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First World War Internment in Canada

Enemy Aliens and the Blurring of the Military/Civilian Distinction

BOHDAN S. KORDAN

Abstract: In Canada during the First World War, where aliens of enemy origin were increasingly without work and destitute, internment offered a solution. Interned as prisoners of war (POWs)—a designation that sanctioned voluntary work unrelated to the war—such individuals were sent to frontier labour camps. Their POW designation, however, afforded them certain protections under the laws of war while their status as civilian prisoners suggested they were entitled to even greater consideration than captured combatants. Yet it was precisely their status as civilians that obviated any such consideration. They were not POWs as was conventionally understood. They were interned civilians without rights—enemy aliens—and would be treated as such. This blurring of the military/civilian distinction in Canada would lead to the mistreatment of interned enemy aliens and in the process define the First World War Canadian internment experience.

The introduction of military conscription and the rise of national armies culminated not only in the globalisation of war but also its radicalisation during 1914 to 1918. Mass mobilisation placed civilians at the centre of the conflict by highlighting their role as potential combatants. War was now being experienced on the home front as civilians were brought into the struggle.¹ This would

transform the nature of conflict in the twentieth century, levelling the distinction between combatant and non-combatant while challenging the normative, cultural boundaries that existed between the two. The very concept of enemy was reinterpreted. Indeed, reconstituted so as to include civilians and entire nations, the threat, once vague and distant, was now seen as clear and imminent. Nevertheless, the devastating effects of a world at war gave rise to an ancillary question: was it still possible to lessen war’s most egregious effects on civilians?

Foreshadowing the totality of war in the twentieth century, the 1907 Hague Convention tenuously set out terms that offered some protection to civilians. It held, for example, that civilians of enemy origin, if directly implicated in hostilities, could be interned and treated as prisoners of war (POWs). In this sense, they possessed the limited rights extended to POWs or, at the very least, “not be exposed to worse treatment than their military counterparts.” The convention, in effect, gave expression to the notion that even in the darkness of war, civilised behaviour could be expected. However, the idea that those civilians of enemy nationality who resisted and were taken prisoner could still be granted protection under the laws of war also provided confidence that those not involved in the conflict would neither be harmed nor interfered with in any way if they followed the laws of the land. This was especially germane for those who chose to immigrate. Through settlement, they demonstrated a commitment to their adopted homeland. For such individuals, made vulnerable by conflict, the expectation was that the host country would exercise restraint and moderation and extend to them the same protections under the law as were enjoyed by the general population.

However, this was war and nothing could still or satisfy suspicious minds, underscoring the grip that the culture of war had on society.

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4 The sheer scale and brutality of violence on the battlefield threw social relations into disarray. It also gave rise to a culture of war characterised by a heightened sense of grievance and animosity, which resulted in an intense hatred of the enemy and suspicion of outsiders. This suspicion was nurtured by sensationalist accounts of the enemy’s brutality and duplicity. For a discussion of the impact of “war culture,” see Matthew Stibbe, “Captivity, Forced Labour and Forced Migration during the First World War,” *Immigrants and Minorities* 26, 1–2 (2008): 11–12.
The feeling that the threat was immediate and far-reaching would mark as foes all those who, without naturalisation, could trace their origins to enemy lands. The national mobilising aspect of modern warfare reinforced this attitude. Accordingly, for these everyday immigrants living through the turmoil of war, the contradiction of being invited as settlers yet held in suspicion raised a series of questions. What did the concept of an enemy alien mean in the context of modern war? If they did not engage in hostile acts, could the “necessity of war” still result in their internment as POWs? If so, under what conditions or circumstances?

During the First World War, in Canada, un-naturalised civilians originating in lands at war with Britain and its empire were designated “enemy aliens.” This designation framed a policy that led to a mass surveillance system. The system would eventually see more than 80,000 individuals of enemy origin register and report to officials tasked with monitoring their movement and status. It also resulted in 8,579 people, principally civilians, being interned as POWs. Central to their predicament were the difficult economic conditions in the country, notably rising unemployment. The economic crisis at the war’s outset led to distinctions being made between the native-born and immigrant—those without means but warranting support and

5 Stibbe, “Civilian Internment and Civilian Internees in Europe,” 55.
those less deserving because of their tenuous relationship to the nation. The conflict, however, magnified this difference. For immigrants tracing their origins to lands now at war with the Empire, it was not simply that they were unemployed; rather, classified as enemy aliens, they were also thought to be adversaries. This presented a dilemma. As persons in need of assistance, how might the belief that they were enemies—a function of their designation as enemy aliens—be reconciled more generally with the fact that, not being involved as combatants, they were blameless and therefore deserving of consideration?

In South Africa and India at the turn of the century, the British created internment camps for purposes of sanitary surveillance and social control during periods of famine, pestilence and conflict. As expressions of the Empire’s interest in imposing order and discipline upon its colonial frontiers and the liberal impulse to provide, through quarantine, relief against displacement, disease and starvation, internment camps often represented contradictory objectives. They served simultaneously as places of detention and refuge. In Canada, this dualism found its way into the rationale behind internment. Although regarded as places of confinement and incarceration, the camps were also seen as havens, where work would be provided to those who were without.

But what did this mean for civilians interned as POWs, in whose persons the distinction between combatant and non-combatant, soldier and civilian, was blurred? How were they to be treated and how would Canada’s actions be received? Moreover, what did this say about the law of nations and the dictates of public conscience at a time when humanity was being tested and the laws of war needed to be followed? These questions were important given the implications that the practice of internment would have for those who languished behind Canadian barbed wire, underlining the bewildering set of circumstances that confronted innocent settlers during a time of conflict and great upheaval.

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6 For a description of the role and purpose of internment camps in the colonies of South Africa and India at the turn of the century, see Aidan Forth, *Barbed-Wire Imperialism: Britain’s Empire of Camps, 1876–1903* (Oakland: University of California Press, 2017), 43-99.

CIVILIANS AS POWS: PERSPECTIVES AND RATIONALE

In August 1915, while travelling by motorcar to the military training camp at Petawawa in northern Ontario, the governor general’s adjutant, Lieutenant-Colonel Edward Stanton, observed teams of men with picks and shovels making improvements to the road under the supervision of soldiers. He was informed that the prisoners were civilians of enemy origin who were interned at the nearby military training facility. This came as a surprise to him. How was it that they were engaged in heavy, manual labour under armed guard? Was this not contrary to convention? He conveyed his concerns to Canada’s acting under-secretary of state. The under-secretary responded that adverse economic conditions had forced the Canadian government to intern enemy aliens and that in this matter the government had no other recourse. Stanton was told that since these individuals had “to be supported by the authorities of Canada, the status of prisoners of war and the regulations governing their custody and maintenance [were] accorded and applied to these unfortunate aliens of enemy nationality who necessarily became a public charge.”

At issue was the level of unemployment among the enemy alien population. Large numbers were affected by the downturn in the economy at the start of the war, resulting in dismissal from places of work. In the tense atmosphere of uncertainty augmented by war, with questions of duty and loyalty quickly taking shape, it was felt that individuals with personal ties and emotional attachments to either Austria-Hungary or Germany were not to be cosseted. Also a concern was the problem of enemy aliens fleeing across the international border to the neutral United States in search of work. Making their way to America, and then possibly back home and to the frontlines, it was felt they presented a security challenge. Estimating that 100,000 or more enemy aliens would be without work in advance

8 A range of correspondence occurs between various parties with respect to the episode. See the Hon. W. H. Walker, Acting Under-Secretary of State for External Affairs, to Major-General Wm. [William] Otter, Director, Internment Operations, 12 August 1915; Lieutenant-Colonel D. Macpherson, Staff Officer, Internment Operations, to Walker, 13 August 1915; Lieutenant-Colonel E. Stanton, Secretary, Governor General of Canada, to Walker, 13 August 1915; Walker to Stanton, 14 August 1915; and the Hon. George E. Foster, Acting Under-Secretary of State for External Affairs, to His Royal Highness the Governor General in Council, 25 August 1915, RG 25 G1, vol. 1156, file 48-1, Library and Archives Canada [LAC].
of the approaching winter and concerned about unemployment, the
government looked to internment as a solution.

Under the War Measures Act of August 1914, which granted
the Canadian government broad emergency powers, officials issued
Order-in-Council PC 2721.\(^9\) Introduced on 28 October, the ordinance
expanded the original security measures of the act by initiating
an extensive registration system to help monitor the activities of
enemy aliens. More importantly, the Order-in-Council tasked the
Canadian militia with overseeing the maintenance of enemy aliens
as war prisoners while also authorising their labour. The ordinance
was categorical in its instruction that enemy aliens who lacked the
means to remain in the country were to be interned as POWs and
put to work.

The security measures first introduced as a precaution under
the War Measures Act—countering insurrection and announcing
censorship, for example—had now been broadened considerably to
deal with the problem of enemy alien unemployment. The practice
of interning civilians, of course, was not unknown. During the late
nineteenth and early twentieth centuries, Britain had used internment
as a catchall to address a series of challenges on its colonial frontier,
a precedent that indirectly shaped the Canadian experience.\(^10\) Still,
the way it was being conceived in Canada raised important questions
about its purpose and even lawfulness. How legitimate was it that
civilian enemy aliens could be interned as POWs for the purpose of
putting them to work?

The legality of work performed by civilians as prisoners became a
matter of political discussion at the highest levels following Stanton’s
inquiry. The deputy minister of justice, Edmund Newcombe,

\(^9\) For a full discussion of Order-in-Council PC 2721 and its effect, see Bohdan
Kordan, “They Will Be Dangerous: Security and the Control of Enemy Aliens in
Canada, 1914,” in Canadian State Trials, Volume 4: Security, Dissent and the Limits
of Toleration in War and Peace, 1914–1939, ed. Barry Wright, Eric Tucker and
Susan Binne (Toronto: University of Toronto Press, 2015), 54–62.

\(^10\) “Building on colonial precedents, World War I internment camps emerged out of
a culture of confinement shared across the Western world. The Anglo-Boer War did
not cause future episodes of concentration in any reductive sense. But it marked an
important step in larger global developments: a ‘guilt by association’ logic, pioneered
in South Africa, prevailed more and more in the age of ‘total war,’ as animosity
extended from soldiers to civilians, who were reimaged as members of suspect
collectivities. In this way, Britain’s nineteenth-century empire of camps contributed
to the erosion of earlier cultures of military captivity that had restricted internment
solely to armed combatants.” Forth, Barbed-Wire Imperialism, 219.
adamantly defended the government’s position, arguing that the aim of internment was to afford “some occupation for people who must necessarily, in the interest of humanity, be maintained at the public expense.” The actions taken, he asserted, “were in accordance with our domestic system to employ at such labour as they are qualified to perform … And neither the state of war nor any rule sanctioned by international convention or practice requires that destitute people of any nationality when seeking relief from the State should be immune from a similar requirement.” He added that the treatment accorded them as POWs was not to be considered a hardship; rather, it worked to their advantage and alleviated their distress.

Newcombe was convinced that there was nothing illegal in the government’s actions. Since they were jobless, homeless and penniless, the government was justified in putting enemy aliens to work—not only because, as POWs, they were required to do so for their own maintenance, but it also followed the domestic practice of making paupers and vagrants work in exchange for relief. Newcombe further claimed the government’s actions were motivated by generosity and benevolence. These were people in need and by addressing their suffering the government was in fact acting compassionately, giving voice to the idea that, even under the trying circumstances brought about by war, the guiding hand of mercy was still at work. Newcombe’s argument mirrored the contradictory objectives associated with the practice of internment. Its function was to provide relief, albeit under certain conditions, to the homeless and jobless. The issue, however, was whether this interpretation followed international convention.

Despite these bromides, the government’s position did not persuade or satisfy Canada’s adversaries. Germany, which took an abiding interest in the welfare of its co-nationals abroad, argued that interned enemy aliens were non-combatants and thus to be

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11 The legal opinion was submitted as a report to the Committee of the Privy Council. The tenets of the report were approved by the Governor General on 28 August 1915 as PC 2039. R. Boudreau, clerk of the Privy Council, 28 August 1915, RG 6 H1, vol. 819, file 2616, LAC.
12 Boudreau, clerk of the Privy Council, 28 August 1915, LAC.
treated in a manner consistent with their civilian status.\textsuperscript{14} Canada rejected this claim, stating that, since no provision had been made for the maintenance of these individuals by their country of origin—effectively abandoning them—and to avoid having them become a public charge, the status of POW would apply.\textsuperscript{15} This reasoning followed from Order-in-Council PC 2721 authorising the internment of enemy aliens who lacked the means to maintain themselves. But were they simply \textit{civilian internees}, as the German authorities maintained, or POWs in the conventional sense of the term?

That the government’s position was problematic became apparent when an application was referred to the judge advocate general requesting that a district court martial be convened against two internees at Fort Henry in Kingston, Ontario, who were caught trying to escape by breaking through the fortress’s stone wall. The judge refused the application, principally on the grounds

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\textsuperscript{14} “Note Verbale” to the Embassy of the United States of America, 19 June 1915, RG 25 G1, vol. 1176, file 15, part II, LAC.
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\textsuperscript{15} Duke of Devonshire, the Governor General of Canada, to Bonar Law, Secretary of State for the Colonies, 25 July 1915; and Law to the Governor General, 27 July 1915, RG 25 G1, vol. 1156, file 48-1, LAC. On the Canadian position, see Boudreau, clerk of the Privy Council, 28 August 1915, LAC.
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that the men were not POWs but merely interned civilians.\textsuperscript{16} The opinion of the military judge compelled the director of internment operations, Major-General William Otter, to seek clarification from the minister of justice, fearing as he did that “we may be acting illegally.”\textsuperscript{17} Defending the government’s position, Newcombe, the deputy justice minister, invoked the ruling in the British case of \textit{The King v. Superintendent of Vine Street Police Station, Ex parte Liebmann} (1916) 1 K.B. 268: “An alien enemy resident in the United Kingdom, who, in the opinion of the Executive Government, is a person hostile to the welfare of this country and is on that account interned, may properly be described as a prisoner of war although not a combatant or a spy.”\textsuperscript{18} Newcombe went further. Citing the 1914 \textit{Manual of Military Law}, which contained a section on imprisoning enemy aliens, he noted: “Such prisoners are not civil prisoners; they are taken into captivity for military reasons, and they are therefore prisoners of war.”\textsuperscript{19}

According to the Canadian government, interned enemy aliens were POWs to whom the laws of war applied. The government’s rationale was based on the argument that these individuals were apprehended and interned for “military reasons.” They were also deemed “hostile to the welfare of the country.” Arrest records, however, revealed no such evidence.\textsuperscript{20} At issue were the desperate personal circumstances and challenges confronting the enemy alien—conditions which, incidentally, faced the native-born as well. Unemployment was ubiquitous. In this regard, the problem was not particular to aliens of enemy origin; yet they were selectively targeted for internment. How then were the government’s actions to be explained?

Internment was seen initially as a benign measure—a way to address the indigence of this demographic. But in fact, it masked a deeper underlying issue. By the selective targeting of this group (as separate from the wider population), it became plain that these

\textsuperscript{16} Major-General Wm. Otter to the Hon. C. J. Doherty, Minister of Justice, 3 November 1916, RG 13 A2, vol. 1929, file 1633-1916, LAC.
\textsuperscript{17} Major-General Wm. Otter to the Hon. C. J. Doherty, Minister of Justice, 3 November 1916, LAC.
\textsuperscript{18} E. Newcombe to Major-General Wm. Otter, 22 November 1916, RG 13 A2, vol. 1929, file 1633-1916, LAC.
\textsuperscript{19} E. Newcombe to Major-General Wm. Otter, 22 November 1916, LAC.
\textsuperscript{20} For examples of arrest records, see RG 117, vol.14, file “Correspondence – Release of Prisoners,” LAC.
people were owed no protection. Animated by misguided patriotism or, more simply, unfounded fear and bigotry, the enemy alien was disavowed. This was not lost on those affected most: the internees themselves. In Vernon, British Columbia, where an internment camp had been established on the Canadian frontier, a small group of prisoners sent a petition to the king’s representative, the governor general. Convinced that their internment was unjust, they sought to place on record their principal grievance: that the country they once called their own had betrayed them.

Central to their argument was the fact that Canada had invited them to leave their lands of birth and settle as homesteaders between its shores. For the petitioners, this placed Canada under a moral obligation to extend to them the same protections it afforded to native-born citizens. Since they had followed the government’s official rulings and orders, they claimed that their rights should not have been suspended. More particularly, they argued that the suspension of their liberty—a foundational right—was the result of an ill-considered policy fuelled by animosity and groundless fears. They believed that political intrigue was at work, since their internment had little to do with anything they had done. Rather, they were convinced that their internment was based simply upon who they were and whence they came:

In the case of nearly all of us, we were deprived of our liberty for no other reason than just because we were Germans. Since no proof of guilt was required against us, suspicion, however unfounded, sufficed. It was a welcome for many, who owed us money, wanted our farms, or thought they had a grievance against us to denounce us as pro-German in order to escape the necessity of paying their debts or getting a cheap, but powerfully effective revenge for their supposed grievances.

Brock Millman argues that the punitive, repressive approach adopted by the state, whereby enemy aliens were subjected to “an exceptionally repressive wartime judicious regime,” derived from the need to control residents of doubtful allegiance. But more deeply, it reflected the need for British Canada to consolidate its dominant communal identity while minimising challenges to the country’s unity at a time of crisis. Brock Millman, Polarity, Patriotism, and Dissent in Great War Canada, 1914–1919 (Toronto: University of Toronto Press, 2016), 14.

Internee Camp Committee to the Governor General of Canada, 8 February 1919, RG 13 A2, vol. 233, file 422-42, LAC.

Internee Camp Committee to the Governor General of Canada, 8 February 1919, LAC.
According to the petitioners, the policy of internment was discriminatory at its core. They were peaceful and law-abiding, simply going about their daily affairs, posing no danger to others let alone the country. They willingly left the past and old ways behind them. Canada was now their adopted home. As such, they expected fair dealing. So how was it possible that they should be held in suspicion and treated unfairly?

The answer, in part, was to be found in the Canadian government’s “Proclamation Respecting Immigrants of German or Austro-Hungarian Nationality,” issued at the onset of the war on 15 August 1914, which placed immigrants from these countries on notice that they would be subject to restrictions and prohibitions and identified those without Canadian citizenship as alien enemies. Embedded in the decree was the notion that immigrants from countries now at war with the British Empire posed a threat in the implied understanding that, even though they had quit their places of origin, their homeland ties compelled them to think and act in terms that threatened their adopted country. Indeed, the Proclamation of 15 August made clear that only those who did not act on their foreign loyalties would be left in peace. In this regard, an accompanying undertaking was required of aliens of enemy origin:

I do hereby declare that I am a German (an Austro-Hungarian) subject; I now, in consideration of my exemption from detention as a subject of Germany (Austria-Hungary), do hereby undertake and promise that I will report to such officials and upon such terms as the Canadian authorities may from time to time prescribe; that I will carefully observe the laws of the United Kingdom of Great Britain and Ireland and of Canada and such rules as may be especially laid down for my conduct; that I will strictly abstain from taking up arms and from doing any act of hostility towards the Government of this country.24

The government appeared to demonstrate even-handedness in allowing enemy aliens to go about their business. Nonetheless, with the application of the “enemy alien” label, they were depicted as foes. Made enemies through negative inference, both the Proclamation and

24 Canada, Department of the Secretary of State, Copies of Proclamations, Orders in Council and Documents Relating to the European War (Ottawa: Government Print Bureau, 1915), 49–52.
undertaking implied that such individuals were naturally inclined to do harm. The measure was deliberately open-ended, giving officials the legal authority to intern any enemy alien.

The security question, however, had also become racialised. Who you were and whence you came had become as important as what you did, thus highlighting the radicalising nature of modern war. No matter how innocuous, any behaviour on the part of the supposedly disloyal enemy alien civilian was viewed with suspicion and alarm. Rumours and denunciations, consequently, were rife, elevating the public’s disquiet over the presence of presumed enemies in the country. Scheming enemy aliens were thought to be everywhere, biding their time, waiting for the right moment to strike. Infused

Suspicious and unusual occurrences were attributed to agents and saboteurs. As a result, private denunciations against suspect enemy aliens inundated the government and other officials. These ranged from the banal (“He is well off but has no visible means of support”) to the ridiculous (“Must be a spy because he is a clever man who wears glasses and peddles books”) to the completely outrageous (“He looks to be a German and if not a German he at least owns a German Shepherd”). For but one example, see Wm. A. McCulloch to Colonel Young, Kingston, and the Officer Commanding Division III, 1 December 1914, RG 24, vol. 4413, file 26-3-12 (3), LAC.
with paranoia, this mindset was instrumental in further blurring the distinction between combatant and non-combatant.

What happened next stemmed from the belief that, in the context of war, enemies needed to be controlled. Registration centres were established in eleven cities where enemy aliens were most concentrated (a system later extended beyond these communities). Identity cards were issued to assist in monitoring their movements, while also ascertaining their residential and economic status. Police were instructed to make due inquiries and conduct arrests. Those found in violation of any Order-in-Council were at once interned; but so, too, were those discovered to be without work or abode or penniless. So targeted, some took to crossing the border. Many others hid, nestling within their communities.26 But not everyone could do so, as the thousands interned could attest.

All of this occurred, however, because war had made those who could trace their origins to enemy lands into much-maligned figures to be loathed and feared—they were enemies. Yet the truth of the matter was that they were settlers. Moreover, those interned behind Canadian barbed wire were civilians who had been made into POWs. What, then, were the implications of the internment and treatment of civilians as POWs?

**CIVILIAN POW INTERNMENT: PREDICAMENT, PLIGHT AND PROTEST**

The Hague regulations governing the treatment of POWs were unequivocal. The Hague Convention authorised the work of prisoners as long as it was unrelated to the operations of the war, provided for their maintenance and wellbeing and was not excessive, dangerous or coerced. Those who worked were to be compensated with pay rates according to a military schedule. Meanwhile, in an effort to minimise the mental anguish associated with captivity, POWs were to be shielded from public humiliation and other indignities. Reserve

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26 In Alberta, large numbers of enemy aliens who had been arrested and then paroled in the early stages of the war failed to report even though there were consequences for not doing so. It was reported that their whereabouts could not be traced. See memorandum, Laurence Fortescue, Royal North West Mounted Police Comptroller, 26 November 1914, RG 25 G1, vol. 1150, file 1463, LAC.
military officers or prisoners of an “officer class” would be segregated from enlisted men, who in turn were classified de facto as second-class prisoners. Prisoners, of course, were expected to abide by a code of conduct, with violations resulting in punishment. Lethal force was sanctioned to prevent escapes. Underpinning all of this was the principle that POWs recognised the authority of their captors and had submitted to them by laying down their arms. Conversely, interning authorities assumed responsibility for the security and welfare of POWs. From this perspective, the relationship between captor and prisoner was infused with the spirit of civilised behaviour, while the justice in the relationship was defined by respect and a mutual recognition of their roles and responsibilities.27

For Canadian officials, the internment of enemy aliens as POWs was important because it lawfully sanctioned the state’s use of their labour. Since interned enemy aliens could work for their own maintenance as POWs, it was felt there was nothing unlawful about the measure. However, this also meant that they would be subject to the rules governing POWs, such as being granted protection under the laws of war. In this regard, according to convention, internees could work if properly compensated, but could not be forced. In this context, some took up work willingly.

However, did the state enjoy the same legal authority to sanction the use of civilian enemy alien labour as it did with traditional POWs? And what of those who refused to work? Could they be compelled? The law of war pertaining to the treatment of interned civilians was unclear on these points. Though made real by states pursuing policies of systematic internment on the basis of perceived military necessity, the issue of the rights of civilian enemy aliens as war prisoners remained unclear.28 Prior to the First World War, it was unforeseen as a matter of practice that civilians would be interned as POWs in large numbers. There were, of course, international provisions regarding the internment of individual enemy civilians engaged in sabotage or espionage. But there was little guidance regarding the


application of a broad policy that would see civilian enemy aliens interned en masse. This lacuna in law provided an opportunity.

In Canada, the ambiguity in the status of interned enemy aliens not only allowed for the widest possible interpretation of the law, but also made it possible for civilian prisoners to be put to work. It was argued, for example, that there was nothing legally prohibiting their deployment on public projects since they were unemployed and indigent. This rationale followed from the wider sentiment that those who were without work could be expected to cut wood or break stone in exchange for relief. In the domestic setting, the popular work ethic of the “stonepile” had practical meaning, being seen as a remedy for vagrancy and idleness. The same logic and expectation applied to having unemployed enemy aliens labour in internment camps on the frontier. The purpose was to have them off the streets, out of view, and engaged in productive labour. This idea, however, was contingent on the understanding that enemy aliens were civilians to whom domestic rules applied.

The need to represent interned enemy aliens as civilians did not in any way vitiate their standing as POWs. They were still considered war prisoners, since this justified their internment and sanctioned the use of their labour. Yet it was their standing as civilians that allowed for them to be compelled to work inasmuch as the protection extended to traditional POWs would not apply; after all, they had not been captured on the field of battle. This combination of being considered both civilians and POWs, no matter how much in tension, would have implications. Thousands of destitute and homeless enemy aliens were immediately arrested and interned as POWs with the issuance of the Order-in-Council on 28 October 1914, lending cover to the goal of authorising their work. It was their status as civilian prisoners, however, which ensured that there would be no impediment in compelling them to do so.

The internment facilities that were created as labour camps in the wilderness of the Canadian frontier saw unemployed and indigent enemy alien civilians—mostly from labouring backgrounds—forced to work under military watch. Meanwhile, the organisation of these detention facilities as labour camps answered the criticism that

29 Palmer and Heroux, “‘Cracking the Stone,’” 28–46.
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would be seen “as a lazy man’s haven.” William J. Roche, the interior minister, was candid and clear as to the purpose of such camps: rather than “allowing them to eat their heads off,” unemployed enemy aliens would be forced to work. It also helped placate a clamorous public that demanded the removal of enemy aliens, who were competing for jobs, from the Canadian economy. Enemy aliens represented a liability and for the native-born population the argument was basic: these were enemies who had made their way into the country and Canada had to be rid of them—or, at the very least, they should be sent to frontier labour camps to “work out their anti-British spleen upon good, tough Canadian stumps.”

In keeping with public opinion and the government’s political direction, civilian POWs were compelled to work at the various internment camps on the frontier. But there were other extenuating circumstances that enabled the policy and practice of internment

30 The Hon. Arthur Meighen, Solicitor General of Canada, to the Rt. Hon. Robert Borden, Prime Minister of Canada, 28 August 1914, Robert Borden Papers, MG 26 H1(c), vol. 191, reel C-4388, 105951, LAC.
31 Canada, House of Commons, Hansard, 15 February 1916, 849.
to unfold as it did. From the start of the war, it was evident that internment would be a costly affair. Large numbers of individuals were being processed as war prisoners following the promulgation of Order-in-Council PC 2721 on 28 October 1914. The shortage of space in existing military prisons and provincial jails, as well as the decision to have enemy aliens put to work, led to a number of innovations. To lessen the financial burden of their incarceration, partnerships were formed between internment operations, provincial governments and federal departments, including the Dominion Parks Branch, with terms negotiated in regard to cost sharing, division of responsibilities and the creation of internment camps that met the needs of the contracting parties.

The new partners appreciated the opportunity presented by the use of the prisoners. However, as partners, they also insisted on value for money. Theirs was an investment, not an act of charity. The internees were deployed where they could be used most productively: refurbishing military facilities and training grounds; constructing roads in the interior of British Columbia and the national parks; clearing land for colonisation in northern Ontario and Quebec; and repairing railway lines in Atlantic Canada. Economic interests soon dictated the prisoners’ work schedules and treatment. Careful supervision by watchful project overseers (hired by the partners) ensured that quotas would be met, expenditures justified and payments accounted for.33

Since the partnering agencies were responsible for paying the POWs’ wages, the failure of internment authorities to deliver on time and according to plan became a constant source of tension. Disputes periodically resulted in threats to cancel the contracts. Consequently, inordinate pressure was applied on internment camp commanders (and, indirectly, on the camp guards) to adhere to schedules and quotas, underscoring the importance of maintaining discipline. The camps’ military administrators were pressured by the project managers to ignore or modify military rules governing the treatment of POWs in order to expedite the work. Prisoner resistance, consequently, was

33 See, for example, Commissioner, Dominion Parks Branch, J. B. Harkin to F. H. Williamson, Deputy Commissioner, Dominion Parks Branch, 5 October 1915; and J. Wardle to Major-General Wm. Otter, Officer Commanding Internment Operations, 6 October 1915, RG 84, vol.190, file MR 176, LAC. See also John Black, Road Superintendent, to J. E. Griffith, Deputy Minister of Public Works, 28 and 29 April, Okanagan District (1916), file 1752, British Columbia Ministry of Transportation Records (hereafter BC Transportation Records).
met with a variety of corrective measures, including punishment diets, solitary confinement and beatings. Guided by economic criteria, the security aspect of the operation, which informed the original policy, was soon undercut.

Resentment inevitably arose among the soldiers and officers sent to the frontier for the purpose of guarding mere civilians. As a result, a tendency surfaced whereby the prisoners were viewed not as combatants with rights but simply as enemies against whom vengeful behaviour became the norm. The director of internment operations, Major-General William Otter, sought to put a stop to the more egregious violations. Strappado, beatings and other forms of physical punishment were condemned and some individual offenders even reprimanded. But given the general level of contempt for the enemy alien, who was seen as the reason behind these soldiers’ and officers’ humiliating deployment in the Canadian wilderness, there would be no real end to the mistreatment. The internees, of course, lodged complaints, demanding a stop to the abuses. Where these failed, defiance became a common occurrence, with work stoppages, hunger strikes and riots taking place in several camps. So, too, did escapes, some of which ended badly. Six internees were fatally shot, adding to the list of internment camp casualties—107 in total—which included those who succumbed to injuries, ailments and mental despair brought on by their isolation and suffering.

The prisoners had no way of avoiding their fate, as they lacked recognised rights. Consequently, they would be used as deemed fit, giving credence to the idea that, as enemies, they were “a prize of war.” As one guard would later explain: “Anybody who asked [us] to do anything, we provided the slaves.” The description was clearly overdrawn, but the underlying sentiment was not. Internment operations received numerous requests for the use of internees as a

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34 Strappado is a form of punishment whereby a victim’s hands are tied behind their back and then suspended by a rope attached to their wrists. At the Banff internment camp, evidence points to prisoners being dragged upstream against the current of the Bow River as a reprimand. The photographic evidence is reproduced in B. Kordan and P. Melnycky, eds., *In the Shadow of the Rockies: Diary of the Castle Mountain Internment Camp, 1915-1917* (Edmonton: CIUS Press, 1991), 90.

35 For a broader sense of how the camps were experienced, see Bohdan Kordan, *No Free Man: Canada, the Great War and the Enemy Alien Experience* (Montreal and Kingston: McGill-Queen’s University Press, 2016), ch. 3.

36 John Anderson-Wilson Interview, 4 May 1973, accn. no. 1838, Whyte Museum of the Canadian Rockies (Banff, AB).
source of cheap labour. Citizens of Nakusp in the British Columbia interior petitioned, unsuccessfully, for the creation of a road, to be built by prisoners from the Vernon internment camp, to connect their community to the nearby mineral hot springs in an effort to enhance local tourism and open the region to settlement. 37 Nova Scotia’s commissioner for public works made a vain attempt to requisition prisoners for the purpose of building roads in and around Halifax and Dartmouth. 38 The mayor of Kelowna, British Columbia, fearing that an opportunity for development might be lost, also insisted the town receive its “fair share” of the business that would result from an internment camp and “the advantages that would come to us from public works.” 39

These and other requests reflected the country’s general mood, especially after the German torpedoing of RMS Lusitania in May 1915. Public outrage translated into calls for all enemy aliens in the country to be interned and conscripted as forced labour. In the end, government officials resisted the persistent demand for the wholesale conscription of enemy alien labour, not necessarily because it was wrong but because, as one senior official tasked with assessing and recommending a plan of action stated, it was simply impossible to carry out given the scale of the operation. 40

Not everyone was comfortable with the use of forced civilian labour or the conditions under which they worked. James Harkin, the commissioner responsible for road construction and other projects in the national parks, admitted that, as civilians, the prisoners were owed “certain consideration.” 41 British Columbia’s deputy minister for public works, J. E. Griffith, acknowledged that austerity measures introduced by the internment administration as a cost-

38 Major-General Wm. Otter to the Officer Commanding 6th Division, Halifax, 13 July 1915; and Major H. F. Adams, Officer Commanding Halifax Internment Camp, to the Assistant Adjutant General, 6th Division, 15 July 1915, RG 24, vol. 4541, file 73-1-6, LAC.
39 J. W. Jones, Mayor, Kelowna, to the Hon. Thomas Taylor, BC Minister of Public Works, 4 September 1915, Okanagan District (1915), file 1752, sec. 2, BC Transportation Records.
40 “Note on the Treatment of Enemy Aliens,” 11 February 1918, Loring Christie Papers, MG 30 E15, vol. 2, reel C-3876, 1327-33, LAC.
41 “Site in Park Selected for Internment Camp,” Mail-Herald (Revelstoke, BC), 31 July 1915.
cutting exercise—reducing meat rations, for example—were adversely affecting the health of prisoners who were engaged in heavy manual work. He threatened to cancel the projects to which they had been contracted “unless they were fed like human beings.”42 When, during an exchange in Parliament on the issue of conscripting the country’s entire enemy alien population for labour, opposition critics insisted that harsher measures be taken against those in the camps refusing to work, Charles Doherty, the justice minister, admitted that these individuals were civilians, residents of Canada and not POWs in the conventional sense of the term. If they were war prisoners, he claimed, then the Hague Convention would apply. However, he argued, these were indigent and unemployed enemy aliens to whom an obligation was owed, particularly since they had been invited to the country as homesteaders and were prevented from leaving.43 In a moment of candour, the minister admitted what was known all along—that they were civilian settlers to whom the country had an obligation.

Importantly, Harkin, Griffith and Doherty recognised that enemy alien internees were civilians and all were certainly aware of the conditions under which they laboured. This knowledge, however, did not entirely dissuade them from actively contributing to the internees’ hardship. Indeed, the benefits derived from prisoner labour overruled any misgivings they may have had. Griffith, for one, observed in correspondence with the director of internment operations: “We are not unmindful of the fact that we have had the opportunity of obtaining cheap labour, but we would have liked to make the best use of it.”44 Nor did it appear to trouble the conscience of the parks commissioner, James Harkin: bemoaning the loss of internee labour to the parks with the dismantling of the Banff internment camp in the summer of 1917, Harkin rushed a final group of prisoners to finish clearing land for the remaining nine holes of the Banff Springs Hotel golf course, fearing it might not otherwise get done.45

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43 Canada, House of Commons, Hansard, 22 April 1918, 973–1025.
44 J. Griffith to Major-General Wm. Otter, 7 January 1916, Okanagan District (1916), file 1752, sec. 4, BC Transportation Records.
45 J. H. J. Clarke, Superintendent, Rocky Mountains (Banff) Park, to J. B. Harkin, Commissioner of Dominion Parks, 8 May 1917; and Harkin to Clarke, 8 May 1917, RG 84, vol. 70, file R313, LAC.
Internee complaints about mistreatment made their way into the reports of neutral diplomatic observers sent on fact-finding missions, duty-bound to record conditions in the camps. The American consul Gebhard Willrich, visiting the Spirit Lake camp on Quebec’s northern frontier, found several hundred prisoners living in complete want and suffering and refusing to do work. For Willrich, it was a distressing sight. He could not comprehend what advantage there was to treating people this way, knowing full well that, being civilians, they would have to be reintegrated into society one day. He was personally convinced that their release was in the country’s interest: “There is no doubt in my mind, that at the present moment, the great majority of prisoners at Spirit Lake could safely be returned to their homes and families, and that such return would be more profitable to Canada in the end than their retention in the camps as unwilling workers and strikers.”

Diplomatic reports from the protecting powers detailing the conditions in Canada made their way to Berlin and Vienna. While

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G. Willrich, US Consul (Quebec City), to the Secretary of State, 29 December 1916, 763.7115/2279, United States National Archives. For a discussion of the situation at the Spirit Lake camp, see P. Melnycky, “Badly Treated in Every Way: The Internment of Ukrainians in Quebec during the First World War,” in *The Ukrainian Experience in Quebec*, ed. M. Diakowsky (Toronto: Basilian Press 1994), 52–78.
German authorities were incensed by this information, it was also useful for countering the growing number of allegations and protests condemning German atrocities and mistreatment of Allied POWs. Seizing the opportunity, Canada’s treatment of the civilian internees was criticised by Berlin after American and, later, Swiss diplomats reported on abuses at the camps.\textsuperscript{47} The principal claim in Germany’s diplomatic protests related to the compulsory work of civilian internees on public projects. Kapuskasing in northern Ontario, the Spirit Lake camp in Quebec’s Abitibi region and the facility at Banff/Castle Mountain, Alberta—internment camps that had been up and running in Canada’s hinterland since early 1915—were singled out as places where German and other civilian prisoners were subject to compulsory labour: felling trees, milling wood and clearing land.\textsuperscript{48}

The German claims regarding the use of German civilian labour would lead Ottawa to declare that the Hague Convention’s official distinction between first- and second-class prisoners was being observed and that German internees were not being forced to work. By applying the traditional first-class designation to German civilian internees, who were segregated and mostly accommodated in urban camps designed for this purpose (such as those at Halifax, Vernon and Kingston), Canadian officials had hoped to deflect the criticism. But the statement conveniently ignored the fate of former subjects of the Austro-Hungarian Empire—Ukrainians, Poles, Croats and other minorities—who as common labourers made up the majority of the internee population and who, having been designated second-class prisoners, were sent to work on the frontier. Ottawa felt confident in its actions. Given their minority status in the Austro-Hungarian Empire and being unskilled economic migrants, these second-class internees were of marginal interest to Vienna, especially as they had left of their own accord. With no real advocates to speak on their behalf, there was little need for accommodation. They would be forced to labour.

Germany, however, would have none of it, especially as the Austro-Hungarian internees, failing to attract the assistance of

\textsuperscript{47} On German diplomatic protests, see, for example, “Note Verbale,” Berlin, May 28 1916, RG 13 A2, vol. 205, file 1450–70, LAC.

\textsuperscript{48} “Note Verbale” to the Embassy of the United States of America, 23 June 1915; and Bonar Law, Colonial Secretary, to the Governor General, 5 and 12 July 1915, RG 25 G1, vol. 1156, file 48–1, LAC.
Vienna, petitioned Berlin to intercede on their behalf. As a matter of principle, but also of propaganda, Germany maintained that all of the prisoners were civilians and, as such, could not be compelled to work. Moreover, as non-combatants they were owed greater consideration and understanding than if they were simply captive soldiers. They had neither taken up arms nor shown any sign of hostility; consequently, higher standards applied. German authorities communicated through British channels that, unless the situation was remedied, the German government “would feel justified in adopting counter measures with regard to the subjects of Great Britain detained in Germany.”

Canadian officials eventually yielded in order to conform to assurances given by London to Berlin, fearful of retributions. Although violations continued, the matter increasingly became moot. Throughout 1917 and well into 1918, thousands were paroled to industries in need of labour—the result of industrial demand. Not all were released, however. The obstinate, quarrelsome and truculent, as well as the infirm and insane—in the end, a thousand and more, all of them deemed unfit as prospective citizens—would be held until the very end when a peace treaty was signed. They would eventually be deported, along with scores of labour activists and progressives who were arrested and interned as “undesirables” during the postwar labour troubles. Mustered onto European-bound ships and released on arrival, they would make their way home as best they could. Representing a sad ending to a difficult story, the deportations served as an exclamation point. War had made them into enemies; the coming of peace made them unwelcome.

49 Reprisals were first raised in 1915 and continued to be an issue into 1916, when, for example, German authorities complained about the abuses, as well as the use of civilian prisoners as forced labour, at the Lethbridge, Banff and other camps. “Note Verbale” to the Embassy of the United States of America, 23 June 1915, RG 25 G1, vol. 1156, file 48-1, LAC; and Bonar Law to the Governor General, 8 March 1916, RG 13 A2, vol. 205, file 1450-70, LAC.

50 Fear of reprisals was not the only concern. There was also growing awareness that resistance in the camps to compulsory labour made it economically impractical to carry on with the policy. The net benefit was minimal—a view reinforced by London’s pejorative assessment of enemy alien internment in the UK: “It must be obvious to everybody that the Germans represent nothing but a useless and expensive incubus so far as we are concerned.” “Memorandum” and “Notes on the Treatment of Alien Enemies,” 11 March 1918, Loring Christie Papers, MG 30 E15, vol. 2, reel C-3876,1324–34, LAC.
THE ETHICAL CONUNDRUM OF INTERNMENT: AN ASSESSMENT

The unconditional nature of modern war ensured that the First World War would be a novel undertaking. As nations were called upon to wage war, the principle of the “necessity of war” was invoked to validate all sorts of actions. It came as no surprise that few would be spared. In its scope and intensity, the First World War was precedent setting, with implications that would be felt throughout the twentieth century.51 But the idea that war should be conducted on a higher plane—that there were rights to be respected and rules to be followed—also formed part of the modern calculus. Prefiguring the extent and scale of the violence to come, modern diplomacy insisted that the viciousness of war be somehow curtailed, if not contained. But could the opposing impulses of doing what was right versus what was necessary be reconciled?

The clashing nature of political priorities made for difficult and often confused policy choices in a time of crisis. In Canada, the internment of civilian immigrants who came from enemy lands was one such choice. On its face, the choice reflected the country’s nativist pique, which demanded removal of the “disloyal enemy immigrant” from the ranks of Canada’s employed. More deeply, it acknowledged the dictates of political necessity by factoring in the impact of British-Canadian public opinion on the wider war effort.52 However, internning enemy aliens was also a choice that demanded adherence, at least nominally, to the requirements of international law and custom. To the degree that Canada was aware of its duties and responsibilities, and as part of the international community and a member of the Allied coalition, there would be no escaping its obligations. In the context of modern war, therefore, it fell to the political leadership to somehow navigate these competing claims. But what, exactly, did this mean for the policy and practice of internment in Canada?

Among other things, the novel nature of modern war involved the radical reconceptualisation of the category of “participant.” Modern

52 Brock Millman writes that, during the Great War, internment and other repressive mechanisms in Canada were “intended to satisfy British Canada, growing increasingly frantic as the burden of war was felt and disproportionately shouldered, [such] that the Borden government would do whatever had to be done to win the war, however drastic or distasteful.” Millman, *Polarity, Patriotism, and Dissent*, 7–8.
war would break down old distinctions and create new hierarchies based on identity and class that would shape the conduct of war in new and unexpected ways.53 This redefinition of who was and was not a participant would guide Canada’s policy of internment. On this point, immigrants from countries at war—the majority being working class—would be made out to be enemies, leading to their internment as civilian POWs. But this decision also turned on its head the traditional meaning and purpose of internment. Security measures would now be applied to an expanded category of participant, thereby transforming internment into an instrument of political utility that would prove useful in dealing with all sorts of problems, including the question of what to do with thousands of unemployed and destitute enemy aliens (and, later, political and labour activists).

Internment was noteworthy in that it authorised the labour of enemy aliens as POWs. Immigrants from Allied nations and native-born Canadians, of course, were no less affected by the difficult economic situation in the country. Internment, however, provided a convenient and clear-cut solution to the central problem presented by the enemy alien demographic, namely their poverty, homelessness and joblessness. Canadian officials portrayed internment as a compassionate gesture intended to put the internees to work and, to the extent that they were POWs, the work they performed was deemed legitimate. Nevertheless, this presented a problem. Under the laws of war, POWs could work voluntarily but, beyond basic fatigue duties, could not be compelled to do so. So, how could they be made to work if they chose not to? Moreover, if they elected not to work, did this not defeat the purpose of internment? The POW designation would continue to apply, as it legitimised enemy alien internment and the state’s ability to sanction their work, while the conundrum was squared by underscoring the prisoners’ civilian status. Identified as enemies bent on doing harm because of their ostensible foreign loyalties, they were interned as POWs. But as civilians and non-combatants, they were not protected under the war convention, which was conspicuously silent on the rights of civilian prisoners. They were simply enemies and would be treated as such.

The significance of this re-imagination of civilian as enemy was not lost on those who would oversee the prisoners and this had serious

implications. As POWs, they would work. But as non-combatants, they were not entitled to protection under the laws of war. With no international legal framework to guarantee their rights, coercion would be used against those who resisted, either simply as a means of control or to extract labour. As the minister of the interior admitted in Parliament, this was the only way “we could get a lot of work done.” The end result was that the internees were subjected to a strict work regime and a host of abuses.

As civilian prisoners, internees were pressured to work harder to ensure that schedules were met and costs reduced. In this regard, the military rules governing the treatment of POWs were seen as an impediment. Calls by project foremen to do away with regulations that interfered with the work were commonplace. Yet internment was a military operation and the militia was responsible for its charges. Consequently, some steps were taken to address the zealousness of officers and guards alike, who, on the frontier and far from view, were prone to exercising questionable methods in their approach to the prisoners. A few, of course, recognised that the internees were civilians deserving of better handling—but they were enemies nonetheless. And, try as they might, officials who were so inclined could not maintain complete control over the operation, especially on the frontier, as long as disdain for the enemy alien persisted and passions ran high.

Despite the ambiguity and equivocation on the status of civilians as POWs, all the belligerents understood the need for some semblance of international standards. In particular, Germany, in attempting to protect its co-nationals abroad, argued that because the laws of war gave recognition to combatants’ rights, these same rights, at minimum, should have applied to civilian prisoners. But since these prisoners were non-combatants, Germany argued they were entitled to even greater rights. The German position, of course, was fraught with irony given Germany’s own sordid record of misconduct toward civilian prisoners. The use and abuse of Belgian and French civilians as forced labour in the occupied territories was an unfortunate reminder of this fact.\textsuperscript{55} But this was war and the propaganda advantage useful.

The principle of humanitarian protection, of course, was just and right. After all, interned enemy aliens were civilians. Furthermore, as the internees who petitioned the governor general observed, the principle of force majeure was not at play since the provision did not make “an intelligent selection of its victims.”\textsuperscript{56} Canadian officials had made them out to be enemies, claiming publicly that the decision to intern was taken out of necessity. This explanation, of course, was a travesty, failing as it did to acknowledge Canada’s responsibility to provide fair treatment to those whom it invited to settle the country. It was also a choice that was no less answerable to international convention, which in principle suggested that those made vulnerable by war were to be accorded protection. Sadly, as the experience of internment in Canada would demonstrate, the moral imperative to do what was right was ignored. This necessarily points to the suborning nature of modern war, which obscured the civilian/military distinction and made enemies of migrant settlers in Canada.

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\textsuperscript{56} Vernon Internment Camp, Internee Camp Committee, to the Governor General of Canada, 8 February 1919, RG 13 A2, vol. 233, file 422-42, LAC.

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