prisoner of War Branch to seek a meeting at the War Office to ascertain its policy and to explore ways of extending the categories of enemy nationals eligible for military service.

86. HO 45/10818/317810/8.

87. HO 45/10818/317810/1a-1b-2-3.

88. Colonel W.A. White to M.L. Waller, 18 Dec. 1916, HO 45/10818/317810/1b.

Accompanied by R.S. Nolan of the PoW Branch and J.F. Moylan of the Aliens Division, Waller met Colonel W.A. White of the Adjutant-General's Branch on 30 November 1916. The Home Office representatives made clear that their department was prepared to release from internment any enemy alien whom the War Office would take into the army, and the meeting considered the categories of enemy aliens, whether of friendly race or not, whether interned or at liberty. The first group considered were interned enemy nationals, who were divided into three classes: ⁸⁹

- i. Germans and Austrians resident in Britain since infancy. (A few men in this category had volunteered for military service and could be taken under existing Army Council Instructions).
- ii. Germans and Austrians who had not lived in Britain since infancy. (Members of this group were not technically eligible for military service under existing regulations, but a number had volunteered and the authorities believed that many more would do so if there was provision for them to be enlisted).
- iii. Enemy aliens of friendly race, such as Czechs, Poles and Ruthenes. (Czechs could be enlisted under current regulations whatever their length of residence in Britain, but hitherto had not been released from internment for this purpose. The question of how members of other friendly races, who might arguably be as strongly in favour of the allied cause as the Czechs, should be treated, remained unresolved).

The position of uninterned enemy aliens was also considered. There were several hundred Germans and Austrians of military age resident in Britain since infancy who it was believed might be willing to enlist if they were aware that this was possible. Such cases came to the attention of the Home Office from time to time and Waller suggested that the papers in each case should be sent to the Directorate of Recruiting who, after consulting MI5, could decide whether to invite the man to enlist. If the individual refused to do so, the possibility of internment could be considered. (When a youth in this category reached the age of 18 the local police were advised

89. Memo., J.F. Moylan, Dec. 1916. HO 45/10818/317810/7.

by the Home Office Prisoner of War Department and they invited the youth to enlist). The Home Office officials pointed out that among the interned enemy aliens who were not currently eligible for military service, but who would be willing to enlist if they had the opportunity, was a large group of Austrian or Polish Jews. The Jewish War Services Committee had indicated that they would be ready to urge these men to enlist if the army would take them. In the case of uninterned Czechs, the Home Office was prepared to work with the Czech Central Committee to inform men of military age that they were eligible and ought to enlist. Similarly if the War Office decided to form a special labour unit for men of friendly races, the Home Office was prepared to use its influence with the appropriate emigre committees to win their backing in obtaining recruits. The Home Office believed it was desirable that 'unless there are strong reasons to the contrary, any available labour should be utilised in special labour battalions,' and Waller and his colleagues put their proposals to Colonel White as a series of questions to submit to his superiors: 90

- 1) Would the War Office concur in the release of men from internment?
- 2) Would the War Office establish a special non-German labour unit for enemy aliens of friendly race?
- 3) Could any extension be made to the relevant Army Council Instruction (1613) either by amendment or interpretation so as to allow the enlistment of Germans and Austrians not resident in the United Kingdom since infancy?
- 4) In the case of interned men could arrangements be made for medical examinations to be carried out in the camps by a medical board or could camp medical officers be instructed to decide whether an internee was fit to serve in a labour unit?

- 5) Could the conditions laid down in the existing Army Council Instruction in respect of certificates of registration and identity books be waived in the case of men released from internment camps, and the men handed over to a military authority direct from the camp.

On 12 January 1917 the Home Office was informed that the Army Council had turned down virtually all of the proposals made by Waller and his colleagues.⁹¹ The Council firmly opposed the enlistment of interned enemy aliens in any capacity, and refused to extend the categories of enemy nationals who could be recruited, ie those resident in Britain since infancy 'whose sympathies and conduct and those of their parents have been consistently loyal to Great Britain', and uninterned Czechs. In the view of the Army Council responsibility for employing enemy aliens in service useful to the British war effort should not rest with the War Office.

...if the men in question are required for labour in this country they (should) be gathered together into civil labour units and detailed for useful national work. The Council consider that as the men under these circumstances would be organised on a civil basis, the organisation should be carried out by a government department other than the War Office.⁹²

While the War Office letter gave no reasons for rejecting the Home Office proposals, it subsequently became apparent that one of the overriding objections was that it was 'deemed inadvisable to transform alien enemies into pensionable soldiers.'⁹³

The Home Office was dismayed at the attitude of the Army Council, particularly as it had been hoped that enlistment of enemy aliens could

91. B.B. Cubitt, WO, to Under Secretary of State,
HO, 12 Jan. 1917, HO 45/10818/317810/7-9-13.

92. Ibid.

93. HO 45/10818/317810/13.

be used as a means of reducing the numbers held in the internment camps.⁹⁴ Troup thought it 'curious to find the War Office refusing these recruits at the moment when they are clamouring so loudly for more men'⁹⁵ and Pedder, the head of the Aliens Division, saw the War Office rulings as a waste of manpower 'which could easily have been absorbed into the military machine but cannot equally be dealt with, as the War Office lightly suggest, by civilian organisation.'⁹⁶ The Home Office had no machinery at its disposal to organise alien labour units, and even if it could create a new organisation for the purpose, it would have no powers to enforce discipline. The War Office, on the other hand, already had the necessary machinery with which to make immediate use of the available alien labour.

In the view of senior Home Office officials the alternative to enlisting enemy aliens in army labour units was to place them in useful work through the National Service scheme, but there was some uncertainty whether suitable work could be found and there was likely to be considerable delay in deploying men.⁹⁷ Moreover there were large categories of enemy alien workers, such as hairdressers and jewellers, whose assignment to work of national importance might be especially difficult to arrange. Employers in the private sector would be unlikely to want their services, and they were unused to manual work of the kind required in such industries as agriculture, which was chronically short of labour. One suggestion considered in the Home Office Prisoner of War Branch was that enemy aliens who had little to offer in work of national importance could be placed in

94. Memo., J.F. Moylan, Dec. 1916. HO 45/10818/317810/7.

95. Memo., Troup, 21 Jan. 1917, HO 45/10818/317810/7.

96. Memo., J. Pedder, 17 Jan. 1917, HO 45/10818/317810/7.

97. HO 45/10818/317810/13.

a labour battalion for, say, six months, to improve their physique and fitness for general labouring work. It was not, however, considered worth pursuing the idea with the War Office, and in the event most such aliens spent the war in the camps doing little or no productive work.⁹⁸

While the regulations continued to contain provision for the acceptance of Czechs in any unit of the British Army, the War Office position on the enlistment of enemy aliens hardened in the later years of the war and there was no easing of policy after the National Service Department took over responsibility for military recruitment on 1 November 1917. The department adopted the view that 'the safer course is to discontinue the practice of enlisting enemy aliens' on the grounds that the negligible gain in manpower did not justify incurring even the slightest risk of allowing a 'dangerous' alien to enter the army.⁹⁹ This approach, which prevailed until the end of the war, represented not so much a significant change of policy but a more positive reflection of thinking which had always had powerful adherents in Whitehall, particularly at the War Office.

98. R.S. Nolan to M.L. Waller, 7 Feb. 1917, HO 45/10818/317810/7.

99. HO 45/10818/317810/15.

CHAPTER NINE

BUSINESS, TRADE AND PROPERTY

At the outbreak of the war enemy subjects living in Great Britain and in other countries had wide-ranging British business interests, with estimated real and personal property holdings worth well in excess of £100 million.¹ Private property was not confiscated during the war, but many of the businesses wholly or partly controlled by enemy aliens were liquidated and the portion of the realised assets due to them was vested in government-appointed custodians for the duration of the war. The remainder of the proceeds, after payment of debts, charges and expenses, was normally distributed among non-enemy shareholders and others with a financial entitlement. Some enemy businesses were allowed to continue in operation where this was deemed to be in the public interest, but such companies were placed under the strict supervision of the Board of Trade. Efforts to eliminate the business interests of enemy aliens in wartime raised many complex legal questions, particularly in such areas as contracts, partnerships, payment of debts, patents, trade-marks and copyrights.

With few legal precedents to illuminate the situation, there was considerable confusion in the business community during the early period of the war concerning contracts involving enemy aliens and the firms with which they were associated. Much litigation ensued and it was established that, with important exceptions, contracts made between British citizens

1. The estimate is based on figures given by Runciman, the President of the Board of Trade, on various occasions. The total grew during the war through the accumulation of interest, profits, etc. and as stated later in this chapter was estimated in November 1916 to be of the order of £140 million.

and subjects of states which had become enemies of Great Britain were suspended for the duration of the war, and such contracts made after the outbreak of the war were illegal and unenforceable. Pre-war contracts were subject to abrogation if they involved trading with the enemy.²

Partnerships between British subjects and enemy aliens were dissolved after the outbreak of war and enemy assets subsequently vested in the custodians, but in some cases the businesses were kept alive by the British partners. To prevent the original partnerships being revived after the war, the Board of Trade was, in 1918, given powers to wind up businesses where they had reasonable suspicion that such a revival would occur.³

Enemy subjects held many important and valuable patents, trade-marks and copyrights in Britain, and there is little doubt that the value of enemy patents in the United Kingdom was significantly greater than that of British-owned patents in enemy countries. Of the 16,000 - 17,000 patents granted annually during the pre-war years, 2,000 - 3,000 went to Germans living outside the United Kingdom. Only about 700 of the yearly average of 13,000 - 14,000 patents granted in Germany went to residents of the United Kingdom.⁴ Early in the war legislation was introduced empowering the Board of Trade to avoid or suspend, wholly or in part, any patent, licence or registered trade mark held by an enemy alien.⁵ Before taking such action the Board had to be satisfied that it was in the general

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2. See McNair and Watts, op. cit., pp. 118-120; J.M. Garner, International Law and the World War, 2 vols., (1920), pp. 241-249; L.C. Scott, The Effect of War on Contracts (1914), pp. 2-11.
 3. Section 3, Trading With the Enemy Amendment Act, 1918, 8 & 9 Geo. 5, c. 31.
 4. Confidential memo., Runciman to cabinet, 17 Nov. 1916, AP.
 5. The Patents, Designs and Trade-Marks (Temporary Rules) Act.

interest of the country, a section of the community or a particular trade. The Board regarded confiscation of patents as being on a different footing to confiscation of private property of enemy subjects since patents were granted by the state, and 'it might be held that circumstances justified the complete withdrawal from enemies of the privilege and monopoly derived from the state.'⁶ The Board was authorised to grant licences to British subjects to exploit patents, but not trade-marks, held by enemy aliens. Royalties due to enemy patentees were paid by British licencees to the custodians. By July 1918 there were about 10,000 patents belonging to enemy aliens in force in the United Kingdom. No patents were granted to enemy aliens after the war began, but applications continued to be received and in some cases the specifications were accepted. The applications were vested in the public trustee and British subjects were allowed to take out licences to use the inventions. The German government treated British patent applications in the same way. The arrangement enabled belligerents to benefit from new ideas originating in enemy countries and offered a measure of protection for the industries and property of one belligerent on the territory of another. The practice of accepting patent applications from enemy countries was discontinued by Britain in July 1918 to avoid the necessary frequent communication with those countries, albeit through neutral states.⁷

In common with the other belligerents Britain safeguarded enemy holders of copyrights. Under the Trading With the Enemy (Copyright) Act passed on 10 August 1916,⁸ the copyright of all works published or

6. Runciman memo., op. cit.

7. Under the Trading With the Enemy Amendment Act, 1918.

8. 6 & 7 Geo. 5 c. 32.

made in an enemy country during the war was vested in a custodian until the end of the war.

Businesses operated by enemy aliens came within the scope of the Trading With the Enemy Act passed on 18 September 1914.⁹ The act authorised the Board of Trade to inspect the books of such companies to ascertain if any illegal trade was being carried on with enemy countries, and also empowered the Board, with court permission, to appoint a controller, with the powers of a receiver or manager, to take over the running of any firm where this was deemed to be in the public interest.¹⁰

The appointment of the public trustee as custodian of enemy alien property in England and Wales, and similar appointments in Scotland and Ireland, were made in accordance with the terms of the Trading With the Enemy Amendment Act of 1914 which came into operation on 27 November.¹¹ The custodians' functions, progressively extended by later legislation, included 'receiving, holding, preserving and dealing' with the property of enemy nationals. The courts were empowered to vest in a custodian any property held by or on behalf of enemy aliens and dividends, interest and profits accruing to them. Funds paid to or realised by a custodian were deposited with banks or invested in securities. Further legislation in 1916¹² gave the custodians the right to obtain particulars of any enemy alien property in the United Kingdom valued at £50 or more. For the

9. 4 & 5 Geo. 5 c. 87.

10. These powers were provided under sections 2 and 3 of the Trading With the Enemy Act 1914.

11. The Accountant of Court was appointed custodian for Scotland and the Official Assignee in Bankruptcy in Ireland the custodian for Ireland.

12. Trading With the Enemy Act, 1916, 5 & 6 Geo. 5 c. 105.

purpose of the act 'property' included virtually anything of tangible value - real estate, shares, securities, cash, patents, copyrights, interests in a business, and debts of all kinds. Any trustee for an enemy alien who failed to inform a custodian of funds due to the alien faced heavy legal penalties. An advisory committee, including businessmen in its membership, was appointed by the Lord Chancellor to assist the public trustee in dealing with securities.¹³

Enemy alien assets received by the custodians fell into two categories: (1) dividends (including repaid capital), interest and share of profits, and (2) property (including money) vested by court order. Funds in the first category were invested in securities approved by the Treasury; those in the second were dealt with in accordance with the orders of the court vesting the property, and was normally applied to the payment of the claims of British creditors against the enemy alien owners. Within a year of the establishment of the custodian arrangements, the public trustee held assets in the first category valued at £1,500,000 and in the second at £3,675,000.¹⁴ By late July 1916 the two figures had increased to £2 million and £4.5 million respectively.¹⁵

Up to the beginning of 1916 the Board of Trade had no powers to make orders winding up enemy businesses, although they were authorised to appoint inspectors and supervisors with the aim of detecting and preventing offences against the wartime regulations. Under the Trading With the Enemy Amendment Act of 1916 which became law on 27 January, the Board was directed to order the closure of all businesses owned or controlled wholly or mainly by enemy subjects, unless in particular cases it appeared

13. Committee appointed under terms of Trading With the Enemy Amendment Act, 1916.

14. 75HC 5s., 1009, 9 Nov. 1915.

15. 84HC 5s., 1296, 24 July 1916.

inexpedient to do so. The Board was authorised to appoint 'controllers' to supervise the winding up of businesses which were made the subject of liquidation orders. The duties of the controllers were to realise the assets of a business to the best advantage, to pay non-enemy creditors, and to hand over any amounts due to enemy aliens to the custodians. A statutory obligation was imposed upon enemy subjects to make returns in respect of their property interests to the custodians. There was also formal provision for the cancellation of contracts with enemy subjects when such arrangements were considered to be against the public interest, and the custodians were empowered to take over enemy patents. One government minister observed during the passage of the new measures that 'It would be difficult to arm a public department with more drastic powers.'¹⁶ and a legal analyst noted that the Act had as its main purpose 'destruction and not preservation' with the consequence that the custodians had a less important place in it, and the Board of Trade figured more prominently than the court.¹⁷ To assist the Board with the heavy workload imposed by the legislation an advisory committee under the chairmanship of Mr. Ernest Moon, Counsel to the Speaker of the House of Commons, was established on 9 February.¹⁸ The committee was given the task of considering cases where Board of Trade inspectors and supervisors believed there were grounds for winding up businesses and making recommendations to the President. After studying the departmental reports, the committee held hearings at which the businessmen concerned could explain why they believed they should be allowed to continue their operations. They were normally permitted to be accompanied by a lawyer if they wished. The

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16. The Marquis of Lansdowne, Minister Without Portfolio, 20HL 5., 965, 20 Jan. 1916.
 17. R.F. Roxburgh, 'German Property in the War and the Peace,' The Law Quarterly Review, vol. 37, Jan. 1921, pp. 46-62.
 18. Members of the committee were the Hon. J.D. Fitzgerald, KC., Sir George Croydon Marks, MP, and Mr. Gershon Stewart, MP. Marks was subsequently replaced by Sir Edwin Cornwall, MP and he, in turn, by Mr. A.A. Allen, MP.

subsequent recommendations of the committee were invariably acted upon by the Board of Trade.¹⁹ From its early days the committee adopted the view that,

...in cases in which businesses formerly carried on mainly for the benefit or under the control of enemy subjects were useful and successful businesses, it was more in the national interest to transform them into British businesses than to wind them up...²⁰

On many occasions the committee recommended that enemy alien interests in a business should be sold by the custodian to leave control in the hands of British owners. The committee noted the wide variety of businesses in which enemy aliens were engaged, ranging from large chemical and electrical enterprises to such activities as the collection and export of rabbit skins, extraction of tin from disused cans, and the treatment of offals for the production of sausage skins. Whatever the business, 'adaptability, personal application, and in case of necessity, ruthless competition, produced successful results.' Few of the businesses which came under the scrutiny of the committee were found to be unprofitable.²¹

When the Moon committee began its work over 500 cases were awaiting its consideration and more were constantly being added. Hearings were held continuously during parliamentary sessions to clear the backlog, and by the beginning of June 1917 the committee had dealt with 353 cases, recommending 204 orders for closure and 50 for vesting in the custodian and sale to British subjects.²² Many of the firms investigated were taken from lists supplied by the Home Office of interned and uninterned enemy

19. Cd. 8303, 1916, and Cd. 9059, 1918.

20. Cd. 9059, 1918.

21. Ibid.

22. Cd. 8308, 1916.

aliens with business interests in Britain.²³ A number of businesses were wound up on the advice of the War Office and the Admiralty. By November 1916 the Board of Trade had issued orders for the winding up of 344 companies, but there was a rising tide of criticism from the hardliners that the Board was moving too slowly. Joynson Hicks charged that the Board constantly lagged behind public opinion and warned of strong feeling in the country on the issue, particularly within the financial community,²⁴ while Sir Richard Cooper accused the government of being half-hearted about closures.²⁵ The same sentiments were expressed by a deputation from the London Chamber of Commerce which went to the Board of Trade in June 1917 to complain of dissatisfaction with the advisory committee, which, it was felt, should have included more businessmen and fewer lawyers (three of the four members were barristers).²⁶

The avowed patriotism of many British businessmen who joined in the strident demands for the rapid elimination of enemy firms may have been more than a little tinged with self interest since they stood to gain substantial commercial advantage by the removal of alien competitors. The City, and in particular the stock and commodity exchanges, proved exceptionally zealous in their efforts to excise enemy aliens from their ranks. The London Stock Exchange barred enemy subjects from dealing, and members and clerks of enemy birth who were naturalised subjects had to satisfy the Stock Exchange Committee that they had been denationalised by their country of origin. From the beginning of January 1915, the

23. 103HC 5s., 262, 14 Feb. 1918.

24. 94HC 5s., 1265, 14 June 1917.

25. 98HC 5s., 1575, 31 Oct. 1917.

26. 94HC 5s., 1265, 14 June 1917.

operations of the stock exchange were governed by detailed and stringent instructions from the Treasury designed to:

1. Safeguard the London market against forced realisation of securities and against operations for the purpose of depressing prices.
2. Close the market absolutely to the enemy both directly and indirectly.

Resentment against alien businessmen, whether enemy subjects or not, being allowed to continue their operations increased notably after the introduction of compulsory military service. Questions in parliament, petitions from local trade and business organisations, and press comment reflected a widespread feeling that aliens not subject to conscription, should be prevented from capitalising on the departure of British competitors to serve in the armed forces. The number of such cases involving aliens of enemy nationality was small, however, since the majority of those at liberty were women, generally married with families, or men over military age, and those who had businesses had in the main relinquished control to Board of Trade supervisors. Some hardliners in parliament doubted the thoroughness of the Board's control of enemy firms under its supervision. It was alleged that some companies staffed largely by personnel of enemy origin, with a few British-born employees in junior positions, were able to take advantage of only nominal Board supervision to compete with and sometimes undersell British firms. Some enemy controlled companies, prevented by the wartime regulations from accumulating profits, were said to be selling at artificially low prices with a view to building up a powerful market base for the post-war years.²⁷ It was even asserted by one MP that enemy controlled firms were outposts of the German Secret Service exerting a corrupting influence on British commercial

27. 78HC 5s., 785, 21 Jan. 1916.

life by the use of unscrupulous business practices.²⁸

The Associated Chambers of Commerce of the United Kingdom demanded in 1916 that a list should be published of all businesses which were partly or wholly owned by enemy aliens or were being supervised by the Board of Trade, but Runciman, the Board President, refused on the grounds that it would cause injustice in certain cases to British shareholders in the companies.²⁹ The government did, however, introduce legislation later in the year designed to prevent enemy firms from changing their names to disguise the enemy connections of their proprietors. The Regulation of Business Names Act of 1916 prohibited any firm of which an enemy alien was a member or partner from changing the name by which it was known on 4 August 1914, except with the special permission of a Secretary of State. The London Chamber of Commerce had urged an amendment to the bill compelling anyone who had registered a change of business name after 31 December 1913 to re-register the original name.³⁰ Sir Edward Carson charged during the passage of the legislation that many foreign firms which promoted enemy trade used words such as 'British', 'Imperial', 'London' or 'United Kingdom' in their titles.³¹ The Moon committee noted in April 1918 that 'Foreign traders have habitually substituted British names for their own for the purpose of misleading their customers into the belief that they were dealing with British principals instead of aliens.' The committee also found 'remarkable' the extent to which German businesses were conducted through British staff and by British

28. 90HC 5s., 1080, 19 Feb. 1917.

29. 78HC 5s., 400, 17 Jan. 1916.

30. 86HC 5s., 1619, 31 Oct. 1916.

31. Ibid., col. 1606.

employees.³²

From the early period of the war many British businessmen and their allies in parliament argued that the sanctions on enemy aliens trading in Britain should be continued into the post-war years. An ardent proponent of this view was Joynson Hicks, who had close ties with the London Chamber of Commerce, and it was also supported by other hardliners such as Lord Leith of Fyvie. He considered every enemy firm or businessman to be 'a caretaker for a business in the future' and warned that 'As long as we leave these associations of influential Germans in our midst we have to look forward to a loss of business in the future and a continuation of what has been a very serious loss in the past.'³³

Those in parliament and the business community who demanded the removal of enemy influence from British industry and commerce often made clear that they considered British subjects of enemy origin equally as objectionable as enemy aliens. The attacks on naturalised British businessmen were often personalised, none more so than in the case of Baron Bruno Schröder, head of the merchant bankers, J. Henry Schröder, one of the largest acceptance houses in London. He had worked in the family business for nearly 20 years when the war began and was quickly granted naturalisation because the government believed it was in Britain's interests for the firm to continue in operation.³⁴ The Home Office, after consultation with the Governor of the Bank of England and officials of the company, also decided 'on important financial grounds' to give

32. Cd. 9059, 1918. Restrictions were imposed on the holding of directorships by aliens under the Companies Foreign Interests Act, 1917.

33. 22HC 5s., 22, 471-2, 29 June 1916.

34. 68HC 5s., 1391-2, 26 Nov. 1914 and 71HC 5s., 1873-4, 13 May 1915.

Schröder a licence to reside and trade in Britain. The licence was a precautionary measure and its necessity under English law was disputed by some lawyers. The last time such licences had been issued to enemy aliens was during the Crimean War, when seven were granted during 1855.³⁵ Even Lloyd George, who was not averse to exploiting anti-alien sentiment on occasions when it suited his political purpose, dismissed the attacks on Schröder as nonsense and accused the critics of lowering the currency of the House of Commons by 'appeals to the gallery.'³⁶ Schröder continued to be a focus of controversy later in the war because of alleged (but never proven) stockpiling of coal for his personal use,³⁷ and his philanthropic activities on behalf of prisoners of war on both sides.³⁸

During the autumn of 1916 the government came under increasing pressure from parliament and the City to eliminate remaining enemy influence in British business and finance. The Chancellor of the Exchequer, the President of the Board of Trade and the Home Secretary, all faced a stream of questions and demands for action, and fact finding committees were established by the Unionist War Committee and the Corporation of the City of London.³⁹ Some critics argued that the slow-moving procedures for eliminating enemy alien control from businesses should be replaced by a simple and direct system of confiscation. This, it was contended, was justified as a reprisal against Germany's alleged violations of international law during the war, and as a means of making funds quickly available to pay debts due from enemies to British subjects. But apart from any

35. HO 45/10745/264030.

36. 68HC 5s., 1531, 26 Nov. 1914.

37. See, for example, 30HL 5s., 692, 8 July 1918 and 30HL 5s., 1240, 26 July 1918.

38. 100HC 5s., 70, 3 Dec. 1917.

39. The Times History of the War, vol. 9, p. 475.

moral objections the practical problems arising from confiscation were likely to be far reaching, as the government was well aware. If such a policy was reciprocated by Germany, Britain would probably be the loser since the aggregate value of United Kingdom property in Germany appeared to exceed that of enemy property in this country. In November 1916 Runciman, the President of the Board of Trade, estimated that enemy property in Great Britain (including debts) was worth about £140 million. The value of property in enemy countries of persons living in the United Kingdom totalled £166 million, of which £93 million was tangible property, including securities, and £73 million consisted of debts, bank balances and bills.⁴⁰ Regardless of potential reciprocal action by enemy countries, a policy of confiscation of enemy assets would have met strong opposition from the financial community in Britain since it could have destroyed the confidence of other countries in the safety of private property in the United Kingdom. Moreover such a policy was likely to have been considered as contrary to the principles which allied governments claimed to uphold.⁴¹ Although the government rejected confiscation as a policy, there was, as Runciman conceded, 'some element of confiscation' in winding up a business, because of the destruction of the good-will built up over a long period and through the restriction of the market by confining sales to British purchasers.⁴²

In formulating policy in respect of enemy property in the United Kingdom the government paid careful regard to what was done with British property in other countries,⁴³ but it was always asserted that an essential

40. Runciman memo., op. cit.

41. Ibid.

42. Ibid.

43. 72HC 5s., 11, 3 June 1915.

aim was to secure proper treatment of all claims, both public and private, against enemy governments and individuals. Proposals for the establishment of a clearing house where British firms and individuals could receive payment of debts from the assets of enemy businesses were turned down by McKenna, the Chancellor of the Exchequer, in late 1916 as impracticable during wartime.⁴⁴ British debtors were prohibited from settling claims due to enemies while the war continued.⁴⁵

The long established German and Austrian banking interests in Britain were a frequent target of attention in parliament, although the activities of the banks were severely curtailed and placed under the supervision of a controller, Sir William Plender,⁴⁶ at the beginning of the war. An order in council issued by the government on 10 August 1914 prohibited enemy aliens from engaging in banking, except with the written permission of a secretary of state and subject to such conditions and restrictions as he might prescribe. The banks were also forbidden to part with any cash or securities and were required to deposit those assets in such custody as the government directed. The police were authorised to enter banks, if necessary by force, and search and occupy premises for the purpose of enforcing the order.⁴⁷ On 19 September the Home Secretary granted licences for the London offices of several German and Austrian banks to carry on business, subject to stringent conditions, and on 30 November issued licences with similar limitations to the agencies of two

44. 88HC 5s., 156, 28 Nov. 1916.

45. 90HC 5s., 852, 14 Dec. 1916.

46. Plender, a chartered accountant, was appointed by the Treasury.

47. Aliens Restriction (Consolidated) Order 1914, Art. 24.

Turkish banks.⁴⁸ The permission to trade was restricted to dealing with work in hand on 5 August 1914, and no new transactions could be undertaken except those 'necessary or desirable' to complete that work. A further licence was granted to the German and Austrian banks on 14 October to receive dividends on certain shares and to accept transfers of such shares. In January 1915 additional concessions were allowed to the Turkish banks to enable individuals and firms in the United Kingdom to enter into transactions with the banks' offices in France, Cyprus, Egypt, or any part of the Ottoman Empire occupied by the allies, subject to the limitations laid down with the issue of the 30 November licences. One effect of the concessions was to enable enemy alien companies registered in Britain to conduct business through the Turkish banks in, say, France or Egypt. Many politicians believed that enemy banks were being allowed too much freedom of operation, and there were allegations, never substantiated, that the German banks were a channel of funds for espionage activities in Great Britain. The Deutsche Bank did, however, fulfil a useful function in the early war years in handling the distribution of money from Germany for military and civilian prisoners of war held in British internment camps.⁴⁹ But the business of the enemy banks gradually diminished during the war, members of their staffs holding enemy nationality were interned as their services were no longer needed, and their branches were placed under British supervisors appointed by Sir William Plender. The enemy aliens on the staffs of the German banks fell from 446 at the

48. Licences granted on 19 September to the Deutsche Bank, the Dresdner Bank, the Disconto-Gesellschaft, the Oesterreichische Laenderbank, and the Anglo-Austrian Bank, and on 30 November to the Imperial Ottoman Bank and the National Bank of Turkey.

49. 90HC 5s., 851, 14 Dec. 1916.

beginning of the war to 34 by mid-1916.⁵⁰ On 26 October McKenna announced that the transactions which the German and Austrian banks had been licenced to complete had almost been concluded. Non-enemy creditors had been paid off, surplus assets were being transferred to the Bank of England, and the property of customers was to be vested in the custodian.⁵¹

There remained concern in parliament, however, that the affairs of the enemy banks were not being wound up quickly enough, and in December the Treasury appointed two British bankers, Walter Leaf and R.V. Vassar Smith to report, with as little delay as possible, on the progress being made towards 'bringing the operations of the banks to a conclusion.' They were also asked to express an opinion 'in view of the public discussion which has arisen' whether due diligence had been used by those responsible for winding up the affairs of the banks. The principal figure involved, Sir William Plender, had already asked the Treasury to relieve him as controller of enemy banking establishments in the United Kingdom. Leaf and Vassar Smith sympathised with his desire to give up a task which had proved to be 'both laborious and irksome,' but they did not consider it in the public interest that he be allowed to do so. (Plender subsequently agreed to the Treasury's request to remain as controller). Leaf and Vassar Smith advised the Treasury that Plender and his team of supervisors had carried out their duties with an ability and expedition which reflected the highest credit on them, and pointed out that,

The liquidation of a banking business of an international character is of necessity an operation of the greatest complexity, and at the best of times must be spread over a very lengthened period; no bank, however well conducted, can avoid a certain amount of locking up of its assets - due to failure of customers,

50. 83HC 5s., 1073, 29 June 1916.

51. 86HC 5s., 1329-33, 26 Oct. 1916.

to unforeseen difficulties which involve 'nursing,' and to a thousand other reasons which involve delay, often of the most tedious character. 52

The main obstacle to a fuller and more rapid liquidation was the decision of the French and Russian governments to regard the London establishments of the enemy banks as hostile creditors, and to refuse permission to remit to them any assets in their respective countries. These assets had been frozen and would not be released until the end of the war. The banks also faced great difficulty in trying to recover debts due to them from many other parts of the world. The reluctance of British subjects to work even temporarily in the enemy banks also delayed work on liquidating assets. By 30 September 1917 total staff employed in the German and Austrian banks was 166, including 148 British subjects, 10 enemy aliens and eight neutral aliens. 53

By July 1918, the admitted liabilities of the German and Austrian banks to British, allied and neutral creditors amounted to approximately £5,190,000. The Treasury was unable to make a precise estimate of the value of outstanding assets of the enemy banks not yet lodged with the Bank of England, but the figure reached several million pounds. 54 As far as businesses was concerned, said Cave, the Home Secretary, the enemy banks were 'practically dead,' although they nominally continued to exist as entities. 55 On 19 July it was announced that the senior official receiver had been appointed by the Board of Trade to wind up the business of the enemy banks in the United Kingdom. Sir William Plender, who had

52. Report by Leaf and Vassar Smith to the Treasury, 12 Jan. 1917, Cd. 8455.

53. Report by Sir William Plender to the Treasury, 13 Dec. 1917, Cd. 8889.

54. 108HC 5s., cols. 494 and 511, 11 July 1918.

55. Ibid., col. 536.

spent four years as controller of the banks' affairs, offered his full assistance to the receiver.⁵⁶

The revival of the banks and other enemy trading interests in Britain during the post-war years was effectively stifled by the provisions of the Trading With the Enemy Amendment Act of 1918 passed on 8 August.⁵⁷ The measure not only satisfied popular demands for punitive measures against the enemy but ensured lucrative peacetime opportunities for British trading and financial interests. Arrangements for compensating dispossessed enemy aliens were carried out under the provisions of the Treaty of Versailles.

56. 108HC 5s., 1206, 18 July 1918.

57. 8 & 9 Geo. V, c. 31.

CONCLUSION

The evolution of enemy alien controls during the First World War reflected the attempts by mainly moderate politicians to solve a fundamental dilemma; that of reconciling the perceived requirements of national security with humanitarian principles in a generally hostile climate of public opinion, and in the face of relentless pressure from hardliners in parliament, propagandists and some sections of the press to introduce measures which were patently more repressive than was justified by the circumstances. The dilemma was not, probably could not be, solved, but if pragmatism and expediency came increasingly to dictate the pattern of policy, the harsh nostrums of the anti-alien extremists were firmly resisted by both the Asquith and Lloyd George administrations.

If the security threat posed by the enemy alien population was more apparent than real, and the scale of internment and increasing restrictiveness of wartime controls bore little relation to the danger they were supposed to be containing, it is arguable, given the volatility and strength of popular anti-alien feeling, that a more equitable policy would not have been politically viable.

While many politicians and the popular press, either through ignorance or for propaganda purposes, persistently exaggerated the potential danger of espionage and sabotage by enemy alien residents and British subjects of enemy origin, government ministers often expressed the view that the real threat came from subjects of non-enemy countries whose movements and activities were not under the same careful scrutiny as those of enemy aliens. A few Germans and others of enemy birth were charged with spying in the early weeks of the war, but most of those arrested subsequently were of neutral nationality. Such information

as was passed from Britain to Germany during the war was probably conveyed mainly in the diplomatic bags of neutral legations or by crews of neutral ships.¹

Reports in popular newspapers of an 'unseen hand' at work in Britain, with enemy aliens subverting the war effort and passing information to the enemy, were largely figments of overactive imaginations. Thousands of police man hours were spent following up abortive leads provided by over-zealous amateur spy hunters. Few of the innumerable allegations of signals being sent from coastal areas to enemy ships were found to have any substance, and there were no proven cases of sabotage by enemy aliens during the war, although some politicians and newspapers blamed them for explosions and fires which occurred at certain military and industrial establishments and aboard ships.²

However illusory the danger from enemy aliens may have been, the policies designed to counter it and the climate of opinion in which those policies were conceived inevitably meant that many innocent people suffered injustice and hardship. The witch hunts of public figures alleged to be sympathetic to the enemy and the social ostracism, harassment and destitution endured by the families of interned enemy aliens were among the least edifying spectacles in Britain during the war.

The often irrational hatred of enemy aliens which gripped the country with varying degrees of intensity developed into a more generalised xenophobia and helped to steer parliament towards the imposition of

1. Sir Edward Troup, The Home Office (1925), p.141.

2. 114HC 5s., 2757, 15 Apr. 1919.

a regime of peacetime aliens controls of unwarranted severity. The war proved to be a watershed in the history of British aliens policy; it saw the disappearance of the last vestiges of the 19th century laissez faire approach and the birth of a new, more uncompromisingly restrictive system which, with adaptations, survives to the present day.

The measures adopted during the First World War provided the model on which aliens policy in World War II was based. That policy was more humane and enlightened, but it did little to dispel the impression powerfully enforced in 1914-1918 that if truth is the first casualty of war,³ the enemy alien is surely the second.

3. 'The first casualty when war comes is truth'. (Hiram Johnson, quoted in Penguin Dictionary of Modern Quotations, 1978).

APPENDIX IAliens Restriction Act, 1914

1.—(1) His Majesty may at any time when a state of war exists between His Majesty and any foreign power, or when it appears that an occasion of imminent national danger or great emergency has arisen, by Order in Council impose restrictions on aliens, and provision may be made by the Order—

- (a) for prohibiting aliens from landing in the United Kingdom, either generally or at certain places, and for imposing restrictions or conditions on aliens landing or arriving at any port in the United Kingdom; and
- (b) for prohibiting aliens from embarking in the United Kingdom, either generally or at certain places, and for imposing restrictions and conditions on aliens embarking or about to embark in the United Kingdom; and
- (c) for the deportation of aliens from the United Kingdom; and
- (d) for requiring aliens to reside and remain within certain places or districts; and
- (e) for prohibiting aliens from residing or remaining in any areas specified in the Order; and
- (f) for requiring aliens residing in the United Kingdom to comply with such provisions as to registration, change of abode, travelling, or otherwise as may be made by the Order; and
- (g) for the appointment of officers to carry the Order into effect, and for conferring on such officers and on the Secretary of State such powers as may be necessary or expedient for the purposes of the Order; and
- (h) for imposing penalties on persons who aid or abet any contravention of the Order, and for imposing such obligations and restrictions on masters of ships or any other persons specified in the Order as appear necessary or expedient for giving full effect to the Order; and
- (i) for conferring upon such persons as may be specified in the Order such powers with respect to arrest, detention, search of premises or persons, and otherwise, as may be specified in the Order, and for any other ancillary matters for which it appears expedient to provide with a view to giving full effect to the Order; and
- (k) for any other matters which appear necessary or expedient with a view to the safety of the realm.

(2) If any person acts in contravention of, or fails to comply with, any provisions of any such Order, he shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months, and the court before which he is convicted may, either in addition to, or in lieu of, any such punishment, require that person to enter into recognizances with or without sureties to comply with the provisions of the Order in Council or such provisions thereof as the court may direct.

If any person fails to comply with an order of the court requiring him to enter into recognizances the court, or any court of summary jurisdiction sitting for the same place, may order him to be imprisoned with or without hard labour for any term not exceeding six months.

(3) Any provision of any Order in Council made under this section with respect to aliens may relate either to aliens in general or to any class or description of aliens.

(4) If any question arises on any proceedings under any such Order, or with reference to anything done or proposed to be done under any such Order, whether any person is an alien or not, or is an alien of a particular class or not, the onus of proving that that person is not an alien, or, as the case may be, is not an alien of that class, shall lie upon that person.

(5) His Majesty may by Order in Council revoke, alter, or add to any Order in Council made under this section as occasion requires.

(6) Any powers given under this section, or under any Order in Council made under this section, shall be in addition to, and not in derogation of, any other powers with respect to the expulsion of aliens, or the prohibition of aliens from entering the United Kingdom or any other powers of His Majesty.

APPENDIX II

Aliens Restriction Order, 5 August 1914

The King's Most Excellent Majesty in Council.

Whereas by the Aliens Restriction Act, 1914, power is conferred upon His Majesty in time of war or imminent national danger or great emergency by Order in Council to impose restrictions on aliens, and to make such provisions as may be necessary or expedient for carrying such restrictions into effect:

And whereas a state of war at present exists between Great Britain and Germany:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

PART I.

RESTRICTIONS ON ALIENS ENTERING AND LEAVING THE UNITED KINGDOM.

Approved Ports and Prohibited Ports.

1.—(1) *For the purposes of this Order, the following ports are approved ports, that is to say:—*

<i>Aberdeen,</i>	<i>Bristol,</i>
<i>Dundee,</i>	<i>Holyhead,</i>
<i>West Hartlepool,</i>	<i>Liverpool,</i>
<i>Hull,</i>	<i>Greenock,</i>
<i>London,</i>	<i>Dublin,</i>
<i>Folkestone,</i>	<i>Rosslare;</i>
<i>Falmouth,</i>	

and any other port or place in the United Kingdom is, for the purposes of this Order, a prohibited port.

(2) *For the purposes of this Order the limits of the approved ports shall be those specified in the First Schedule to this Order, and any part of an approved port outside those limits shall be treated as though it were part of a prohibited port.*

2.—(1) *An alien shall not land in the United Kingdom at a prohibited port:*

Provided that—

- (a) *where an aliens officer is satisfied that an alien friend who has arrived at a prohibited port had embarked for that port before this Order came into operation, and may safely be permitted to land, he may grant him permission accordingly; and*
- (b) *where a Secretary of State is satisfied that an alien friend has arrived at a prohibited port in ignorance of the provisions of this Order or in any other circumstances entitling him to special consideration, and may safely be permitted to land, he may grant him permission accordingly; and*
- (c) *subject to the provisions of this Order the foregoing prohibition shall not, unless in any particular case an aliens officer so directs, apply to an alien friend who is the master or a member of the crew of a vessel arriving at a prohibited port, if whilst he is on shore he complies with such requirements (if any) as may be imposed upon him or upon masters and seamen generally by an aliens officer at the port;*

and any alien friend who lands in accordance with this proviso, and, if conditionally disembarked, who complies with the conditions, shall not be liable to any penalty for landing at the port in question.

3. *An alien enemy shall not land in the United Kingdom at an approved port, unless provided with a permit issued by the Secretary of State for Foreign Affairs.*

4. An alien arriving at an approved port may, if a Secretary of State so directs, or if an aliens officer at the port is satisfied that he cannot safely be permitted to land in the United Kingdom, be treated as though the port were a prohibited port.

5. An alien landing in contravention of this Order, and an alien arriving at any port in circumstances in which he is prohibited from landing, may, until dealt with under this Order, be detained in such manner as a Secretary of State may direct, and whilst so detained shall be deemed to be in legal custody.

6. An alien shall not land at any port in the United Kingdom having in his possession—

- (a) any firearms, ammunition, or explosives;
- (b) any petroleum spirit, naphtha, benzol, petroleum, or other inflammable liquid in quantities exceeding three gallons;
- (c) any apparatus or contrivance intended for or capable of being used for signalling apparatus, either visual or otherwise;
- (d) any carrier or homing pigeons;
- (e) any motor car, motor cycle, or aircraft; or
- (f) any cipher code or other means of conducting secret correspondence;

and where an alien lands with any such articles in his possession he shall forfeit the articles and shall be deemed to have imported them in contravention of the provisions of the Customs Consolidation Act, 1876, as though the articles in question were contained in the table of prohibitions and restrictions set out in section forty-two of that Act:

Provided that where an aliens officer considers that an alien friend arriving at any port may safely be permitted to land with any such articles as aforesaid in his possession, he may permit him to land accordingly, and the foregoing provisions of this article shall not apply.

7. An alien conditionally disembarked under the directions of an aliens officer for the purpose of inquiry or examination shall not for the purposes of this Order be deemed to have landed so long as the conditions are complied with.

Aliens leaving the United Kingdom.

8. An alien shall not, except in pursuance of an order of deportation under this Order, embark in the United Kingdom at a prohibited port:

Provided that—

- (a) an alien friend shall be permitted to embark at a prohibited port if he satisfies an aliens officer at that port that he had booked a passage on a vessel sailing from that port before this Order came into operation, and that he can safely be permitted to leave the United Kingdom; and
- (b) where a Secretary of State is satisfied that an alien friend who desires to embark at a prohibited port may safely be permitted to do so, he may grant him permission accordingly; and
- (c) subject to the provisions of this Order the foregoing prohibition shall not, unless in any particular case an aliens officer so directs, apply to an alien friend who is the master or a member of the crew of a vessel leaving a prohibited port;

and any alien friend who embarks in accordance with this proviso shall not be liable to any penalty for embarking in the United Kingdom at the port in question.

9. Where an alien enemy is about to leave any port on board a vessel on which he has arrived at the port he may for the purposes of this Order, if a Secretary of State so directs or if it appears necessary to an aliens officer in the interests of public safety, be treated as though he had embarked at that port in contravention of this Order, but shall not be subject to any fine or imprisonment for so embarking.

10. As from a date to be fixed by a Secretary of State an alien enemy shall not, except in pursuance of an order of deportation under this Order, embark in the United Kingdom at an approved port, unless provided with a permit issued by a Secretary of State:

Provided that an alien enemy about to embark in the United Kingdom at an approved port either before such date as aforesaid, or after that date when provided with such permit as aforesaid, may, if a Secretary of State so directs, or if in the opinion of an aliens officer he cannot safely be permitted to embark, be treated as though the port were a prohibited port.

11. An alien embarking or about to embark in the United Kingdom in contravention of this Order may, until dealt with under this Order, be detained in such manner as a Secretary of State may direct, and whilst so detained shall be deemed to be in legal custody.

12.—(1) A Secretary of State may order the deportation of any alien, and any alien with respect to whom such an order is made shall forthwith leave the United Kingdom.

(2) Where an alien is ordered to be deported under this Order, he may, whilst awaiting the departure of his ship, and whilst being conveyed to the ship, and whilst on board the ship until the ship finally leaves the United Kingdom, be detained in such manner as the Secretary of State directs, and, whilst so detained, shall be deemed to be in legal custody.

Obligations on Masters of Vessels.

13.—(1) The master of every vessel, whether British or foreign, arriving at or leaving a port in the United Kingdom shall, immediately on the arrival of the vessel at that port, or, as the case may be, not more than twenty-four hours before leaving that port, furnish to an aliens officer at that port, with respect to all persons on board the vessel, or intending to embark on the vessel, such particulars in such manner as the Secretary of State may direct, and shall otherwise take all reasonable steps in his power for securing the enforcement of this Order.

(2) The master of a vessel arriving at or leaving any port shall not permit any persons to land or to embark without the sanction of an aliens officer at the port.

(3) Where a person lands or embarks at any port in contravention of this Order, the master of the vessel from which he lands or on which he embarks shall, unless he proves the contrary, be deemed to have aided and abetted the offence.

14. The master of a ship about to call at any port shall, if so required by a Secretary of State or an aliens officer, receive an alien and his dependants, if any, on board his ship and afford him or them a passage to that port, and proper accommodation and maintenance during the passage, and, if the ship is the same or belongs to the same owners as the ship in which the alien arrived in the United Kingdom, shall, if so required as aforesaid, afford such passage, accommodation, and maintenance free of charge.

Aliens Officers.

15.—(1) *The following persons, that is to say—*

(a) *any immigration officers appointed under the Aliens Act, 1905;(a) and*

(b) *any persons appointed for the purpose by a Secretary of State;*

shall be aliens officers for the purposes of this Order at the various ports in the United Kingdom, and shall in the exercise of their powers act under general or special instructions from the Secretary of State, and, subject to such instructions, shall have power to enter on board any vessel, and to detain and examine all persons arriving at or leaving any port in the United Kingdom, and to require the production of any documents by such persons, and generally to take such steps as are sanctioned by this Order or as may be necessary for giving effect to this Order.

16. *If any alien, master of a ship, or other person arriving at or leaving any port lands or embarks without the permission of an aliens officer, or refuses to answer any question reasonably put to him by an aliens officer, or makes any false return, false statement, or false representation to an aliens officer, or refuses to produce any document in his possession which he is required by an aliens officer to produce, or obstructs or impedes an aliens officer in the exercise of his powers or duties under the Order, he shall be deemed to have acted in contravention of this Order.*

Exceptions.

17. *This Part of the Order shall not apply—*

(a) *to prisoners of war; or*

(b) *to children appearing to an aliens officer to be under the age of fourteen.*

PART II.

RESTRICTIONS ON ALIENS RESIDING IN THE UNITED KINGDOM

Residence and Registration of Aliens.

18. *A Secretary of State may by order require any alien enemy to reside or continue to reside in any place or district specified in the order, and the alien shall comply with the order.*

19. *An alien enemy shall not reside or continue to reside either temporarily or permanently in any of the areas specified in the Second Schedule to this Order (in this Order referred to as prohibited areas) unless provided with a permit issued by the registration officer of the district, subject to the general or special instructions of a Secretary of State, and every alien enemy who at the time of the making of this Order is resident in a prohibited area shall within four days, unless in the meantime he obtains such a permit aforesaid, leave that area, having first reported his proposed residence to the registration officer of the registration district which he is leaving.*

20.—(1) *An alien residing in a prohibited area, and an alien enemy wherever resident, shall comply with the following requirements as to registration:—*

- (a) *he shall, immediately on the making of this Order and on any subsequent change of address, furnish to the registration officer of the registration district in which he is resident particulars as to the matters set out in the Third Schedule to this Order:*
- (b) *he shall, if he is about to change his residence, furnish to the registration officer of the registration district in which he is then resident particulars as to the date on which his residence is to be so changed, and as to his intended place of residence:*
- (c) *he shall furnish to the registration officer of the registration district in which he is resident particulars of any circumstance affecting in any manner the accuracy of the particulars previously furnished by him for the purpose of registration within forty-eight hours after the circumstance has occurred.*

(2) *Where an alien is lodging with or living as a member of the household of any other person, it shall be the duty of that person either himself to furnish with respect to the alien the particulars aforesaid, or to give notice of the presence of the alien in his household to the registration officer.*

(3) *Where an alien has a household he shall furnish the particulars as aforesaid not only as respects himself, but as respects every alien who is living as a member of his household.*

21.—(1) *For the purposes of this Order, the chief officer of police of the police district shall be the registration officer, and the police district shall be the registration district:*

Provided that where a prohibited area includes the whole or part of more than one police district, arrangements may be made by a Secretary of State for constituting that prohibited area a single registration district, and for the appointment of a registration officer for that district.

(2) *A registration officer shall—*

- (a) *keep for his registration district a register for the purposes of this Act;*
- (b) *register therein all aliens resident in his district who furnish particulars for the purpose, by entering these particulars on the register;*
- (c) *enter on the register all other particulars furnished in accordance with this Order with respect to any alien so registered; and*
- (d) *if a registered alien ceases to be resident in his district, record the fact in the register.*

(3) *The obligation of a registration officer to enter particulars upon the register shall not be affected by the fact that the particulars may not have been furnished within the time required by this Order, without prejudice, however, to the liability of an alien to a penalty for not furnishing the particulars within the required time.*

(4) *Every alien shall furnish to the registration officer, in addition to any such particulars as aforesaid, any information which may reasonably be required for the purpose of registering the alien, or maintaining the correctness of the particulars entered on the register.*

(5) *For the purposes of this Order the expression "police district" means any district for which there is a separate police force; and the expression "chief officer of police" means the chief constable, or head constable, or other officer, by whatever name called, having the chief command of the police force of the district.*

22. An alien enemy shall not travel more than five miles from his registered place of residence unless furnished with a permit from the registration officer of the registration district in which that place of residence is situate, which permit shall not cover a period exceeding twenty-four hours from the date of its issue and shall be returned to the registration officer at the end of the period for which it was issued.

Provided that in the case of an alien enemy having a bona fide place of business more than five miles from his registered place of residence the registration officer may, if he thinks fit, grant a permit enabling him to travel to or from his place of business which shall be renewable from time to time as and when the registration officer so directs.

Possession of Firearms, &c. by Alien Enemies.

23.—(1) An alien enemy shall not, except with the written permission of the registration officer of the district in which he resides, be in possession of—

- (a) any firearms, ammunition, or explosives;
- (b) any petroleum spirit, naphtha, benzol, petroleum, or other inflammable liquid in quantities exceeding three gallons;
- (c) any apparatus or contrivance intended for or capable of being used for a signalling apparatus, either visual or otherwise;
- (d) any carrier or homing pigeon;
- (e) any motor car, motor cycle, or aircraft; or
- (f) any cipher code or other means of conducting secret correspondence.

(2) If a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting any contravention of the foregoing provision, he may grant a search warrant authorising any constable named therein to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein, and to seize any article which is being kept in the premises or place in contravention of this Article.

Where it appears to a superintendent or inspector of police, or any police officer of higher rank, that the case is one of great emergency, and that in the interests of the State immediate action is necessary, he may by a written order under his hand give to any constable the like authority as may be given by the warrant of a justice under this Article.

PART III.

GENERAL.

24. If any person acts in contravention of or fails to comply with any provisions of this Order, he is liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months, and the court before which he is convicted may, either in addition to or in lieu of any such punishment, require that person to enter into recognizances with or without sureties to comply with the provisions of this Order or such provisions thereof as the court may direct.

If any person fails to comply with an order of the court requiring him to enter into recognizances the court or any court of summary jurisdiction sitting for the same place may order him to be imprisoned with or without hard labour for any term not exceeding six months.

25. If any person aids or abets any person in any contravention of this Order, or knowingly harbours any person whom he knows or has reasonable ground for supposing to have acted in contravention of this Order, he shall be deemed himself to have acted in contravention of this Order.

26. Any person who acts in contravention of this Order, or is reasonably suspected of having so acted, or being about so to act, may be taken into custody without warrant by an aliens officer or by any constable.

27.—(1) A Secretary of State may, if he thinks it necessary in the interests of public safety, direct that any of the provisions of this Order as to alien enemies shall in particular cases be applicable to other aliens, and thereupon such provisions shall apply accordingly.

(2) A Secretary of State may, if he thinks fit, direct that any powers or duties assigned under this Order to aliens officers or to registration officers shall be discharged by other persons deputed by the Secretary of State for the purpose.

28. For the purposes of this Order—

The expression “alien friend” means an alien whose sovereign or State is at peace with His Majesty, and the expression “alien enemy” means an alien whose sovereign or State is at war with His Majesty; and

References to landing or embarking shall, unless the context otherwise implies, be deemed to include references to attempting to land or attempting to embark respectively.

29.—(1) In the application of this Order to Scotland—

The expressions “the court” and “any court of summary jurisdiction” mean the sheriff;

The expressions “enter into recognisances with or without sureties” and “enter into recognisances” mean “find caution.”

(2) In the application of this Order to Ireland—

The expression “police district” means the police district of Dublin metropolis and any county or other area for which a county inspector of the Royal Irish Constabulary or officer having the rank of such county inspector is appointed, and the expression “chief officer of police” means as respects the police district of Dublin metropolis the Chief Commissioner of the Dublin Metropolitan Police and as respects any other police district the county inspector of the Royal Irish Constabulary or officer having the rank of such county inspector as the case may be.

The expression “superintendent of police” includes in the case of the Royal Irish Constabulary a sergeant and any officer of higher rank.

30. Nothing in this Order shall be construed as imposing any restriction or disability on any foreign ambassador or other public minister duly authorised, or any servants in actual attendance upon any such ambassador or public minister.

31.—(1) This Order may be cited as the Aliens Restriction Order, 1914.

(2) The Interpretation Act, 1889, shall apply for the purpose of the interpretation of this Order in like manner as it applies for the purpose of the interpretation of an Act of Parliament.

Almeric FitzRoy.

APPENDIX III

Counties and large towns in England and Wales
with highest proportion of foreigners, 1911

County or Town.	Pro- portion per 100,000	County or Town.	Pro- portion per 100,000
MALES.			
London Adm. Co.	4,108	Newcastle-upon-Tyne	1,019
Cardiff, C.B. ..	2,699	C.B.	
Tynemouth, C.B. ..	2,633	Southport, C.B. ..	1,006
Swansea, C.B. ..	2,427	West Ham, C.B. ..	949
Hornsey, M.B. ..	2,377	Sunderland, C.B. ..	945
Newport, C.B. ..	2,312	Merthyr Tydfil,	913
South Shields, C.B.	2,295	C.B.	
Grimsby, C.B. ..	2,105	West Hartlepool,	876
Manchester, C.B. ..	2,055	C.B.	
Bournemouth, C.B.	1,904	Walthamstow, U.D.	808
Eastbourne, C.B. ..	1,903	Croydon, C.B. ..	801
Liverpool, C.B. ..	1,829	Oxford, C.B. ..	794
Hastings, C.B. ..	1,829	Ilford, U.D. ..	736
Brighton, C.B. ..	1,698	Blackpool, C.B. ..	728
Kingston-upon-Hull,	1,674	Essex Adm. Co. ..	689
C.B.		Bath, C.B. ..	665
Leeds, C.B. ..	1,610	Glamorgan Adm. Co.	663
Middlesbrough, C.B.	1,578	Leyton, U.D. ..	642
Willesden, U.D. ..	1,513	Surrey Adm. Co. ..	640
Southend-on-Sea,	1,511	Kent Adm. Co. ..	622
M.B.		Birkenhead, C.B. ..	618
Tottenham, U.D. ..	1,357	Sussex, East and	569
Salford, C.B. ..	1,305	West Adm. Cos.	
Bootle, C.B. ..	1,290	Northumberland	557
Acton, U.D. ..	1,225	Adm. Co.	
East Ham, M.B. ..	1,171	Birmingham, C.B.	539
Middlesex Adm. Co.	1,166	Hertfordshire Adm.	508
Southampton, C.B.	1,158	Co.	
Ealing, M.B. ..	1,089	Enfield U.D. ..	505
Wimbledon, M.B.	1,072	Edmonton U.D. ..	503
Wallasey, M.B. ..	1,023	Cornwall Adm. Co.	503
FEMALES.			
London Adm. Co.	2,741	East Ham, M.B. ..	547
Manchester, C.B. ..	1,474	Merthyr Tydfil, C.B.	543
Leeds, C.B. ..	1,361	Kent, Adm. Co. ..	502
Eastbourne, C.B. ..	1,129	Southport, C.B. ..	497
Willesden, U.D. ..	1,054	Walthamstow, U.D.	481
Hornsey, M.B. ..	1,051	West Ham, C.B. ..	472
Salford, C.B. ..	975	Croydon, C.B. ..	464
Wimbledon, M.B.	971	Devonport, C.B. ..	443
Hastings, C.B. ..	948	Middlesbrough, C.B.	416
Liverpool, C.B. ..	922	Tynemouth, C.B. ..	413
Ealing, M.B. ..	914	Sunderland, C.B. ..	402
Bournemouth, C.B.	894	Ilford, U.D. ..	397
Tottenham, U.D. ..	882	South Shields, C.B.	394
Brighton, C.B. ..	865	Wallasey, M.B. ..	392
Grimsby, C.B. ..	844	Hampshire (South-	362
Acton, U.D. ..	843	ampton and Isle of	
Cardiff, C.B. ..	824	Wight Adm. Cos.)	
Kingston-upon-Hull	790	Hertfordshire Adm.	374
C.B.		Co.	
Middlesex Adm. Co.	774	Bath, C.B. ..	354
Oxford, C.B. ..	658	Brecknock, Adm.	353
Swansea, C.B. ..	649	Co.	
Southend-on-Sea,	630	Essex Adm. Co. ..	341
M.B.		Enfield, U.D. ..	336
Sussex, East and	604	Devonshire, Adm.	321
West Adm. Cos.		Co.	
Surrey, Adm. Co.	594	Birmingham, C.B.	315
Newcastle-upon-	577	Dorset, Adm. Co. ..	310
Tyne, C.B.		Leyton, U.D. ..	306
Southampton, C.B.	549		

Source: Census of England and Wales, 1911,
vol. IX, table XVI, Cd. 7017, 1913.

APPENDIX IVResponsibilities and Staffing of Home Office Divisions, etc. Concerned With Aliens MattersB (Aliens) Division

Responsibilities:- Naturalisation and nationality; Aliens Act; Aliens Restriction Act and orders; registration and control of aliens; repatriation and deportation of aliens; Defence of the Realm regulations concerning aliens and persons of hostile origin and associations. (Other subjects handled by the Division included licencing and liquor regulations and certain classes of byelaws)

Staff:- Assistant secretary: J. Pedder; senior clerks: J.F. Moylan, J. Fischer Williams, W.J.H. Broderick; junior clerks: E.W.E. Holderness, S.B. Ward, G.J. Turner; second clerks: S.W. Drinkwater, W.G. Jagelman. There were also one assistant clerk, 10 temporary clerks and four boy clerks.

Prisoners of War Division

Responsibilities:- Civilian prisoners of war; internment and release; repatriation, employment.

Staff:- M.L. Waller (Prison Commissioner), A.B. Adams (Board of Education), R.S. Nolan, J.B. Wainwright, Lieut.-Colonel W.R. Clark (medical referee), T.S. O'Connell (clerk). There were also six temporary clerks and two boy clerks.

Inspector under the Aliens Act

Responsibilities:- Aliens Restriction Orders; control of passengers entering and leaving the UK and of seamen embarking and landing.

Headquarters staff:- Inspector: W. Haldane Porter; deputy inspectors: E. Davies, F.H. Mugliston; temporary assistant: N.A. Richardson; second division clerk: W.W.J. Burton. There were 17 temporary clerks.

Field staff:- Nine superintending aliens officers, three assistant superintending aliens officers, one principal aliens officer, seven chief aliens officers, 125 aliens officers, 12 interpreters and four temporary clerks.

Civilian Internment Camps Committee

Responsibilities:- To organise and superintend the arrangements for keeping in internment alien enemies other than combatant prisoners of war, to co-ordinate and control the operation of charitable societies relieving destitute aliens, and to deal with any questions relating to internment or to the relief of destitute aliens, which may be

referred to them by the Home Office, the War Office or the Local Government Board.

Members of the committee:- J. Pedder (chairman), Sir William Byrne, R.S. Meiklejohn, Hon. F.T. Bigham, Lieut.-Colonel R.N.W. Larking, E. Seligman, J. Lamb, M.L. Waller, E. Sebag Montefiore and J.S. Oxley.

Joint secretaries:- E. Sebag Montefiore and D.D. Reid.

Source: Home Office List, 1918.

APPENDIX VEnemy Aliens Residing in the Metropolitan
Police District, 31 December 1916

	<u>Men</u>		Total
	Military age	Non-Military age	
Germans	1,917	2,934	4,751
Austro-Hungarians	2,967	779	3,746
Turks	398	45	443
Bulgarians	20	-	20
Total	<u>5,302</u>	<u>3,658</u>	<u>8,960</u>

	<u>Women</u>		Total
	British born	Foreign born	
Germans	6,077	4,311	10,388
Austro-Hungarians	1,313	2,604	3,917
Turks	44	270	314
Bulgarians	3	15	18
Total	<u>7,437</u>	<u>7,200</u>	<u>14,637</u>

Source: Return of registered adult enemy aliens by the Metropolitan Police to the Home Office (HO 45/10831/326555/3)

APPENDIX VIExcerpt from Defence of the Realm Regulations
(Consolidated Order), 28 November 1914

14. Where a person is suspected of acting, or of having acted, or of being about to act in a manner prejudicial to the public safety or the defence of the Realm and it appears to the competent naval or military authority that it is desirable that such person should be prohibited from residing in or entering any locality, the competent naval or military authority may by order prohibit him from residing in or entering any area or areas which may be specified in the order and upon the making of such an order the person to whom the order relates shall, if he resides in any specified area, leave that area within such time as may be specified by the order, and shall not subsequently reside in or enter any area specified in the order, and if he does so, he shall be guilty of an offence against these regulations.

Any such order may further require the person to whom the order relates to report for approval his proposed place of residence to the competent naval or military authority and to proceed thereto and report his arrival to the police within such time as may be specified in the order, and not subsequently to change his place of residence without leave of the competent naval or military authority, and in such case if he fails to comply with the requirements of the order he shall be guilty of an offence against these regulations.

Powers of Search Arrest, &c.

51. The competent naval or military authority, or any person duly authorised by him may, if he has reason to suspect that any house, building, land, vehicle, vessel, aircraft, or other premises or any things therein are being or have been constructed used or kept for any purpose or in any way prejudicial to the public safety or the defence of the Realm, or that an offence against these regulations is being or has been committed thereon or therein, enter, if need be by force, the house, building, land, vehicle, vessel, aircraft, or premises at any time of the day or night, and examine, search, and inspect the same or any part thereof, and may seize anything found therein which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid, or is being kept or used in contravention of these regulations (including, where a report or statement in contravention of regulation 27 has appeared in any newspaper or other printed

publication, any type or other plant used or capable of being used for the printing or production of the newspaper or other publication), and the competent naval or military authority may order anything so seized to be destroyed or otherwise disposed of.

55. Any person authorised for the purpose by the competent naval or military authority, or any police constable or officer of customs and excise or aliens officer, may arrest without warrant any person whose behaviour is of such a nature as to give reasonable grounds for suspecting that he has acted or is acting or is about to act in a manner prejudicial to the public safety or the defence of the Realm, or upon whom may be found any article, book, letter, or other document, the possession of which gives grounds for such a suspicion, or who is suspected of having committed an offence against these regulations.

If any person assists or connives at the escape of any person who may be in custody under this regulation, or knowingly harbours or assists any person who has so escaped, he shall be guilty of an offence against these regulations.

Supplemental.

59. The powers conferred by these regulations are in addition to and not in derogation of any powers exerciseable by members of His Majesty's naval and military forces and other persons to take such steps as may be necessary for securing the public safety and the defence of the Realm, and nothing in these regulations shall affect the liability of any person to trial and punishment for any offence or war crime otherwise than in accordance with these regulations.

INTERNAL P. O. W. ADMINISTRATION: CAMP IV.

CAMP SECRETARY (Organisational Diagram).

CAMP-CENTRAL-COMMITTEE. (Permanent Staff).

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APPENDIX VIIIWeekly Menu, Knockaloe Camp, January 1915

Sunday.

Breakfast: Porridge 1 pint, Syrup 2 ounces. Tea 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce.

Dinner: Meat 5 ounces, Potatoes 12 ounces, Bread 6 ounces, Cabbage or other Vegetable, Pudding 8 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce, Marmalade or Jam 4 ounces.

Monday.

Breakfast: Porridge 1 pint, Syrup 2 ounces, Tea 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce, Marmalade 2 ounces.

Dinner: Bread 6 ounces, Potatoes 12 ounces, Soup 1 pint.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce, Cheese 3 ounces.

Tuesday.

Breakfast: Porridge 1 pint, Syrup 2 ounces. Tea 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce.

Dinner: Bread 6 ounces, Irish Stew, consisting of meat and potatoes, 18 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces. Margarine 1 ounce, Marmalade or Jam 4 ounces.

Wednesday.

Breakfast: Porridge 1 pint, Syrup 2 ounces. Tea 1 pint, milk and sugar, Bread 8 ounces. Margarine 1 ounce, Marmalade or Jam 2 ounces.

Dinner: Soup 1 pint, with Potatoes, Bread 6 ounces, Pudding 12 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces. Margarine 1 ounce, Cheese 3 ounces.

Thursday.

Breakfast: Porridge 1 pint, Syrup 2 ounces. Tea 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce.

Dinner: Meat 5 ounces, Potatoes 12 ounces, second vegetable. Bread 6 ounces, Pudding 8 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces. Margarine 1 ounce, Marmalade or Jam 4 ounces.

Friday.

Breakfast: Porridge 1 pint, Syrup 2 ounces. Tea 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounce. Marmalade 2 ounces.

Dinner: Bread 6 ounces, Soup 1 pint, with potatoes, Pudding 12 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces, Margarine 1 ounces, Cheese 3 ounces.

Saturday.

Breakfast: Porridge 1 pint, Syrup 2 ounces, Tea 1 pint, milk and sugar. Bread 8 ounces, Margarine 1 ounce.

Dinner: Bread 6 ounces, Hot Pot or Stew, consisting of meat and potatoes, 18 ounces.

Supper: Cocoa 1 pint, milk and sugar, Bread 8 ounces. Margarine 1 ounce, Marmalade or Jam 4 ounces.

APPENDIX IXaCanteen Stock and Prices, Knockaloe Camp, January 1915

Cigarettes, Tobacco, &c.

Woodbines, per packet of 5: 1 d. — Gold Flake, per packet of 10: 3 d. — Capstan Medium, per packet of 10: 3 d. — Egyptian, per packet of 10: 3 d. — Muratti, per packet of 10: 3 d. — Three Castles, per packet of 20: 9 d. — Coaching Club Cigarettes, per packet 3 d. — Cheroots each 1 d. — Cigarette Paper, packet 1 d. — Nailrod, per oz. 3½ d. — Yankee Plug, per oz. 4 d. — Twist, per oz 3½ d. — Cake, per oz 3½ d. — Cut Cavendish, per oz. 3½ d. — Chairman, per oz. 6 d. — Player's Medium Mixture, per oz. 6 d. — Craven Mixture, per tin 2/- — Capstan Medium Tobacco, 2 oz. 10 d. — Gold Flake, 2 oz. 5 d. — Two Blades, 2 oz. 3½ d. — Silk Cut, 2 oz. 5 d. — Coolie Cut Tobacco, 2 oz. 3½ d. — Glasgow Mixture, 2 oz. 5 d. — Country Life, 2 oz. 5 d. — Bruno, 2 oz. 4½ d. — Dills' Cut Plug, per tin 1/- — Bird's Eye Tobacco 1 oz. packet 4½ d. — Godfrey Phillips Grand Cut, 1 oz. packet 5 d. — Cigars, each 2 d. — Marcella Cigars, 3 d. each 5 for 1/- — Matches, 3 boxes 1 d. — Clay Pipes, each ½ d. — Wood, each 1 d. — Briar, each 6 d. & 1/- — Cigarette Holders, each 3 d. & 6 d. — Pipe Cleaners, bunch 1 d.

Stationery and Sundries.

Writing Pads, each 6 d. — Ink, per bottle 1 d. — Picture Post Cards, 4 d. per packet of 6 or 1 d. each. — Black Cotton, per reel 1 d. — White Cotton, per reel 1 d. — Tooth Brushes, each 6 d. — Carbolic Tooth Powder, per tin 4½ d. — Cherry Blossom Boot Polish (Black and Brown), per tin 1 d. & 2 d. — Black & Brown Laces, per pair 1 d. — Vaseline, per tin 1 d. — Dale's Dubbin, per tin 2 d. — Pen & Pencils, each 1 d. — Playing Cards, per packet 4½ d. — Sewing Needles, per card 1 d. — Black Wool, per card 1 d. — Grey Wool, per card 1 d. — Shoe Brushes, 1/3 set of 4 or 2 brushes 8 d. —

Preserved Foods, &c.

Sliced Ox Tongue, in glass, each 1/4. — Lunch Tongue, ½ lb. tins, each 10 d. — Corned Beef, 2 lb. tins, per lb. 1/4. — Salmon, flat tins, each 7 d. — Skipper Sardines, per tin 6 d. — Portuguese Sardines, per tin 5 d. — Peaches, per tin 6 d. — Pears, per tin 7 d. — German Sausage, per lb. 8 d. — Vienna Sausage, 2 lb. tins 2/- — St. Ivel Cheese (Lactic), per pkt. 6½ d. — Cream Cheese, per pkt. 6½ d. — Granulated Sugar, per lb. 4 d. — Nestle's Condensed Milk, per tin 4 d. —

Biscuits & Apples.

Tea Biscuits, per lb. 5 d. — Social Biscuits, per lb. 5 d. — Lemon Fingers per lb. 5 d. — Seed Cakes, each 6 d. — Cream Crackers, per lb. 6 d. — Apples, 2 for 1 d. — Oranges, 2 for 1 d. — Bananas, 2 for 1½ d., 4 for 3 d., 8 for 6 d.

Jams.

Strawberry Jam (1lb pots), per pot 7½ d. — Raspberry Jam (1lb pots) per pot 7 d. — Plum Jam (1lb pots), per pot 6 d. — Damson Jam (1lb pots), per pot 7 d. — Gooseberry Jam (1lb pots), per pot 6 d. — Marmalade Jam (1lb pots), per pot 6 d.

Chocolates.

Milk & Plain Chocolate per cake, 1d, 3 d & 6 d

Cocoa, Tea, Coffee, and Milk.

Cadbury's Cocoa (¼lb. tins), per ¼lb. 7½ d. — Cadbury's Cocoa 5 d. packets, per pkt. 5 d. — Tea, ¼lb. packets, per pkt. 6 d. — Coffee & Chicory, per ½lb. tin 7½ d. — Fresh Milk, per quart 3 d.

Clothing.

Clogs, per pair 4/-. — Shirts (Pure Manx Wool), each 6/-. — Shirts each 4/-. — Socks, per pair 1/3 & 2/3. — Oilskins, each 6/9. — Sou' Westers, each 1/3. — Jerseys, each 6/-. .

Wood Carving, &c.

Mahogany, per super foot 1/-. — Whitewood (Canary), per super foot 8 d. — Birch, per super foot 6 d. — Cement for Modelling, per 3lbs. 1. —

APPENDIX IXB

Canteen Stock and Prices, Knockaloe Camp, November 1917

Cigarettes.		Sundries.		Chemists' Sundries.	
† Chairman	per thousand 30 9	Bowls, Enamel	per Doz. 19 3	Bandages, 2 in. Gauze, per doz.	1 0
† Muratti	" 41 0	Brushes, Camel Hair	" 0 11	Brilliantine	per doz. bottles 4 3
† Waverley	" 37 0	" Hair	" 5 7	Lint, Boric	" pkts. 0 10
† Prize Crop	" 31 8	" Nail	" 2 0	Oil, Castor	per doz. (oz. lita) 2 2
† St. Julien	" 31 8	" Shaving	" 7 20	Oil Liver	" box 14 9
† S.P.V.	" 31 8	" Shoe	" 5 3	Eucalyptus	" box 3 2
† Three Nuns	" 31 1	" Tooth	" 5 3	Pills, Bowd's	" per doz. boxes of 100 4 7
† Taba	" 31 8	Huckets	" 10 2	Plaster, Adhesive	" per doz. boxes 0 9
† Richmond Cern	" 31 8	Chairs, Deck	" 2 5 2	Powder, Boracic Acid	" per doz. 1 oz. pkts. 1 4
† Virginia Classics	" 37 5	" strong	" 2 12 6	" Carbolic Tooth, per doz. tins	1 7
Tobacco.		Combs	" 4 0	" Sealitz	" pkts. 0 10
† Bird's Eye Shag	per lb. 7 8	Cup and Saucer	" 3 9	Salts, Epsom's Fruit	" lita 28 5
† Bird's Eye (O'Brien's)	" 8 9	Dishes, China Meat	" 7 11	" Glycerin	" pkts. 0 6
† Canteen Shag	" 8 9	Dublin, Dale's	per doz. tins 1 8	" Chamber	" pkts. 0 3
† Duff's Cube Cut	" 16 10	Football, complete	each 17 0	Soup, Shaving	" sticks 3 0
† Friendship Tobacco	" 8 9	Glue	per doz. 25 2 5	" Toilet	" tablets 0 10
† Glasgow Mixture (Smith's)	" 10 0	Mirrors, Hand	per doz. 11 7	" Wright's Cool Tar	" per dozen tablets 3 11
† St. Julien (O'Brien's)	" 9 2	Plates, China Dinner	" 3 9	Vaseline	" tins 0 10
† Twist, Thick, Thin & Prun.	" 7 5	" Tea	" 1 7	Wool, Cotton	" packets 0 9
† Yankee Plug (Smith's)	" 6 3	Polish (Hunt) Cherry Blossom,	" 1 1	Refreshments, Fruit, &c.	
		Black & Brown	per doz. tins 1 1	Dry Ginger Ale, per doz. bottles	1 0
		Polish French (Hunt) per doz.	27 5	Shine Ginger Ale	" 1 5
		" White	31 0	Lemonade	" 1 0
		Pots, Coffee, 2-pint Enamel	" 2 3 1	Low Juice & Soda	" 1 0
		" Tea, 2-pint Enamel	" 1 6 9	Soda Water	" 1 0
		Scissors	per doz. pairs 12 8		
		Soup, Monkey Brand	" 2 2		
		Tacks	per doz. boxes 0 10		
		Wire, Flower	" tins 0 6 6		
Cigars, &c.		Clothing, Drapery, &c.		Groceries, Provisions, &c.	
† Cheroots	per hundred 9 6	Boots, Strong and Light	per dozen pairs £11 11 11 13 3	† Apples, dried	per cwt 27 2
† Cigars	" 13 9	Braces	per dozen pairs 12 1	† Cheese, Cheddar	" 5 3
† Marcella	" 23 4	Buttons, Iron Grey, Large	per dozen cards 0 11	† Cakes	per dozen (oz. 13) 3
† Cleaners, Pipe	" 0 7	" Dark Grey, Small	" 0 6	† Coffee (putty)	per cwt 8 6
† Bundles of 12	0 74	" per dozen cards 0 6		† Coffee and Cigars	" 7 10 10
† Batters, Cigarette, per doz.	3 5	" Shirt	" 0 6	† Coffee Essence, per doz. bottles	4 9
† Matches	per gross 3 10	Chalk, Tamar's	" 0 3	† Cream of Tartar	" lbs 1 12 10
† Paper Cigarette, per doz. pkts.	4 10	Clips	per doz. 13 1	† Eggs	per cwt 5 5 0
† Pipes, Best, 16	per doz. 4 2	Collars, Soft	" 4 11	† Flour, Maize	" 1 9 7
† Clay, 4d.	per gross 5 5	Cotton, Black	" reels 1 2	† Honey	per doz. jars 15 9
		" White	" 1 2	† Mustard	" tins 1 6
		Gloves, Woollen	" pairs 12 5	† Do. French	" lbs 12 11
		Hankies, White	" 5 6	† Do. ready-mixed in bottles	7 5
		Jerseys	" £3 15 8	† Noddies	" lbs 19 11
		Linens, Black	" yards 10 6	† On. Salad	" bottles 10 10
		" White	" 10 6	† Onions	per case 1 10 10
		Lining, Black	" 15 11	† Ormouls	per cwt 2 2 0
		" Sleeve	" 7 11	† Peas, Split	" 2 9 3
		Measures, Tailor's Tape, per doz.	4 9	† Potatoes	" 0 6 0
		Mufflers, Woollen, per dozen	15 9	† Pickles	per doz. bottles 7 2
		Needles, Darning	" packets 0 6	† Powder, Baking	" lbs 9 11
		Do. Sewing	" 0 6	† Do. Custard	" lbs 9 11
		Onions	each 11 7	† Do. Curry	" bottles 12 9
		Pins	" sheets 0 5	† Rice	per 2 cwt bag 3 3 11
		Shirts	" pairs 15 9	† Sapples	per doz. tins 8 10
		Shirts, Canvas	" 2 16 0	† Soap	" bottles 1 8
		Shirts	" 2 11 6	† Soda, Bicarbonate	" lbs 10 6
		Do. Pure Mink Wool	" 24 1 11	† Spice, Pickling	" lbs 5 11
		Socks	" 17 4	† Do. Pudding	" lbs 13 3
		Son. Woollen	" 15 9	† Tapioca	" bottles 3 8
		Suiting, Tweed	" yards £3 15 8	† Vinegar	per 6 gallon cask 0 13 3
		Ties	" 17 4	† Yeast	per 7 lb. 0 6 4
		Trimming, Suit	" sets £5 0 10		
		Tweed, Black	" yards 7 11		
		Wool, Black	" cards 6 1		
		Do. Grey	" 0 6		
		Do. White	" 0 6		

For daily issue to Prisoners of War employed on such work as the Government shall determine. In no other case will this additional food be given except on medical certificate.

1 Koli of Bread—2 ounces.

Cheese, Cheddar—one ounce.

Biscuits—4 ounces.

A payment of 1d. each will be paid on all Mineral Bottles returned.

* Indicates no further supplies of this article will be ordered after present stock is exhausted.

† Indicates that a restricted supply of this article will be issued in future.

APPENDIX XArticle 14B, Defence of the Realm Regulations,
as amended during the war

14B. Where on the recommendation of a competent naval or military authority or of one of the advisory committees hereinafter mentioned it appears to the Secretary of State that for securing the public safety or the defence of the Realm it is expedient in view of the hostile origin or associations of any person that he shall be subjected to such obligations and restrictions as are hereinafter mentioned, the Secretary of State may by order require that person forthwith, or from time to time, either to remain in, or to proceed to and reside in, such place as may be specified in the order, and to comply with such directions as to reporting to the police, restriction of movement, and otherwise as may be specified in the order, or to be interned in such place as may be specified in the order.

The Secretary of State may make any such order as aforesaid with respect to any alien in any case where in his opinion the making of the order is calculated to secure the safety of any British subject in any foreign country.

Provided that any order under this regulation shall, in the case of any person who is not a subject of a state at war with His Majesty, include express provision for the due consideration by one of such advisory committees of any representations he may make against the order.

If any person in respect of whom any order is made under this regulation fails to comply with any of the provisions of the order he shall be guilty of an offence against these regulations, and any person interned under such order shall be subject to the like restrictions and may be dealt with in like manner as a prisoner of war, except so far as the Secretary of State may modify such restrictions, and if any person so interned escapes or attempts to escape from the place of internment or commits any breach of the rules in force therein he shall be guilty of an offence against these regulations.

The advisory committees for the purposes of this regulation shall be such advisory committees as are appointed for the purpose of advising the Secretary of State with respect to the internment and deportation of aliens, or any committee specially appointed by the Secretary of State for the purposes of this regulation, each of such committees being presided over by a person who holds or has held high judicial office.

In any area in respect of which the operation of Section one of the Defence of the Realm (Amendment) Act, 1915, is for the time being suspended, this regulation shall apply in relation to any person who is suspected of acting or having acted or of being about to act in a manner prejudicial to the public safety or the defence of the Realm, as it applies in relation to persons of hostile origin or association.

In the application of this regulation to Scotland and Ireland, references to the Secretary for Scotland and the Chief Secretary respectively, shall be substituted for references to the Secretary of State, but an order under this regulation may require the person to whom the order relates to reside or to be interned in any place in the British Islands.

Nothing in this regulation shall be construed to restrict or prejudice the application and effect of Regulation 14, or any power of internment of aliens who are subjects of any State at war with His Majesty.

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G. Interviews

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Mr. W.R. Perks, CBE., retired Chief Inspector of Immigration, 21 February, 1977.

Mr. J.M. Ross, CBE., retired Head of Nationality Department, 15 January, 1981.

Mr. C.J.P. Ruck, CBE., retired Chief Inspector of Immigration, 4 February, 1977.

