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National Europe Centre Paper No. 45

4 November 2002

Australian National University

Dangerous foreigners in Britain: the historical background

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There's nothing new under the sun, runs the old cliché; and I'm sure there's a sense in which that can be said to be true. Economic migration and political asylum-seeking have certainly always been with us. The example I am going to focus on today - Britain's 'refugee problem' in the 'long' 19th century (to 1914) - will throw up some interesting pre-echoes of present-day situations and debates; as well as some startling differences in the way the 'problem' was dealt with then. Whether one can learn anything from any of this *for* the present day, however, must be questionable. I'm not one of those historians who believes that one can 'learn' very much from history: *except* that most attempts *to* learn from history (I have in mind here the parallel that is being drawn just now between the situation of Hitler's Germany and of Saddam's Iraq) are misleading at best, and often dangerous. Elements in present-day situations may seem familiar; but their contexts are nearly always unique. That is certainly true in this field of immigration and asylum history. It's for this reason that I shall be making no claim for the *utility* of what I'm going to talk about today. Hopefully it may be new to you, and interesting. Whether any practical conclusions can be drawn from it, however, is not for me to say.

Let me first of all outline to you Britain's immigration and asylum policies in the long 19th century, before coming on to their all-important context. Quite simply, they were as liberal as you could possibly imagine. Between 1826 and 1906 (and the position wasn't very different before and after these dates), anyone could enter Britain, for whatever reason; and virtually no-one could be expelled. They didn't even have to have passports. No check was made of them at ports of entry. It's for this reason that we don't have a very clear idea, as we shall see, of the *numbers* that came in. This is significant; it means that the authorities had no wish to *control* them. (Counting usually implies control.) The underlying legal basis of this liberty is also important.

Other European countries also allowed immigrants in, including asylum seekers; but usually as a *concession*, an act of generosity. Refugees applied for asylum, and were granted it. As a result France, for example, seems to have welcomed *more* European refugees during the 19th century than Britain. (We shall see the reasons for Britain's comparatively low numbers in a moment.) The converse of this, however, was that the right of asylum could be withdrawn at a moment's notice: if, for example, the political climate in France changed. As well as welcoming thousands of asylum-seekers, France also expelled thousands. Refugees were there on *sufferance*: often very generous sufferance, true, but sufferance all the same. In Britain it was different. They were there as of right. No-one could exclude them, without bringing in new *legislation* to allow this, which was out of the question, for reasons we'll come on to later. (There were a couple of theoretical exceptions, which I haven't got time to go into now; you'll just have to believe me when I say they had no practical force.) The only real exception was the *extradition* of foreigners for crimes committed abroad. This however was very unusual, especially before the 1870s; and even after the 1870s it was never possible for 'political' offences. These were excluded from every British extradition treaty. For this purpose a 'political' crime meant a crime that was done for a 'political' *motive*, not just a crime which was *only* political (like membership of a banned party), which meant that foreigners could not even be extradited for the assassination of kings and presidents. They could be tried for these crimes *in Britain*; but even that was difficult; and defendants' rights in such cases were specially safeguarded by a remarkable privilege: which was that they could choose, if they wished, to be judged by a jury half composed of other foreigners. (In most cases they waived this right, expressing their confidence in the 'judgement of twelve honest Englishmen'. That usually went down well.) I don't think it's possible to imagine a more liberal immigration or asylum policy than this. It was modified slightly by a new 'Alien' (or immigration) Act that was passed in 1906, to control the influx of Jews from eastern Europe; but even that had a minimal impact, and (again) expressly exempted political refugees. All you had to do to get in was to *claim* political

persecution. No holding camps, no tribunals, no being diverted to [Oz example], no risk of being shipped back home if you weren't believed. Not many people know that: dozens of politicians and civil servants and lawyers I've talked to, for example. But it's true.

How was it possible? Well, one reason is likely to be that the problems posed or perceived to be posed by immigration and asylum-seeking were not as great as they are today. In some ways this is undoubtedly so. *Numbers* may come into it here. First of all, as everyone here will be aware, Britain was a net *exporter* of people in the 19th and early 20th centuries, to the tune of about 15 million *emigrants* all told. (Some of these, incidentally, should probably be regarded as 'refugees' themselves. Britain took pride in *having* no refugees of her own at this time, as she tolerated everyone; but that is not strictly true. Apart from the Irish and British radicals who fled what they certainly regarded as political persecution in Britain to America and Australia especially in the earlier 19th century, there were hundreds of what might be termed 'social' refugees - fleeing from Britain's stifling class and sexual conventions, for example - living in little communities all over the European continent throughout this period; together with a very large proportion of the main body of emigrants, that 15 million, who came to Australia (or wherever) not just to improve themselves, but also seeking what could be termed an *economic* asylum from the 'tyranny' of agricultural and industrial capitalism. Most Victorians, of course, were too myopic to see it in this light.) One of the results of it, however, was to make the numbers of foreigners who came *into* Britain seem very small. The 1851 Census estimated around 50,000 foreigners living in England and Wales then, out of a total population of 18 millions. Of these perhaps 10% were strictly 'political refugees'. (The only figures we have are somewhat unreliable, having been compiled by policemen going round London pubs and asking how many suspicious foreigners people had seen.) In 1881 the total figure was 118,000 out of 25⁷ millions. These were hugely exceeded by the number of Irish coming into Britain (520,000 first-generation living there in 1851): Irish of course

didn't strictly count as 'immigrants' because Ireland was supposed to be *part* of Britain; and the hundreds of thousands of other *internal* migrants: from Scotland and Wales to England, for example, and from rural areas to the cities. The only time foreign immigration made a *quantitative* impact was in the 1890s and early 1900s, which saw an influx of about 200,000² Jews fleeing to Britain from pogroms in Russia and eastern Europe. It was this that gave rise to the 1906 Alien Act. Most of these settled in East London, provoking - but *only* in east London - one of the rare nativist or anti-immigrant popular movements in 19th and early 20th century British history. Otherwise there was almost no trouble of this kind, apart from the occasional riot against Irish navvies, strike-breakers and Catholics, and one in 1862 which pitted Italian refugees in London against Irish immigrants, the latter in defence of the Pope against the godless revolutionaries. Otherwise the only demonstrations you got in Britain in the 19th century featuring foreign immigrants were those in *support* of them. [OHPs 1+2] That may be because - compared with Irish and internal migrants - they were so few.

They also didn't impact much socially nor economically. Apart from the turn-of-the century Jewish immigrants, they weren't seen as competing with native Britons for work. Many came as professionals or businessmen, and - like Frederick Delius's father, for example, or even Friedrich Engels - could be said to have *created* work for Britons. If you didn't have a job to go to you got short shrift in Britain, whose harsh laissez-faire climate meant that you couldn't expect any charity if you *couldn't* - or didn't want to - find work. A corollary of this, of course, was that there couldn't be any of the present-day popular resentment against immigrant welfare 'scroungers' (or 'bludgers'). This seems to have been one of the things making political refugees prefer France to Britain, despite the latter's greater liberalism: In France they were supported by state handouts. There was some of this in Britain early in the 19th century (before the icy grip of ideological free marketism took full hold), but it died out in the 1830s, and was never adequately replaced by private charity. Some refugees found jobs, as

language tutors, for example, but that wasn't an option open to all. (There was only a limited market for Polish.) As a result many refugees were reduced to begging, stealing (typically, judging from police court reports, umbrellas from the house of the Poles' supporter and patron Lord Dudley Stuart), or starving. Joanna Kinkel, a German refugee, put her finger on it in 1854: Britain was a wonderfully free country politically, she wrote back home; 'But - one must work terribly hard here'. The Russian Alexander Herzen also complained of the privations the refugees had to suffer in Britain: 'the life here,' he wrote in 1867², 'like the air here, is bad for the weak, for the frail, for one who seeks welcome, sympathy, attention; the moral lungs here must be as strong as the physical lungs, whose task it is to separate oxygen from the smoke fog.' Herzen was also referring here to the lack of time native Britons had for the refugees, which was partly due to *their* having to work so hard. It was dispiriting to be reduced suddenly from a great revolutionary hero in your own country to a poor nonentity struggling for a bone in England. That was enough to put off all but the most desperate or the most extreme immigrants: too extreme for France to look after, for example. This was the real *filter* of refugees into Britain; though not of course a *discriminatory* one, because the same principle ('work or starve') applied to natives too.

Culture-clash was not much of a problem either. This was because immigrants were *either* very thinly scattered; *or* (as in the case of the political refugees) *concentrated* in certain areas of London, where they mainly - apart from the occasional clash with the Irish - kept themselves to themselves. So far as other Londoners were concerned the refugee communities - 'Little Italy', for example, and 'little Germany' - were occasional sources of exotic entertainment, especially their elaborate revolutionary funeral processions; and of unusual foods (Italian ice-creams, German pastries); but little else. One French refugee went on a multiple-murder spree in the early 1850s, but this wasn't held against the refugees generally. (At his first trial he was let off because the judge thought that, being French, he probably did not

realise it was illegal to murder people in Britain. He was an atheist; when he was eventually brought to book his last words on the scaffold were 'Now I'll find out whether I'm right'.) The things found most irritating about the refugees were the begging; and Italian organ-grinders, especially after the introduction of a new super-barrel organ in the mid-1850s. (There's a report from a police court for example of a complaint by a young lady in Kensington against an Italian for keeping her awake all night with his 'monster organ'.) Otherwise they hardly impinged. There was a reason for this. Most of them did not expect to stay in Britain very long, being anxious to get back to their own countries to re-kindle the revolutionary flames there. Some did stay, and contributed greatly to British life thereafter (the Rossettis are a prime example); but they didn't initially wish to, and so saw no need either to seek to influence the host society with their own cultures, or to integrate.

These two circumstances, then - the facts that only the most desperate *came* to Britain, and that they still had active designs on their own countries - minimised the refugees' social and economic impact on British society. *By the same token*, however, they *exacerbated* the other problem that asylum seekers are often seen to give rise to; which was the political and diplomatic one. Britain's refugees may have been fewer, but they were also extremer than other countries'. As such they could be seen as posing a theoretical danger, at least, to Britain's own political stability, and to her relations with the foreign governments that were the targets of the revolutionary and sometimes murderous designs of nearly all of these refugees. That was what most of the 19th and early 20th century *debates* about the refugees were about.

Those designs were real. Examples of refugees plotting political violence abroad in this period are legion. The best-known one is Felice Orsini's *attentat* against the French emperor outside the Opéra in Paris on 14 January 1858, which failed in its main purpose, but killed several bystanders. [OHP 3] Some of Orsini's co-conspirators had been refugees in England, and the bomb involved in the affair had been manufactured and tested there. Refugees were also said to be implicated in Tsar

Alexander II's assassination in 1881. In the 1890s several violent French anarchists took refuge in Britain, and bombs were discovered being manufactured in Walsall in the Midlands for use against Russia. These later plots can properly be called 'terrorist', I think, because their aim was to terrorise whole populations by targeting 'innocents'. (Of course, the anarchists argued that no-one who *tolerated* capitalism was really an 'innocent'.) This was a new problem in the 1890s, and gave rise to a moral panic similar to today's, though to a lesser degree. What alarmed many people were firstly the anarchists' *indiscriminate* targeting; secondly their willingness to risk their own lives: not exactly as 'suicide' bombers, but as what we might call 'indifferent-to death' bombers (here's one who came to a nasty end) [OHP4]; and thirdly, two new *technical* developments: the invention of dynamite, which enabled malevolent individuals to wreak far more destruction than with gunpowder; and the *imminent* conquest - which everyone expected soon - of the air. That gave rise to great fears, including rumours that anarchists were plotting to infect the water-supplies of cities with anthrax; and this anticipation - albeit in a popular novel - of a flying machine about to plunge into a New York skyscraper. [OHP 5] That's from 1909. Together with the 'outrages' that were actually committed - including several assassinations of heads of state, and bombs being hurled into French cafés and Spanish theatre auditoriums - this made foreign governments look on Britain's asylum policy highly askance, to put it mildly. There were demands on her to abandon or at least to modify it, sometimes backed up with threats, in the early and late 1850s, the early 1870s (when hundreds of French communards fled to Britain), and continuously from the 1890s on. It was a little like (though only a little) America's demand on countries thought to be harbouring Islamic extremists today.

One of the points these governments often made was that it would be in *Britain's* interest to co-operate with them against international political violence or terrorism too. They suggested that foreign refugees lay behind her own domestic troubles: Chartism in the 1840s, for example, and industrial strikes in the 1860s and 1910s.

Foreign police agencies sent the British Home Office a stream of reports of supposed foreign revolutionary conspiracies against Britain. One Prussian secret policeman had discovered a plot by Karl Marx to murder Queen Victoria. Another had French communists together with the Roman Catholic archbishop of New York - there's a likely combination! - planning a violent uprising to coincide with the opening of the Great Exhibition on 1 May 1851. (Because the Exhibition was held in Hyde Park, the conspirators were to be cunningly disguised as trees.) Martial Bourdin, who was the chap blown up by his own bomb in the illustration I've just showed you [OHP4 again?], was probably on his way to put the bomb on a boat to take it to Russia; but foreign police spies claimed his target was Greenwich Observatory [OHP 6], which is the version Joseph Conrad accepted for his novel *The Secret Agent*, which was based on this affair. There were stories - usually 'leaked' by the police - of other anarchist bomb and poisoning plots being foiled. Several east London murders in the 1910s, including one of a policeman, were perpetrated by anarchists from the Baltic States. Britain also had her own home-grown terrorist problem at this time, in the shape of an American-Irish 'Fenian' bombing campaign in London and other cities in the 1880s. One of *its* bombs blew up the offices of the 'Special Branch', which had been recently set up to counter the Fenians [OHP 7]. Foreign governments claimed links there with European anarchists. You would have thought that *some* of this, at least, would have brought the danger of its asylum policy home to the British government.

So: how did the government respond? Well, it did do something. There was increased police surveillance of refugees in the 1850s, and then with the new Special Branch from the 1880s-on. The government tempted some Hungarian refugees to go on to America, by paying their passage and buying them new suits (so that the Americans wouldn't turn them back). It expelled some particularly fiery French refugees, including the novelist Victor Hugo, from Jersey in 1855, because Jersey was just a little too provocatively close to France; though because it had no powers to force them to leave *Britain* most of them merely decamped to the neighbouring island

of Guernsey. It instituted its *own* court proceedings against a handful of refugees suspected of plotting abroad, though this failed spectacularly in the case of Orsini's co-conspirator Simon Bernard, who was acquitted - against all the evidence - by a jury of twelve 'honest Englishmen' who resented the pressure, amounting almost to bullying, that they believed the French Emperor had put on the British government to bring Bernard to trial. In the same year Palmerston lost his job as Prime Minister when a bill he brought in to make this kind of prosecution easier was defeated in Parliament, for the same reason. [OHP 8] On one occasion in the 1890s a French anarchist *was* successfully extradited, despite the political exemption, on the ingenious ground that because anarchists were against *all* politics their acts could not be defined *as* political. In 1898 Britain joined a secret European 'Anti-Anarchist Conference' held in Rome, and promised to try to implement various measures agreed there to combat what we would call 'terrorism', though in the end almost nothing was done, except probably some increased co-operation with foreign police forces. This was really very little. What *was* done was nearly always done *secretly*: the police measures, for example, and the Hungarian emigration scheme. In effect Britain's asylum policy was as open and indiscriminating at the beginning of 1914 as it had been in 1850, and her civil rights - at least in this regard - virtually unaffected by the political violence of those years.

Why was this? That *secrecy* that I've just mentioned furnishes a clue. Police surveillance and other mild measures against refugees were kept secret so that the *public* would not know about them. The reason for that, of course, was the expectation that the public would not approve of measures against asylum seekers if they *did* know. That wasn't an unreasonable suspicion: Palmerston's fall over the Orsini affair in 1858 was supposed to be proof of it. (It was still being cited by nervous politicians, civil servants and police chiefs decades later.) So, *why* did the people feel this way?

One *negative* reason we've mentioned already: the minimal impact that refugees, and also political violence, *made* on ordinary people. The social impact was almost

nil, as we have seen. As well as this, very little of the *political* impact - the activities either of foreign refugees *or* of American-Irish Fenians - fell on them. In any case many of the *reports* of foreign plots against Britons were regarded sceptically, with good reason. Both foreign and British police agencies had reasons for *inventing* them: the foreign police to force the British government to legislate; Special Branch men in order to stay in their jobs, at times when many in government were thinking they could do without a 'political' police. It was at one of those times, as it happens, that many of the most scary rumours of anarchist 'plots' were leaked to the press. The American-Irish bombing campaign should have made more of an impression, perhaps; but in fact the civilian loss resulting from it was almost nothing, and there were at the time suspicions - which modern research has tended to confirm - that some of the 'outrages' were in fact the work of *agents provocateurs*. Britain was not under threat from dangerous foreigners, therefore; from which it followed that she - like the USA before 9/11, perhaps - had no national interest in co-operating with countries which were.

There were more positive reasons too. One *may* be the natural tolerance of the British people towards foreigners. I know this goes against the conventional wisdom, which paints Britain as an incorrigibly chauvinistic nation from time immemorial (we liberals are always apologising for this); but she may in fact have been - the *English*, at any rate - *less* chauvinistic than most. anti-Semitism, for example, has been historically milder in Britain than in most European countries. Irish immigrants were often received better in London than in New York. English schoolchildren were taught that the very *origin* of their nation lay in successive waves of immigration, which is very different from 19th century Continental schooling, which usually stressed single *racial* origins. The enterprising 17th century Huguenot refugees were held up as an example of the benefits Britain could gain from a liberal policy towards political immigrants. So the general historical image of the refugee was positive. But I don't want to make too much of this.

The reason the Victorians and Edwardians *themselves* gave for not feeling threatened by dangerous foreigners was what they called their *freedom*. At this time that was regarded as a kind of prophylactic against political violence of all kinds. It took the sting out of dangerous protest. There was nothing in Britain worth protesting violently against. Some of the refugees went along with this. Engels for example famously described England (in 1844) as 'undeniably the freest, in other words the least *unfree*, country in the world.' Joanna Kinkel attributed the fact that 'people here are not bitter and angry' to that. Revolutionists could rage as much as they liked, to the great danger of other countries; but they could do no damage in Britain, where there were no great grievances to seize upon. Palmerston (in his more liberal days, before his fall) used a vivid metaphor to express just this.

A single spark will explode a powder magazine, and a blazing torch will burn out harmless on a turnpike road. If a country be in a state of suppressed internal discontent, a very slight indication may augment that discontent, and produce an explosion; but if the country be well governed, and the people be contented, then letters and proclamations from unhappy refugees will be as harmless as the torch upon the turnpike road.

The implication of that, of course, was not only that Britain - the turnpike road - was safe from conflagration, but also that Continental conflagrations were the Continent's - the powder magazines' - own fault. So her neighbours could not blame Britain even if their revolutionaries *were* plotting against them from the safety of her shores. The solution was in their own hands. That solution certainly was not, she thought, repressive measures (like anti-terrorist legislation), whose effect she believed would only be to stoke up more resentment and so more terror. Britain was also, incidentally, mindful of the danger that counter-terrorist measures might be misused by more reactionary states, as a cloak to cover the repression of what she regarded as more legitimate dissent. Britain was fairly consistent in this, at least so far as her domestic policy was concerned. (Abroad - in Ireland and the colonies - she could behave very

differently.) It this principle that lay behind here successive extensions of the Parliamentary franchise during the 19th century, for example, to head off revolution; and Gladstone's attempt to appease the Irish with 'Home Rule'. It was what differentiated her from other European countries, and what at bottom was supposed to give her no interest in co-operating with them.

This was a seductive theory, because it combined liberalism with chauvinism, in a way that was meat and drink to the Victorian and Edwardian middle and working classes. *Of course* the Victorians were not innocent of national chauvinism. The interesting thing, however, is that at this time it played in *favour* of asylum seekers, rather than against them. They were living proof of the awfulness of things foreign; and of liberal Britain's superiority - her ability to tolerate these firebrands without any harm coming to *her* as a result - by contrast. Legislating *against* them would have suggested that Britain was no better than her neighbours; which is why her governing classes - many of whom secretly longed to throw the refugees out - did not dare to. Hence - at bottom - Britain's probably uniquely liberal asylum policy at this time.

From today's perspective all this looks almost too liberal to be true. It *was* true, I assure you, so far as mainland Britain was concerned. Whether it was too good to be true *today* is another question. Clearly it rested on certain conditions, which do not seem to pertain any longer. (They came to an end, roughly speaking, in August 1914.) Immigrants and refugees did not give rise to the same problems or provoke the same resentments they do today. Aircraft crashing into skyscrapers were a mere literary conceit, not something that anyone really thought was possible. Britain was more powerful than now, and hence less vulnerable to pressure from other countries to - for example - give up her refugees. Her people also had an optimistic faith in tolerance as a means to disarm political violence and terrorism, which appears somewhat innocent today; and a belief in their liberal superiority over other nations, which may have been myopic at the time, and is certainly implausible now. It is difficult to see how any of these happy conditions could possibly be recreated in these days of endemic racism,

protectionism, political pessimism, truly global terrorism, and the simplistic John Wayne morality of George W Bush. This is why I'm not at all sure of the 'relevance' of this paper to the main concerns of this conference. The best I can hope for is that some of the parallels and contrasts it has pointed may be suggestive. And at the very least (lastly), it may be salutary for us to be reminded that an *absolute* right of asylum is theoretically possible, and did once exist, albeit long ago, and in a different world from ours.