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'Foreign nationals and internal borders in the United Kingdom during the First World War'

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On 8 February 1918, two Russian-born Jewish residents of Glasgow, a tailor named Harry Levine and the shopkeeper Leopold Coorgh, appeared before the sheriff court in the small Scottish port of Stranraer.[1] They were charged with attempting to cross the sea from Great Britain to Ireland without the permission of the local aliens officer, an act forbidden to anyone not holding United Kingdom citizenship. With them was Harry Collins, an Irish photographer, who had allegedly accepted payment to aid them in leaving Britain and disguising their Russian origins. All three pled guilty and each was compelled to choose between either a £50 fine or three months' imprisonment but the presiding magistrate declared that Collins was the worst offender, recommending him for further punishment for 'smuggling' people across what was, in effect, a new and selectively enforced border wholly internal to the territory of the United Kingdom.[2]

That boundary was short-lived. It sprang into existence in the summer of 1917 as an ad hoc measure to prevent foreign-born men of military age from exploiting Ireland's exemption from the British draft, and thereby escape the systems of mutual conscription erected by the Allied states in the latter years of the First World War. With the withdrawal of Russia from the war in early 1918, most potential 'friendly alien' soldiers became 'neutral aliens' and this internal United Kingdom border quietly lapsed. Yet the boundary left a legacy for those who transgressed it and its existence contributed to the permanent hardening of the United Kingdom's external borders. As this think piece will show, it was a remarkably visible indication of the complex tensions between the United Kingdom's foreign relations and its own structure as a multinational union, as well as between the competing imperatives of state sovereignty and territoriality and the rights of individuals under international law.

The modern external bordering of the United Kingdom is usually dated to the 1905 Aliens Act. This legislation, intended to stem the flow of perceived 'pauper' and largely Jewish immigration from eastern Europe, required ships with more than twenty non-UK

[1] Throughout this piece, 'Russian' will refer to subjects of the Russian state, whatever their national, linguistic, or religious identities.
[2] The National Archives, London, Home Office Papers (HO) 45/10822/318095/560, 'Smuggling Russians to Ireland, via Stranraer'; 'Bound for Dublin. Dublin Man's Plan to Help Two Russians', *Aberdeen Evening Express,* 9 Feb. 1918, p. 3; 'Russians and Military Service. Attempts to Embark for Ireland', *Scotsman*, 9 Feb. 1918, p. 7.

passenger to enter at one of fourteen specified ports. There, new immigration officers would inspect foreign nationals booked in steerage, but not first or second, class and could refuse entry to those deemed 'undesirable' or unable to 'decently' support themselves, unless they were political or religious refugees.[3] Yet this class-conscious external border was accompanied by relatively light internal controls. Although the home secretary could deport aliens convicted of certain crimes or who received parochial relief within a year of their disembarkation, resident aliens could live, move, and work freely throughout the realm. Legislation in 1870 had removed previous restrictions on their right to own real property and had forbidden their extradition for 'political offences'. Since their day-to-day lives were considerably unaffected by their 'alien' statuses, and since naturalization cost a steep £7 from 1911,[4] most aliens in the United Kingdom retained their original nationalities, even years after their arrival.

The First World War destroyed this state of affairs, ushering in a system of physical and behavioural restrictions for the United Kingdom's resident alien population of a comprehensiveness only last seen in the French wars of 1793-1815. The Aliens Restriction Act, which passed all three of its parliamentary readings and received royal assent on the single day of 5 August 1914, gave the government the power to summarily issue 'restrictions orders' which defined and curtailed the rights and activities of foreign nationals. All aliens were forbidden from residing in or entering certain, largely coastal, 'prohibited areas' without special permission, could not enter or exit the realm except in highly controlled circumstances, and were required to register their addresses, and any change thereof, with local police forces. 'Enemy aliens', of whom there were soon over 50,000 registered from Germany and more than 16,000 from Austria-Hungary,[5] were subjected to even harsher controls and from late 1914 and early 1915, German and Austro-Hungarian men of military age were interned and most of their co-nationals deported.[6] The relative latitude that they had enjoyed in Britain before 1914 was sacrificed to the demands of the war effort.

'Friendly' nationals also began to be deported as the United Kingdom assisted its allies in enforcing their military drafts. From August 1914, the Home Office recorded and reported the whereabouts of Frenchmen aged 20 to 45 living in Britain to Paris. Through 1915, policies for deporting these *insoumis* were formalized by the two governments. Belgian refugee men of military age, of whom about 70,000 had arrived in Britain during the

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[3] On the origins and operation of the legislation, see: David Feldman, "The Importance of being English: Jewish immigration and the decay of liberal England", in David Feldman and Gareth Stedman Jones (eds.), *Metropolis – London: Histories and Representations since 1800* (London: Routledge, 1989), pp. 56-84; Bernard Gainer, *The Alien Invasion: The Origins of the Aliens Act of 1905* (London: Heinemann, 1972); David Glover, *Literature, Immigration, and Diaspora in Fin-de-Siècle England: A Cultural History of the 1905 Aliens Act* (Cambridge: Cambridge University Press, 2012); Helena Wray, 'The Aliens Act 1905 and the Immigration Dilemma', *Journal of Law and Society*, vol. 33, 2, 302-323.

[4] Andreas Fahmeir, *Citizenship: The Rise and Fall of a Modern Concept* (New Haven, Yale University Press, 2007), p. 92.

[5] Cited in Jerry White, *Zeppelin Nights: London in the First World War* (London: Bodley Head, 2014), p. 70.

[6] Panikos Panayi, *The Enemy in Our Midst: Germans in Britain during the First World War* (Oxford: Berg) 1991 and *Prisoners of Britain: German Civilian and Combatant Internees during the First World War* (Manchester: Manchester University Press, 2012).

German invasion of 1914, were also shipped to the Western Front and by mid-1916 the British and exiled Belgian governments were jointly administering a formal conscription programme for Belgians throughout the United Kingdom.[7] These were ad hoc arrangements largely taken up at the insistence of the other Allied states. The introduction of the military draft to Britain in early 1916 meant that the attention of the British press and many politicians was turned more fully to the resident alien population who, as non-nationals, were exempted from conscription by domestic and international law.

The 25,000-30,000 Russian-born men were seen as a potentially valuable manpower resource and worries grew about community relations in London, Manchester, and Leeds as populist press outlets like the *East London Observer* stoked local resentment at the exempted, and mostly Jewish, Russians. In late June 1916 the home secretary Herbert Samuel therefore suggested that an agreement on joint conscription should be sought with Petrograd. An official convention was necessary both to meet international norms against the unilateral conscription of foreign nationals and because the United Kingdom and Russia had explicitly ruled out this practice between them in a treaty of 1859. However, Samuel's proposal was received coolly by a tsarist government uninterested in welcoming the return of Jewish emigrants and exiled political dissidents.[8] There was also domestic resistance amongst the Russian-born population, which formed bodies like the Foreign Jews Protection Committee and the Russian Anti-Conscription League, and their allies in the Union for Democratic Control, the National Council for Civil Liberties, the trade union movement, and radical and liberal papers like *The Call* and *The Manchester Guardian*. Forcing refugees from Russian tyranny to fight either directly for or indirectly in the name of the Romanovs was cast as an unconscionable betrayal of British traditions of asylum.[9] For now, international law and domestic politics both prevented the United Kingdom's government from exercising full control over the manpower resources on its territory.

This impasse was only broken by the Russian Revolution, which produced a Provisional Government that was committed to continuing the war effort while also proclaiming the civil equality of all of its citizens. Petrograd was suddenly more welcoming to the idea of émigrés returning and the humanitarian objections to fighting for Russia seemed to have been removed. Negotiations thus resumed, while parliament drafted the Military Service (Conventions with Allied States) Act to regularize processes of mutual conscription more broadly. Passed on 10 July 1917, this enabled bilateral agreements in which eligible resident aliens were given the opportunity to be returned to their native states for military

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[7] For the French and early Belgian deportations, see HO 45/10757/27253. For the conscription of Belgian men in Britain from 1916, see Michael Amara, *Des Belges à l'épreuve de l'Exil. Les réfugiés de la Première Guerre Mondiale. France, Grande-Bretagne, Pays-Bas* (Brussels: Éditions de l'Université de Bruxelles, 2008), pp. 299-301.

[8] For example, HO 45/10818/318095/4, 'Enlistment of Russian subjects: official statement as to'.

[9] For this anti-conscription campaign see Julia Bush, *Behind the Lines: East London Labour, 1914-1919* (London: Merlin Press, 1984), ch. 6 and Sharman Kadish, *Bolsheviks and British Jews: The Anglo-Jewish Community, Britain and the Russian Revolution* (London: Frank Cass, 1992), ch. 5. A representative contemporary piece is The Committee of Delegates of the Russian Socialist Groups in London, 'An Appeal to Public Opinion: Should the Russian Refugees Be Deported?' (London: National Labour Press, 1916).

service. After a period of a few weeks, those who had not signalled a desire to return were deemed eligible for the draft in the states in which they resided. The Anglo-Russian Military Convention following these guidelines came into effect on 16 July 1917 and similar agreements were subsequently struck with France, Italy, and the United States. Some 4,000 Russian-born men were repatriated under the Convention's terms over the next several months, while many more began to be called up into the United Kingdom's armed forces.

Yet even as it was building a system of international conscription with its allies, the United Kingdom's domestic draft did not cover the whole of its own territory. In 1916, Ireland had been exempted from conscription for fear that compulsion would be widely unpopular in the Irish nationalist community and would jeopardize the tentative, but significant, support for the war effort that the passage of the third home rule bill in September 1914 had secured across the island in the early years of the conflict.[10] This exemption from conscription was place-based, covering all those who physically lived on the island of Ireland, rather than being applied to those with a claim to Irish national identity, wherever they might live within the United Kingdom. Indeed, those who were usually resident in Ireland but visited Britain for extended periods had to produce exemption certificates, while some Irish living in Britain who opposed the war, including Michael Collins, removed themselves to Ireland to avoid being called up.[11]

The government immediately recognized that Russian or other foreign-born 'absentees' might do the same. In June 1917, even before the Anglo-Russian Military Convention was concluded, the Home Office limited the ports from which non-UK nationals could pass between Great Britain and Ireland to Glasgow, Liverpool, and Holyhead. At these three locations alien officers were to enquire after the nationality of all passengers and refuse embarkation to any alien that could not provide proof that they were normally domiciled in Ireland. All other ports were to deny even special travel permits to foreign nationals.[12] It was recognized that British absentees might also escape to Ireland, but since the volume of traffic between the two islands was so vast there was no attempt to enforce the same preventative checks on United Kingdom nationals. Instead, British recruiting officials pressed the Irish police to check the status of suspected British 'slackers'.[13] Preserving the peace in Ireland, all the more precarious in the years following the Easter Rising, while also prosecuting the war on the continent, had resulted in an ad hoc and selective border cutting across the Irish Sea.

Awareness that the Convention effectively did not apply in Ireland seems to have quickly spread through Britain's Russian-born communities. With the Aliens Restriction Act

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[10] On the interrelation of the promise of home rule, Irish nationalist support for the war, and the fear of conscription in Ireland, see Niamh Gallagher, *Ireland and the Great War: A Social and Political History* (London: Bloomsbury Academic, 2020), esp. ch. 5.

[11] For examples of Irish residents visiting Britain, see the National Archives, National Service Papers (NATS) 1/1048; On Collins, see Keith Jeffery, *Ireland and the Great War* (Cambridge: Cambridge University Press, 2000), p. 26.

[12] HO 45/10822/318095/472, 'Russians going to Ireland to evade military service'.

[13] Correspondence on this issue is in NATS 1/935.

forbidding their exit from the United Kingdom, Ireland became the most logical destination for those wanting to evade the draft. Frustrated officials began to alert the Home Office of a growing absenteeism amongst the Russian-born in cities like Leeds and Glasgow in the summer and autumn of 1917. One Leeds recruitment officer suggested that nearly one third of those called in the first half of October had failed to report. In January 1918 Auckland Geddes, the director of national service, complained to the War Office that 'the Russians make use of every possible subterfuge' to avoid the draft and that only 15% of those called up in the London region actually presented themselves for duty.[14] Several strategies were described by which draftees were making their way to Ireland and evading the new border. One was simply to purchase a first-class ticket, an act that allowed one to circumvent immigration inspection in the 1905 Aliens Act, on the assumption that booking clerks would expect that anyone doing so was likely to be British.[15] Explicitly posing as a UK national was another, as Leopold Coorgh did at Stranraer when he claimed to be 'Mr Wright'. More successfully, Sam Elsbury, leader of a garment workers' union, purchased the discharge papers of an ex-soldier named John Dillon and assumed Dillon's name for the rest of the war, passing between Britain and Ireland without trouble.[16] The deputy chief constable at Holyhead despaired that 'all an Alien has to do is learn to say "British, English, or Irish, etc. with a proper accent and he is quite safe provided he has not a decided foreign appearance'.[17] Others simply bypassed the ports altogether, paying for passage in small fishing boats and other vessels.[18] The press began to report on 'conspiracies' and 'organisations' of British- and Irish-born 'smugglers' charging Russians for assistance in getting to the British coast, evading law enforcement, and posing as UK nationals.[19] Harry Collins was alleged to have 'received considerable sums for helping other fugitives' before he was caught with Coorgh and Levine, and he confessed to his attorney that a wider network of smugglers was operating out of Glasgow.[20] Though there were no specific estimates of the numbers evading this border, absentee Russian communities were reported to be emerging in Dublin and Belfast.[21]

Though local officials requested stricter enforcement, the Home Office was reluctant to intensify the existing identity checks. Available aliens officers were scarce and there was a laconic acceptance that 'an effective control of Holyhead or Dublin will drive absentees on to the other routes'. The fact that some absconders were apprehended, presumably acting as a

[14] HO 45/10822/318095/499, 'Russians in Leeds proceeding to Ireland to evade Military service'; Ministry of National Service to the War Office, 2 Jan 1918, in NATS 1/920.
[15] HO 45/10822/318095/472, 'Russians going to Ireland to evade military service'.
[16] Kadish, p. 207.
[17] HO 45/10822/318095/500, 'Military Service (Convention with Allied States) Act 1917'.
[18] HO 45/10822/318095/499, 'Russians in Leeds proceeding to Ireland to evade Military service'; HO 45/10822/318095/500, 'Military Service (Convention with Allied States) Act 1917'.
[19] 'Evading Military Service. Russians Escape to Ireland', *Northern Whig*, 3 Sept. 1917, p. 6 and 'Smuggling Jews to Ireland. Alleged Conspiracy to Escape Military Service', *Northern Whig*, 12 March 1918, p. 6.
[20] 'Bound for Ireland. Dublin Man's Plan to Help Two Russians', *Aberdeen Evening Post*, 9 Feb. 1918, p. 3; 45/10822/318095/560, 'Smuggling Russians to Ireland, via Stranraer'.
[21] HO 45/10822/318095/482, 'Russians of military age who have left for Ireland'

deterrent for others, was accepted as sufficient control of at the key ports.[22] Moreover, there were more flexible and less demanding ways to enforce the border. Because it was internal to the United Kingdom, law enforcement in Britain and Ireland could cooperatively enforce the border retrospectively. Hyman Swern, a tailor from Leeds, was arrested in Dublin for residing in a 'prohibited area', as the whole of County Dublin was categorized under the Aliens Restriction Act. This alerted the Leeds authorities to his whereabouts, and he was transported back to England and charged with absenteeism.[23] And anyone absent from their registered address for an extended period of time also fell foul of the Aliens Restriction Act. Several Russian nationals suspected having gone to Ireland to avoid conscription were therefore prosecuted for this lesser infraction after they resurfaced.[24] Similar charges could be laid against the friends and family of absentees, as when Mendel Craft was fined 20s for failing to notify the police that his housemate, the twenty-seven year-old Bernard Jacobson, had absented their shared lodging.[25]

The Anglo-Russian Military Convention came to a halting end in the early months of 1918. Uncertainty hung over its operation after the second Russian Revolution and particularly from the announcement of the armistice between the Bolshevik government and the Central Powers in December 1917. With fighting on the Eastern Front ending and London and Petrograd now having no regular relations with one another, 'Nobody knew what Russia was now, or who they were with'.[26] A 'test case' in January 1918 involving the call up of Nathaniel Brodkin, a Russian-born resident of Manchester, saw the courts initially rule that Russians could still be conscripted into the British army, a decision that outraged the British left.[27] Maxim Litvinov, recently a political refugee in England and now the de facto Soviet ambassador, denounced the Convention and the continued conscription of Russian nationals. Lloyd George's cabinet therefore decided on 13 February 1918 that 'if we had to break with the Bolsheviks, we should break on grounds which would be supported by International Law, and that to enforce the convention under existing circumstances, by which we should be recruiting neutral subjects, would be indefensible.'[28] The conscription of Russians therefore quietly ceased, though those that had already joined the British army were not discharged, and the government attempted to convince others to join non-combatant labour battalions.[29] In response to continued complaints of from Glaswegian officials about Russian 'shirkers' going to Ireland, the Home Office simply noted that the 'incentive to escape is removed for the present'.[30]

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[22] HO 45/10822/318095/500, 'Military Service (Convention with Allied States) Act 1917'.
[23] 'Leeds Russians Who Fled to Ireland', *Yorkshire Evening Post*, 23 Nov. 1917, p. 5.
[24] 'Russians Who Returned', *Daily Record*, 12 March 1918, p. 4.
[25] 'The Russian's Return. Twice Fined after Shirking in Ireland', *Manchester Evening News*, 15 March 1918, p. 3.
[26] 'Born in Russian Poland. Flocking to Ireland to Avoid Military Service', *Evening Herald*, 22 Feb. 1918, p. 3.
[27] 'Is Russia Still Our Ally?', *Woman's Dreadnought*, 26 Jan. 1918, p. 3.
[28] National Archives, Cabinet Papers (CAB) 23/5/7, p. 4.
[29] 'Russian Jews and the Army', *East London Observer*, 30 March 1918, p. 3; Kadish, p. 220. See also minute book of the Manchester Foreign Jews Protection Committee, Manchester Central Library, pp. 51, in Manchester Central Library M/239/2.
[30] HO 45/10822/318095/557, 'Russian Subjects Going to Ireland to Evade Military Service'.

Yet although that incentive was removed, and with it justification for preventing journeys by foreign nationals between Britain and Ireland, the effects of this ad hoc border lingered. Prosecutions for violations of the Alien Restrictions Act, principally for not informing police of absences from registered addresses, continued apace for those that had gone to Ireland.[31] Moreover, the end of the war did not signal a return to the status quo ante bellum for the United Kingdom's resident alien population. Four years of bitter warfare and widespread horror at the Russian Revolution and Civil War meant that a far more xenophobic political culture had taken hold, confirmed by the results of the general election of December 1918. In 1919 a new Aliens Act was passed that extended many of the provisions of the temporary legislation of 1914 into peacetime, including the summary deportation of aliens whose presence were thought incompatible with 'the public good'.[32] Meanwhile British intervention in the Civil War against the Bolsheviks made many officials view the Russian-born populations of Britain as near-'enemy aliens'. The expulsion of Russians, particularly for suspected Bolshevik or other radical sympathies, therefore accelerated. The legacy of the Anglo-Russian Military Convention played a role in this campaign of deportations. In response to a request for clarification of Russian nationals' statuses from Bernard Langdon-Davies, secretary of the National Council for Civil Liberties, the Home Office noted that while they were no longer liable for military service 'most if not all of them will have committed offences' against the Aliens Restriction Act by furtively changing their addresses. Therefore, these men 'who have skulked and evaded military service seem very suitable cases for deportation to Russia as soon as such a course becomes practicable'. They could not 'be regarded as having any strong claim to a continuance of the hospitality which they have hitherto enjoyed in this country'.[33] The now-defunct internal boundary of 1917-1918 had become one of the mechanisms used by the British state to enforce its thickening external borders.

[31] 'Russians Who Returned', *Daily Record,* 12 March 1918, p. 4.
[32] David Cesarani, "Anti-Alienism in England after the First World", *Immigrants and Minorities*, vol. 6, no. 1, pp. 5-29; Colin Holmes, *John Bull's Island: Immigration and British Society, 1871-1971* (Basingstoke: Macmillan, 1988), p. 112-114.
[33] HO 45/10823/318095, 'Legal position of young Russians in U.K'.