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RESEARCH PAPER SERIES, 2015–16

29 JUNE 2016

The immigration debate in Australia: World War I and its impact

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Social Policy Section

Executive summary

- This paper outlines the views of federal senators and members regarding immigration during World War I. It follows an earlier Parliamentary Library publication titled *The immigration debate in Australia: from Federation to World War One*.
- Immigration almost ceased during the war, but parliamentarians debated about how to increase population without changing the White Australia policy or compromising working pay and conditions.
- The group of immigrants deemed ‘undesirable’ expanded to include people of enemy origin, southern and eastern Europeans, and members of new radical political movements.
- Parliamentarians debated the treatment of immigrants and people of enemy origin, and wartime legislation and regulations stripped these groups of many civil and commercial liberties. Nearly 7,000 people were interned in Australia during the war, and most of these were ultimately deported.
- Questions parliamentarians raised during the war continue to be discussed in the 21st century, including whether an immigrant can become a ‘genuine Australian’, whether politicians should control citizenship without judicial recourse and the extent to which national security should come at the cost of individual rights.

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Introduction

This paper outlines the views of federal senators and members of Parliament regarding immigration during World War I. It follows an earlier Parliamentary Library publication titled *The immigration debate in Australia: from Federation to World War One*.¹ The first section of this paper outlines parliamentary debates about how to maintain the White Australia policy without antagonising Australia’s allies and how to add to the country’s population without compromising Australians’ working pay and conditions. The second section traces debates about the treatment of people of enemy origin during the war. The final section foreshadows debates about post-war immigration policies.

Parliament generally passed the Bills mentioned in this paper quickly, because restricting immigration and controlling people of enemy origin were seen to be vital in defending Australia. The Australian Labor Party (ALP) was elected to government in September 1914, soon after the start of the war, and governed until the newly-formed Nationalist Party took control in 1917. Both of these governments were led by William (Billy) Hughes, and both prioritised national security as the ‘supreme law’.² Parliamentary debate was curtailed early in the war, when the ALP had a large majority in the Senate and the Leader of the Opposition, Joseph Cook (LIB), agreed everything ‘must be made to bend in war time to the supreme purpose of making the State safe’.³

While more parliamentarians questioned the treatment of people of enemy origin during the second half of the war, these remained in the minority, and Parliament continued to prioritise national security.⁴ The cohort of people deemed to be ‘desirable’ immigrants shrank as the war went on, and people deemed to be of enemy origin were progressively more tightly controlled.

Australian citizenship was not established until the *Nationality and Citizenship Act 1948*, so during World War I Australians were classified as British subjects.⁵ Non-British subjects in Australia were called ‘aliens’. In some circumstances, they could become British subjects in Australia through a process of naturalisation.⁶ This paper uses the phrase ‘people of enemy origin’ to refer to three groups of people in Australia: aliens from countries at war with Britain, naturalised British subjects originally from those countries, and British subjects with ancestors from those countries.

1. For the first paper in the series, see: C Cooper, [The immigration debate in Australia: from Federation to World War One](#), Background note, Parliamentary Library, Canberra, 16 July 2012.

2. W Watt, ‘[Question: Deportations](#)’, House of Representatives, *Debates*, 15 August 1919, accessed 15 June 2015.

A number of the parliamentarians quoted in this paper changed political affiliation during the period, for example, Hughes moved from the Australian Labor Party (ALP) to the Nationalist Party (NAT) in 1917. Where parliamentarians are quoted in this paper, only their party affiliation at the time of their statement will be indicated in parentheses following their names. A list of party abbreviations is shown at the end of this paper. For more information on parliamentarians and their affiliations, see: Parliamentary Library, ‘[Part 6—historical information on the Australian Parliament: Members since 1901](#)’, *Parliamentary Handbook of the Commonwealth of Australia*, 44th Parliament, Parliamentary Library, Canberra, 2014, accessed 9 June 2016.

3. J Cook, ‘[Second reading speech: War Precautions Bill \(No. 2\)](#)’, House of Representatives, *Debates*, 24 April 1915, accessed 7 May 2015.

4. See, for example, W Watt, ‘[Question: Deportations](#)’, op. cit.

5. M Klapdor, M Coombs and C Bohm, [Australian citizenship: a chronology of major developments in policy and law](#), Background note, Parliamentary Library, Canberra, 11 September 2009, accessed 14 June 2015.

6. G Fischer, *Enemy aliens: internment and the homefront experience in Australia 1914–1920*, University of Queensland Press, St Lucia, Qld, 1989, p. 24.

Wartime views on immigration: 'The White Australia policy stands'.

While the states were responsible for promoting immigration to Australia, the Commonwealth had the power to restrict immigration.⁷ Before the war, non-Europeans were prevented from immigrating to Australia, southern and eastern Europeans were permitted but not assisted, and other Europeans, including British and German people, were supported to immigrate.⁸ There was a brief immigration 'boom' from 1910, but this was abruptly ended by the beginning of the war in August 1914.⁹

Immigration during the war was 'strongly criticised', and activities encouraging immigrants almost ceased.¹⁰ Reflecting this, immigration was not subject to much debate in Parliament, although as early as 1915 the Minister for Trade and Customs, Frank Tudor (ALP), called for the Government to develop 'policy to be brought into operation at the conclusion of the war'.¹¹ While some parliamentarians were concerned about the impact of immigration on working pay and conditions, and others depicted desirable immigrants as nation-builders, academic Gerhard Fischer suggested that there was 'consensus about the goal' of preserving a racially exclusive 'White Australia'.¹²

White Australia

The *Immigration Restriction Act 1901* continued to be 'strictly enforced' during the war to prevent non-European immigration.¹³ In 1915, Hughes (ALP) described the policy as one of the few to which 'all parties are committed by their votes and utterances'.¹⁴ However, as outlined in *The immigration debate in Australia: from Federation to World War One*, 'Britain was opposed to overt racial discrimination on the part of Australia' due to the multicultural composition of its empire and its international trade and strategic priorities.¹⁵ Many parliamentarians were therefore concerned about how to maintain 'the vital policy of a White Australia' without offending Britain and their allies.¹⁶ For example, James Fenton (ALP) warned that Japan 'expects English-speaking nations to treat her and her subjects as equals, with mutual exchange of citizenship'.¹⁷ Senator James Stewart (ALP) similarly noted 'Indians are fighting side by side with the Australians in France' and predicted 'a claim will doubtless be made on their behalf for free entry to Australia'.¹⁸ Some parliamentarians urged for the White Australia policy to be administered in a more conciliatory manner. For example, Senator Thomas Bakhap (LIB) cautioned the White Australia policy was sometimes:

... carried to an unnecessary and vexatious length, and administered in a manner calculated to irritate those great coloured populations which are to the immediate north of Australia, and with whom, whether we like it or not, as time goes on, we must have increasingly important relations.¹⁹

Even this tentative criticism required his qualification: 'I do not mean to impugn the general desirability of a White Australia policy', and reassurance that the 'White Australia policy stands'.²⁰

Opposing views on immigration

While the White Australia policy was largely accepted in Parliament, parliamentarians expressed different views about 'white' immigration. Many promoted immigration as a means to increase Australia's population and

7. M Langfield, [More people imperative: Immigration to Australia, 1901–39](#), Research guide, National Archives of Australia, 1999, Chapter 1, accessed 14 June 2015.

8. Ibid.

9. Ibid.

10. M Langfield, ['Recruiting immigrants: the First World War and Australian immigration'](#), *Journal of Australian Studies*, 23(60), 1999, pp. 54 and 57, accessed 14 June 2015.

11. F Tudor, ['Question: Estimates 1914–15'](#), House of Representatives, *Debates*, 10 June 1915, accessed 1 May 2015.

12. Fischer, *Enemy aliens*, op. cit., p. 50.

13. H Mahon, ['Question: Influx of Asiatics'](#), House of Representatives, *Debates*, 28 September 1916, accessed 14 June 2015.

14. W Hughes, ['Second reading speech: Conciliation and Arbitration Bill'](#), House of Representatives, *Debates*, 8 September 1915, accessed 1 May 2015.

15. Cooper, [The immigration debate in Australia: from Federation to World War One](#), op. cit., p. 1, accessed 14 June 2015.

16. W Fleming, ['Question: Purchase of wheat'](#), House of Representatives, *Debates*, 19 November 1914, accessed 1 May 2015.

17. J Fenton, ['Question: British Army'](#), House of Representatives, *Debates*, 20 September 1916, accessed 14 June 2015.

18. J Stewart, ['Adjournment'](#), Senate, *Debates*, 8 February 1917, accessed 24 May 2015.

19. T Bakhap, ['Question: Commonwealth War Ministry'](#), Senate, *Debates*, 1 March 1917, accessed 24 May 2015.

20. Ibid. See also W Maloney, ['Second reading speech: Military Services Referendum Bill'](#), House of Representatives, *Debates*, 14 September 1916, accessed 21 May 2015.

strengthen its defences and economy.²¹ Ernest Carr (NAT) supported ‘a systematized method of immigration which will help to fill our waste places and increase our productiveness’.²² Many parliamentarians preferred immigrants from Britain who were prepared to work on the land, such as William Finlayson (ALP), who claimed that ‘our own kith and kin from the British Isles are the most acceptable immigrants to this country’.²³

Other parliamentarians, particularly those associated with the labour movements, opposed mass immigration. They warned that introducing immigrants risked worsening the living and employment conditions and prospects of men already working in Australia. Joseph Hannan (ALP) expressed some concern at the notion of state-supported British immigrants:

I hope that the Prime Minister will, in the interests of the thousands in Australia who are at present out of employment, use his influence to induce the States to cease further efforts in this direction until our own industrial position shall have improved.²⁴

The fear that immigrants would usurp the position of Australian workers was voiced more stridently by many parliamentarians during the conscription debates of 1916 and 1917.²⁵ When debating the Military Service Referendum Bill in 1916, Frank Anstey (ALP) moved to replace the words ‘Military Service’ with ‘Coloured Labour’ in the title because he believed non-European workers would have to be imported if conscription was implemented.²⁶ Other parliamentarians warned that aliens already in Australia were likely to take the jobs of Australian soldiers. For example, William Fleming (LIB) demanded: ‘How can we ask the young men of Australia to join the army as freely as we would like when we know that proper precautions are not being taken ... to insure that their own billets are not filled by these aliens?’²⁷ While conscription was defeated in referenda in 1916 and 1917, concern about aliens taking employment from British subjects continued to be expressed in Parliament.²⁸

European immigration

Public antagonism towards southern and eastern Europeans in Australia was rife by the second half of the war.²⁹ They were treated with suspicion because they were perceived to threaten the privileges and jobs of British subjects.³⁰ In 1917, Edward Corser (NAT) cautioned:

... honorable members should know that Britishers are being forced out of the sugar industry in Queensland, and their places are being taken by Italians, who work upon a co-operative basis, and are not bound by the decisions of any Wages Board.³¹

Moreover, some parliamentarians argued against allowing the immigration of these groups because they perceived them to be ‘incompetent foreigners’ who ‘cannot work, and ... will not work’.³²

Returned soldiers supported riots against Italian, Greek and Slavic people, known collectively as the ‘olive peril’.³³ There was also a public backlash when Australia accepted a small number of European migrants during 1915 and 1916.³⁴ Perhaps in response, Australia banned Maltese and Greek immigration from 1916.³⁵

21. For example: W Maughan, ‘[Governor-General’s speech: Address-in-Reply](#)’, Senate, *Debates*, 15 October 1914; J Stewart, ‘[Appropriation Bill 1914–1915](#)’, Senate, *Debates*, 16 July 1915; and H Gregory, ‘[Japanese Navy](#)’, House of Representatives, *Debates*, 7 October 1920, accessed 6 June 2015.

22. E Carr, ‘[Personal explanation](#)’, House of Representatives, *Debates*, 15 March 1917, accessed 22 May 2015.

23. W Finlayson, ‘[Second reading speech: Naturalization Bill](#)’, House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

24. J Hannan, ‘[Adjournment: Immigration](#)’, House of Representatives, *Debates*, 23 July 1915, accessed 1 May 2015.

25. For example, see: G Burns, ‘[Second reading speech: Military Service Referendum Bill](#)’, House of Representatives, *Debates*, 20 September 1916, accessed 24 May 2015.

26. F Anstey, ‘[Question: British Army](#)’, House of Representatives, *Debates*, 20 September 1916, accessed 15 May 2015.

27. W Fleming, ‘[Second reading speech: Military Service Referendum Bill](#)’, House of Representatives, *Debates*, 14 September 1916, accessed 15 May 2015.

28. For example, see: W Maloney, ‘[Second reading speech: New Guinea Bill](#)’, House of Representatives, *Debates*, 15 September 1920; and H Pratten, ‘[Commercial Activities Bill](#)’, Senate, *Debates*, 28 August 1919, accessed 11 May 2016.

29. Langfield, *More people imperative: Immigration to Australia, 1901–39*, op. cit., Chapter 3, accessed 14 June 2015.

30. Langfield, ‘[Recruiting immigrants: the First World War and Australian immigration](#)’, op. cit., p. 57, accessed 14 June 2015.

31. E Corser, ‘[Sugar Purchase Bill](#)’, House of Representatives, *Debates*, 24 August 1917, accessed 22 May 2015.

32. J Newlands, ‘[Adjournment](#)’, Senate, *Debates*, 27 September 1916, accessed 21 May 2015.

33. K Gutter, ‘Captive allies: Italian immigrants in World War One Australia’, *Australian Studies*, 1(10), 9 December 2009, p. 5.

34. The Government was criticised for facilitating the passage of 220 mostly non-British settlers in July 1915, and again, in 1916, when 311 Maltese immigrants arrived on the *Arabia* and *SS Gange*. See Langfield, ‘[Recruiting immigrants: the First World War and Australian immigration](#)’, op. cit.,

Parliamentarians did express some sympathy for these immigrants; for example, Arthur Rodgers (NAT) acknowledged the 'White Australia policy has been juggled about badly in connexion with the poor Maltese'.³⁶ Some also opposed the forced repatriation of Italian men, as will be outlined later in this paper. Nevertheless, most parliamentarians welcomed the restrictions, believing 'some limitation should be placed on the number of southern Europeans entering Australia'.³⁷

Attitudes towards 'aliens': 'Australian born, or the enemy within the gates?'

There was a great deal of parliamentary debate regarding the treatment of people of enemy origin in Australia during the war (described in Parliament as the 'enemy within the gates' by, for example, Senator Albert Gardiner (ALP)).³⁸ In 1915, Senator Edward Millen (LIB) declared 'I think the public temper was extremely patient and tolerant'.³⁹ However, the Minister for Defence, Senator George Pearce (ALP), described the 'considerable amount of resentment against the German section of the community', which was estimated to comprise no more than two per cent of the population of Australia.⁴⁰ Two years later, Senator Henry Turley (ALP) noted that 'feeling against enemy aliens is growing'.⁴¹ During the second half of the war, groups including the Salvation Army, the Australian Natives' Association and the Returned Sailors' and Soldiers' Imperial League of Australia expressed antagonism towards Germans in Australia.⁴²

This public antipathy was reflected in parliamentary debates and resulting legislative changes. Many parliamentarians portrayed naturalised British subjects originally from enemy nations and people with enemy heritage as disloyal and dangerous. In 1914 Senator Stewart (ALP) asserted 'at the present moment there is in Australia a strong feeling against Germany in every shape and form'.⁴³ One year later, then Attorney-General, Hughes affirmed 'no German can be trusted during this war'.⁴⁴

Other parliamentarians distinguished between 'trustworthy' people of enemy origin, and those who remained loyal to their enemy heritage.⁴⁵ William Finlayson (ALP) neatly captured this distinction when he stated:

We have the honest, naturalized citizen, who is a genuine Australian - who has renounced his native country and takes no cognizance of what is going on there. Then, unfortunately, we have others - too many of them - who profess allegiance to Australia while in their hearts they hold allegiance to the enemy countries from which they come.⁴⁶

Loyalty to the Empire was perceived to be proved by military service, as illustrated by Senator Pearce in 1918:

... there are in the Commonwealth persons of enemy origin who have demonstrated their loyalty. One cannot read any casualty list that does not include the names of men of enemy origin.⁴⁷

Senator John Grant (ALP) further opined, 'so far as Germans among us who are loyal to Britain are concerned, nothing should be done to harass them'.⁴⁸ Thus, by differentiating between loyal and disloyal people of enemy origin, parliamentarians could simultaneously support the repression of dangerous elements in society while expressing sympathy for others.

p. 58, accessed 14 June 2015. For an example of parliamentary debate about the Maltese immigrants, see: E Needham, '[Ministerial Statement: New Ministry: war policy](#)', Senate, *Debates*, 6 December 1916, accessed 21 May 2015.

35. Langfield, '[Recruiting immigrants: the First World War and Australian immigration](#)', op. cit., p. 58, accessed 14 June 2015.

36. A Rodgers, '[Postponement of parliamentary elections](#)', House of Representatives, *Debates*, 1 March 1917, accessed 22 May 2015.

37. W Finlayson, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

38. A Gardiner, '[Question: Form F](#)', Senate, *Debates*, 13 November 1918, accessed 3 June 2015.

39. E Millen, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', Senate, *Debates*, 22 April 1915, accessed 22 June 2016.

40. G Pearce, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', Senate, *Debates*, 22 April 1915; Fischer, *Enemy aliens*, op. cit., p. 19.

41. H Turley, '[Question: Commonwealth Electoral \(War-Time\) Bill](#)', Senate, *Debates*, 16 March 1917, accessed 22 May 2015.

42. Langfield, '[Recruiting Immigrants: The First World War and Australian Immigration](#)', op. cit., p. 60, accessed 14 June 2015.

43. J Stewart, '[Second reading speech: Trading with the Enemy Bill](#)', Senate, *Debates*, 23 October 1914, accessed 7 May 2015.

44. W Hughes, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', House of Representatives, *Debates*, 9 September 1915, accessed 10 May 2015.

45. J Keating, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', Senate, *Debates*, 31 August 1915, accessed 10 May 2015.

46. W Finlayson, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

47. G Pearce, '[Question: For soldiers' families](#)', Senate, *Debates*, 18 April 1918, accessed 3 June 2015.

48. J Grant, '[Second reading speech: Trading with the Enemy Bill](#)', Senate, *Debates*, 23 October 1914, accessed 7 May 2015.

This led to an ongoing debate: who should be authorised to decide which people of enemy origin were trustworthy and which were not? Many wartime Acts and regulations gave the Governor-General and members of the Federal Executive Council (comprising the Prime Minister and ministers) almost absolute discretion over such assessments, and allowed them to widen the scope of who could be deemed an 'enemy alien'.⁴⁹

War Precautions Acts and regulations

Control over people of enemy origin was primarily extended during the war through the *War Precautions Acts* and the regulations and orders made under these Acts. The previous Parliamentary Library publication, *The immigration debate in Australia: from Federation to World War One*, provides a thorough overview of the parliamentary debate about the *War Precautions Act 1914*.⁵⁰ Essentially, the *War Precautions Act* empowered the Governor-General, acting on the advice of the Executive to prohibit aliens from landing or embarking in Australia, and to deport aliens.⁵¹ It also required aliens to reside and remain within certain places, and to comply with administrative controls regarding registration, change of abode, travelling and trading.⁵²

Wielding war precautions powers

In addition to these powers, the *War Precautions Act* gave the Governor-General and members of the Federal Executive Council wide discretion to make laws which determined which people of enemy origin would be trusted and which would not. Senator Pearce, who remained Minister for Defence throughout the war, outlined how he and other ministers used their powers, stating 'wherever there is a doubt we give the benefit of the doubt to our own cause, and not to the person against whom the charge is made'.⁵³ James Fenton (ALP) warned this lack of scrutiny risked civil liberties: 'the Government will continue to rule by regulation. ... Ministers, with the Governor-General, could constitute a meeting of the Executive Council, and do practically anything behind the back of Parliament'.⁵⁴ A few parliamentarians also criticised the role of the military authorities in enforcing the new powers, such as Edward Riley (ALP), who cautioned: 'the Ministry must be very careful how it hands over the civil rights of the people to military control'.⁵⁵

Some parliamentarians argued people should be able to defend themselves in court from being labelled an enemy alien, losing their financial liberty, interned, and deported.⁵⁶ Frank Brennan (ALP), for example, challenged 'the complacent view of those who are content to say that, in the interests of safety, we must do this or that'.⁵⁷ However, Hughes, then Attorney-General, asserted there was 'about the civil law a majestic dignity and circumlocution which is unfit to deal with espionage and treachery in a time of national danger'.⁵⁸ He asserted that democracy would be protected under the war precautions powers because the law would be dependent on 'the will of the people as expressed through their representatives and the Government'.⁵⁹

Parliamentarians poised to gain extraordinary powers promised to use them responsibly. Senator Pearce promised in 1915: 'I shall certainly set my face against any unrestrained use of these powers'.⁶⁰ Attorney-General Hughes echoed this, declaring:

... the Prime Minister has given the honorable member his positive assurance, and I give him mine, that this power will be used only when absolutely necessary, and only to the extent that is absolutely necessary.⁶¹

These assurances were generally accepted, and the Leader of the Opposition Joseph Cook (LIB) merely stated:

49. For example, a 1914 regulation allowed 'where the Minister [of State for Defence] has reason to believe that any naturalized person is disaffected or disloyal he may by warrant under his hand order him to be detained in military custody ...', [War Precautions Regulations 1914](#), accessed 5 January 2015.

50. Cooper, [The immigration debate in Australia](#), op. cit., pp. 25–8, accessed 14 June 2015.

51. [War Precautions Act 1914](#) (Cth), [War Precautions Regulations 1914](#), accessed 5 January 2016.

52. Cooper, [The immigration debate in Australia: from Federation to World War One](#), op. cit., p. 25, accessed 14 June 2015.

53. G Pearce, 'Adjournment', Senate, *Debates*, 7 July 1915, accessed 1 May 2015.

54. J Fenton, 'Second reading speech: Unlawful Associations Bill', House of Representatives, *Debates*, 19 July 1917, accessed 22 May 2015.

55. E Riley, 'Second reading speech: War Precautions Bill (No. 2)', House of Representatives, *Debates*, 28 April 1915, accessed 22 June 2016.

56. For example, see: M Considine, 'Paper', House of Representatives, *Debates*, 5 December 1918.

57. F Brennan, 'Question: Deportations', House of Representatives, *Debates*, 15 August 1919, accessed 6 June 2015.

58. W Hughes, 'Second reading speech: War Precautions Bill (No. 2)', House of Representatives, *Debates*, 23 April 1915, accessed 13 June 2015.

59. Ibid.

60. G Pearce, 'Second reading speech: War Precautions Bill (No. 2)', Senate, *Debates*, 22 April 1915, accessed 7 May 2015.

61. W Hughes, 'Second reading speech: War Precautions Bill (No. 2)', House of Representatives, *Debates*, 23 April 1915, accessed 13 June 2015.

Everything will depend upon the administration of the Acts, and for that administration the Government, and only the Government, can take full responsibility ... I simply say to the Government, "Good luck to you; take your Bill, and do what seems good."⁶²

According to William Watt (Nat), the 'bulk of honourable members' agreed ministers should be free to rule covertly on matters of national security.⁶³ For the same reason, ministers often refused to discuss actions taken against people of enemy origin, citing the 'public interest'.⁶⁴

Strengthening war precautions powers

The *War Precautions Act* was amended to broaden the Government's powers twice in 1915, once in 1916, and extended in 1918 following the war.⁶⁵ The first Act was passed after only a single day of discussion, without amendment or serious opposition.⁶⁶ There was more debate about later iterations, as parliamentarians increasingly expressed concern at how earlier versions had been used to enforce censorship, reduce civil liberties, and expand the powers of the military in a period that was perceived to be less dangerous than when the first Act was passed.⁶⁷

Parliamentarians who questioned the war precautions powers appeared primarily concerned with protecting the civil liberties of British subjects, not people of enemy origin. Indeed, most were convinced Australia's safety depended on controlling this group, as illustrated by Senator Pearce:

I am not so optimistic as to believe that all the friends of Germany are inside our concentration camps or outside of Australia. It is quite possible that some civilian friends of the German cause are at large here, and if a favorable opportunity occurred, they might take some action detrimental to our country.⁶⁸

Some parliamentarians pushed the Government to tighten controls on people of enemy origin, and Jens Jensen (ALP), complained of being 'attacked right and left because we do not intern more people, and do not deal more severely with enemy subjects'.⁶⁹ Senator Albert Gould (LIB) advocated forcing 'all Germans, whether naturalized or not ... to take out a licence to remain at large, and to report themselves at regular intervals to the police'.⁷⁰ Senator Pearce argued against this, replying:

All alien enemies over the age of 13 years are compelled to report weekly to the police. It is not thought that there is sufficient reason for compelling naturalized subjects of enemy origin to report; but suspicions [sic] cases are kept under surveillance, and if there is sufficient reason they are interned.⁷¹

These concerns continued to be raised throughout the war, and in 1918 Herbert Pratten (NAT) described how there had been 'simmering in Sydney for many months, if not for years, rightly or wrongly, very grave dissatisfaction with the Defence Department for allowing enemy aliens the freedom they have'.⁷²

A few parliamentarians did advocate for people of enemy origin, although it was unusual for their concerns to change policy or alter proposed legislation. In 1915, Frank Brennan (ALP) supported providing 'just government to all who are within our boundaries, even though they may not be British subjects'.⁷³ While the Bill in question

62. J Cook, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 23 April 1915, accessed 7 May 2015.

63. W Watt, '[Question: Deportations](#)', House of Representatives, *Debates*, 15 August 1919, accessed 13 June 2015.

64. For examples, see: G Pearce, '[Alien enemy citizens](#)', Senate, *Debates*, 14 May 1915; L Groom, '[Question: Internment of people of Australian birth](#)', House of Representatives, *Debates*, 9 March 1917; and E Millen, '[Question: Industrial workers of the world: arrests](#)', Senate, *Debates*, 6 September 1917, accessed 9 June 2016.

65. See the series of amendments listed with the Principal Act: [War Precautions Act 1914 \(Cth\)](#), accessed 14 June 2015.

66. [War Precautions Act 1914](#) (Cth), accessed 14 June 2015.

67. For an example of concerns about censorship see: F Anstey, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 28 April 1915; for an example of concerns about civil liberties see: E Riley, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 28 April 1915; and, for an example of concerns about militarism, see: D McGrath, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 29 April 1915, accessed 7 May 2015.

68. G Pearce, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', Senate, *Debates*, 22 April 1915, accessed 7 May 2015.

69. J Jensen, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', House of Representatives, *Debates*, 9 September 1915, accessed 10 May 2015.

70. A Gould, '[Question: Treatment of enemy subjects](#)', Senate, *Debates*, 10 September 1915, accessed 1 May 2015.

71. G Pearce, '[Question: Treatment of enemy subjects](#)', Senate, *Debates*, 10 September 1915, accessed 1 May 2015.

72. H Pratten, '[Question: For soldiers' families](#)', Senate, *Debates*, 18 April 1918, accessed 3 June 2015.

73. F Brennan, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 28 April 1915, accessed 7 May 2015.

was amended to exempt aliens from court martial, this leniency was not extended to enemy aliens because, as Attorney-General Hughes argued:

... the offences dealt with in this Bill are those which no person is more likely to commit than an alien enemy, and no person is more likely to commit them with the deliberate intent of inflicting vital injury on the nation.⁷⁴

There were a series of other changes to the war precautions powers in 1915, including placing the onus on individuals to prove whether or not they were aliens, and reasserting the Government's power to intern enemy aliens without appeal to the courts.⁷⁵ The latter drew vehement opposition in both Houses from parliamentarians concerned about conferring 'such immense arbitrary and autocratic power' on the Government, but these arguments gained little support given the circumstances of the war.⁷⁶ As Senator Hugh de Largie (ALP) declared, 'this Bill is an emergency measure arising out of the war, we cannot freely criticise it in the usual way in this Chamber.'⁷⁷ The 1916 *War Precautions Act* further extended the Government's powers, permitting the prescription and regulation of:

... any action to be taken by or in regard to alien enemies, or persons having enemy associations or connexions, with reference to possession and ownership of their property, the continuance or discontinuance of their trade or business, and their civil rights and obligations.⁷⁸

This allowed the Government broad control over the lives of people it deemed to have 'enemy associations or connexions', however, the 1916 Act passed both Houses with little comment.

A series of regulations were also passed in 1916, such as requiring aliens to register with alien registration officers and notify them of any changes of address.⁷⁹ For the first time, passports were made mandatory for most travellers over 15 years of age, though people of enemy origin were not allowed to leave Australia by passport even if they were naturalised British subjects.⁸⁰ In 1917, aliens were prevented from using new names without permission, and it was announced that enemy aliens would be required to report to police at least weekly.⁸¹ So many regulations were made that Senator Gardiner (ALP) reflected: 'every tremor, every panic of the Government, was met by a new War Precautions regulation'.⁸² As previously noted, the *War Precautions Acts* permitted the Governor-General to make regulations and orders on the advice of the Executive, thereby avoiding parliamentary scrutiny.⁸³ According to Edward Riley (ALP), this effectively enabled the Executive to 'make any regulation they choose'.⁸⁴

Italian repatriation

One of the most controversial uses of the war precautions powers was to forcibly repatriate men with Italian heritage to fight for the Italian national army.⁸⁵ Frank Brennan (ALP), for example, argued that it was a betrayal tantamount to introducing conscription.⁸⁶ He declared:

74. W Hughes, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 29 April 1915, accessed 7 May 2015.

75. [War Precautions Act 1915](#) (Cth); [War Precautions Act \(No. 2\) 1915](#) (Cth), accessed 14 June 2015.

76. D O'Keefe, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', Senate, *Debates*, 31 August 1915, accessed 10 May 2015.

77. H de Largie, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', Senate, *Debates*, 22 April 1915, accessed 7 May 2015.

78. J West, '[Second reading speech: War Precautions Bill \(No. 4\)](#)', House of Representatives, *Debates*, 23 May 1916; and [War Precautions Act 1916](#) (Cth), accessed 24 May 2016.

79. [War Precautions \(Aliens Registration\) Regulations 1916](#), accessed 21 May 2015.

80. [War Precautions \(Passports\) Regulations 1916](#); P Glynn, '[Question: Passports](#)', House of Representatives, *Debates*, 14 June 1917, accessed 22 May 2015. Exemptions included: members of the British naval or military forces while on duty, seafaring men, people with permits to travel between Australia and New Zealand, people authorised to travel between Australia and Papua or Norfolk Island, and people with certificates exempting them from the dictation test. See also J Douman and D Lee, *Every assistance and protection: A history of the Australian passport*, Federation Press, Leichhardt, NSW, 2008, p. 66.

81. [War Precautions \(Aliens Registration\) Regulations 1916 \(Amendment\)](#); H Pratten, '[Question: Alien enemies](#)', Senate, *Debates*, 27 September 1917, accessed 24 May 2015.

82. A Gardiner, '[Second reading speech: War Precautions Bill](#)', Senate, *Debates*, 17 December 1918, accessed 31 May 2015.

83. Parliamentary Education Office, '[War Precautions Act 1914](#)', [To our LAST shilling: the Australian Parliament and World War 1 website](#); [War Precautions Act 1914](#) (Cth); [War Precautions Regulations 1914](#), accessed 5 January 2016

84. E Riley, '[Second reading speech: War Precautions Bill \(No. 2\)](#)', House of Representatives, *Debates*, 28 April 1915, accessed 7 May 2015.

85. Agutter, 'Captive Allies: Italian Immigrants in World War One Australia', op. cit., pp. 5–6.

86. F Brennan, '[Supply Bill \(No. 6\) 1917–18](#)', House of Representatives, *Debates*, 12 April 1918, accessed 2 June 2015.

... no white man, having been invited to this country, and being in the enjoyment of the protection which the British flag gives to every white man in the Commonwealth, so long as he obeys its laws, should be torn from his family and this country for compulsory military service abroad.⁸⁷

William Finlayson (ALP) further warned that the Government was risking White Australia. He asked:

How can we attract any immigrants when we pursue the policy that is now being pursued, and allow persons of foreign extraction who have made their home here to be forcibly seized and deported for military service?⁸⁸

Others were concerned for the families left behind, the 'women and children in this country who are in no manner at fault'.⁸⁹ The repatriations continued to be debated in Parliament as late as 1920.⁹⁰ The Government did not overtly claim the repatriations were necessary for Australia's national security, although historian Karen Agutter asserts it 'was keen to cooperate' when the Italian Consul General proposed the plan.⁹¹

Internment

The principle of protecting national security led to the internment of 6,890 people in Australia during the war.⁹² Most were of German or Austro-Hungarian background, and over two-thirds of them were Australian residents before the war.⁹³ They included naturalised and natural-born British subjects of enemy origin who were interned under War Precautions regulations.⁹⁴ Parliamentarians did not strongly challenge the principle underpinning internment, but some questioned the level of ministerial control over unchallengeable and indefinite detention 'for securing the public safety and the defence of the Commonwealth'.⁹⁵ Some argued the lack of judicial scrutiny prevented the internees from accessing a fair trial, and resulted in unjust decisions. For example, William Maloney (ALP) alleged the Minister 'may have interned rich Germans, but not to the extent that he has interned poor Germans'.⁹⁶ In 1918, Arthur Blakeley (ALP) further argued members of the Government 'act with perfect friendliness towards Germans who hold certain political opinions, but display marked antagonism towards other Germans holding different political opinions'.⁹⁷ Thus, the Government was accused of using war precautions to promote political interests 'for purposes which have absolutely nothing to do with the war'.⁹⁸

The Government sought to confine potentially dangerous elements in society without appearing to punish them excessively, and described conditions in the internment camps as acceptable. When questioned about the camps in 1917, Littleton Groom (NAT) declared 'the general conditions and arrangements at the concentration camps are satisfactory'.⁹⁹ The conditions of interned aliens were occasionally positively compared to those of Australian soldiers, and allowances were paid to the families of those interned.¹⁰⁰ Despite this, scholars argue that the 'internal disciplinary regime certainly rendered them [camps] into places of punishment'.¹⁰¹

87. F Brennan, '[Supply Bill \(No. 6\) 1917-18](#)', House of Representatives, *Debates*, 12 April 1918, accessed 2 June 2015.

88. W Finlayson, '[Queensland State Butchery \(Retail Department\)](#)', House of Representatives, *Debates*, 30 May 1918, accessed 2 June 2015.

89. J Mathews, '[Adjournment: Conscription of Italian reservists](#)', House of Representatives, *Debates*, 17 May 1918, accessed 3 June 2015.

90. F Brennan, '[Supply Bill \(No. 4\) 1920-21](#)', House of Representatives, *Debates*, 7 October 1920, accessed 11 June 2015.

91. Agutter, 'Captive allies: Italian immigrants in World War One Australia', op. cit., p. 5.

92. J Beaumont, 'First World War—going to war 1914-18: the view from the Australian Parliament', Parliamentary Library lecture, Canberra, 19 March 2014, p. 5, accessed 14 June 2015.

93. P McDermott, '[Internment during the Great War—a challenge to the rule of law](#)', *University of New South Wales Law Journal*, 28(2), 2005, accessed 13 June 2015.

94. Fischer, *Enemy aliens*, op. cit., p. 65.

95. E Millen, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', Senate, *Debates*, 31 August 1915, accessed 10 May 2015.

96. W Maloney, '[Question: British Army](#)', House of Representatives, *Debates*, 20 September 1916, accessed 21 May 2015.

97. A Blakeley, '[Supply Bill \(No. 1\) 1918-1919](#)', House of Representatives, *Debates*, 12 June 1918, accessed 3 June 2015.

98. F Tudor, '[Question: Federal Capital](#)', House of Representatives, *Debates*, 13 September 1917, accessed 22 May 2015.

99. L Groom, '[Question: Concentration camps](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

100. R Orchard, '[Personal Explanation](#)', House of Representatives, *Debates*, 1 July 1915; W Maloney, '[Question: Internment of Germans](#)', House of Representatives, *Debates*, 23 February 1917, accessed 22 May 2015.

101. A Bashford and C Strange, '[Asylum-seekers and national histories of detention](#)', *Australian Journal of Politics and History*, 48(4), December 2002, p. 519, accessed 15 June 2015.

Controlling citizenship

Other legislation also affected aliens and people of enemy origin by restricting naturalisations, disenfranchising and limiting freedom of association. Reflecting on these restrictions in 1919, William Finlayson (ALP) declared: 'We have made naturalization in Australia of no value whatever.'¹⁰²

Naturalisation

Given the 'strong feeling against Germany' and suspicion of people of enemy origin, parliamentarians sought to quantify the population of enemy aliens in Australia, and limit who could undergo the naturalisation process to become a British subject.¹⁰³ By November 1914, Australia had ceased naturalising people of German birth, except for those over 60 years of age.¹⁰⁴ Parliamentarians expressed concerns at the perceived risk to national security posed by potentially disloyal individuals in Australia holding both enemy and British citizenship status, and introduced legislation in 1917 in 'deference to the opinion, that we should have some provision against dual nationality'.¹⁰⁵ The resulting *Naturalization Act 1917* required applicants to renounce their existing nationality, advertise their intent to become naturalised British subjects, produce character references, and be able to read and write in English.¹⁰⁶ The *Naturalization Act* also granted the Commonwealth an unrestricted power to revoke naturalisation.¹⁰⁷ While the Government portrayed the legislation as administrative, others regarded changes to naturalisation as significant, and some suggested that the amendments should be delayed until after the war as they feared Australia had 'a distorted view of the people of enemy countries' which was likely to change in the future.¹⁰⁸ Some also appealed for the rights of women to retain their status as British subjects, arguing it was anachronistic that a 'woman sacrifices her nationality by marrying a foreigner'.¹⁰⁹ Regardless, the *Naturalization Act* passed successfully, and similar arguments were raised again in 1918 and 1920 without significant impact.¹¹⁰

Disenfranchisement

As noted above, some parliamentarians perceived people of enemy origin to be less committed to the British Empire's war effort than British subjects.¹¹¹ Internees and naturalised British subjects born in an enemy country were therefore barred from voting in the conscription referenda of 1916 and 1917 (unless proved to be the parent of a member of the defence forces), as well as the federal election in 1917.¹¹² Anyone suspected of having enemy heritage could be challenged, and their votes separately scrutinised.¹¹³ William Maloney (ALP) described this deprivation of citizenship rights as 'a disgrace and a dishonour'.¹¹⁴ Again, parliamentarians sought to distinguish between 'loyal' and 'disloyal' people based on military service. Littleton Groom (LIB) argued:

... many born in Australia of naturalized parents are fighting at the front, and have proved themselves fine British soldiers ... Relief might well be given in the case of those naturalized persons who have sons serving with the Imperial Forces.¹¹⁵

102. W Finlayson, '[Question: Point Cook Aviation School](#)', House of Representatives, *Debates*, 27 August 1919, accessed 4 June 2015.

103. J Stewart, '[Second reading speech: Trading With the Enemy Bill](#)', Senate, *Debates*, 23 October 1914; F Anstey, '[Question: Immigration of Austrians and Germans](#)', House of Representatives, *Debates*, 2 December 1914, accessed 1 May 2015.

104. A Gardiner, '[Question: Naturalization of Germans](#)', Senate, *Debates*, 11 November 1914, accessed 1 May 2015.

105. P Glynn, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 2 December 2015.

106. [Naturalization Act 1917](#) (Cth), accessed 14 June 2015.

107. D Dutton, '[Revocation of naturalisation](#)', in *Citizenship in Australia: a guide to Commonwealth Government records*, Research guide, National Archives of Australia, 2000, accessed 11 November 2015.

108. W Finlayson, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

109. W Maloney, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

110. For examples, see: W Watt, '[Question: Australian wives of internees](#)', House of Representatives, *Debates*, 3 October 1918, accessed 3 June 2015; F Brennan, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 27 October 1920; and N Makin, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 3 November 1920, accessed 5 June 2015. See also: D Dutton, *One of us?: A century of Australian citizenship*, UNSW Press, Sydney, 2002, pp. 13-14, accessed 11 June 2016.

111. W Hughes, '[Second reading speech: War Precautions Bill \(No. 3\)](#)', House of Representatives, *Debates*, 9 September 1915, accessed 14 June 2015.

112. [Military Service Referendum Act 1916](#) (Cth); [Commonwealth Electoral \(War-time\) Act 1917](#) (Cth), accessed 14 June 2015.

113. W Hughes, '[Second reading speech: Military Service Referendum Bill](#)', House of Representatives, *Debates*, 14 September 1916, accessed 15 May 2015.

114. W Maloney, '[Second reading speech: Military Service Referendum Bill](#)', House of Representatives, *Debates*, 14 September 1916, accessed 15 May 2015.

115. L Groom, '[Question: British Army](#)', House of Representatives, *Debates*, 20 September 1916, accessed 21 May 2015.

Ultimately, parents of soldiers were permitted to vote in both referenda and the federal election, even if they were of enemy origin.¹¹⁶ Some parliamentarians argued for this right to be extended to other enemy aliens and naturalised migrants. Senator Henry Turley (ALP) pointed out that not all people of enemy origins had sons they could send to war, and argued that the authorities were reluctant to recruit these men anyway, declaring ‘in a few months it became known that no one with a German name had any chance for the Expeditionary Forces’.¹¹⁷ Matthew Charlton (ALP) noted ‘many of those who were deprived of their electoral rights are as good and loyal citizens of the Commonwealth as I am’ and argued that the disenfranchisement of this group was a deliberate move to promote the conscription cause.¹¹⁸ Hughes, who was Prime Minister from 1915, dismissed these concerns as trivial compared to the ‘titanic struggle in which the civilized world is engaged’.¹¹⁹ He asserted ‘while penalizing very many loyal Germans by our action, we thought that it was only right that this vote should be decided by persons of British descent’.¹²⁰ Therefore, the election and referenda proceeded without the votes of enemy aliens and naturalised migrants, and, in 1918, the Leader of the Opposition, Frank Tudor (ALP) described how:

Bitterness has been engendered among the large number of people of German extraction in this district [Albury] through the operation of the provision in the late referendum disfranchising people whose fathers were born in Germany.¹²¹

James Catts (ALP) stated that it had been estimated that between 80,000 and 100,000 people were disenfranchised and prohibited from voting in the 1917 referendum.¹²²

Unlawful associations

While the *Unlawful Associations Act 1916* was primarily intended to target members of the anti-conscription Industrial Workers of the World group, it included an additional penalty for people other than British subjects born in Australia. In addition to six months imprisonment, they could be deported if convicted of being a member of an unlawful association and hindering the production of war supplies or advocating ‘the taking or endangering of human life, or the destruction or injury of property’.¹²³ Senator Allan McDougall (ALP) protested the ‘men who cause the trouble are British born and British subjects who are members of that organization’, but nevertheless the Bill passed with this difference in punishment.¹²⁴ The powers under the Act were broadened in 1917 because Prime Minister Hughes argued: ‘Experience has shown that the law then enacted is insufficient to enable us to cope with this great menace to society.’¹²⁵

The commercial sphere

In addition to limiting naturalisation, voting and freedom of association, wartime powers also prevented people of enemy origin from freely engaging in business. Legislation was introduced to limit the financial freedoms of people of enemy origin and tear ‘out the cancer of German influence’.¹²⁶ Trading with enemy aliens or any businesses ‘under the influence of enemy subjects ... or mainly for the benefit or on behalf of enemy subjects’ was prohibited, and contracts annulled, even for businesses registered within the British Empire.¹²⁷ By the end of 1914, the premises of any firm, company or person could be searched, and records impounded.¹²⁸ People of

116. [Military Service Referendum Act 1916](#) (Cth), accessed 14 June 2015.

117. H Turley, ‘[Question: Commonwealth Electoral \(War-time\) Bill](#)’, Senate, *Debates*, 16 March 1917, accessed 24 May 2015.

118. M Charlton, ‘[Question: Motion of no confidence](#)’, House of Representatives, *Debates*, 16 January 1918, accessed 3 June 2015.

119. W Hughes, ‘[Disenfranchised electors: the “German origin” question](#)’, House of Representatives, *Debates*, 11 January 1918, accessed 2 June 2015.

120. W Hughes, ‘[Disenfranchised electors: the “German origin” question](#)’, House of Representatives, *Debates*, 11 January 1918, accessed 2 June 2015.

121. F Tudor, ‘[Disenfranchised electors: the “German origin” question](#)’, House of Representatives, *Debates*, 11 January 1918, accessed 2 June 2015.

122. J Catts, ‘[Question: Motion of no confidence](#)’, House of Representatives, *Debates*, 15 January 1918, accessed 2 June 2015.

123. B Campbell, ‘[To the memory of heroes past: IWW and the Australian Labour Museum](#)’, *Industrial Worker*, 108(4), 1 May 2011, p. 5, ProQuest database; [Unlawful Associations Act 1916](#) (Cth), accessed 14 June 2015.

124. A McDougall, ‘[Second reading speech: Unlawful Associations Bill](#)’, Senate, *Debates*, 19 December 1916, accessed 15 May 2015.

125. [Unlawful Associations Act 1917](#) (Cth); W Hughes, ‘[Second reading speech: Unlawful Associations Bill](#)’, House of Representatives, *Debates*, 18 July 1917, accessed 22 May 2015.

126. W Higgs, ‘[Question: The War: Australian troops](#)’, House of Representatives, *Debates*, 4 April 1918, accessed 2 June 2015.

127. [Trading with the Enemy Act \(No. 2\) 1914](#) (Cth). See also the following Acts: [Trading with the Enemy Act 1914](#) (Cth); [Trading with the Enemy Act \(No. 2\) 1914](#) (Cth); [Trading with the Enemy Act 1916](#) (Cth); and [Enemy Contracts Annulment Act 1915](#) (Cth), accessed 14 June 2015.

128. [Trading with the Enemy Act \(No. 2\) 1914](#) (Cth), accessed 14 June 2015.

enemy origin were prevented from holding shares, buying land and using any patent, trade mark or registered design during the course of the war.¹²⁹

As with the *War Precautions Acts*, the duration of debate about these Bills varied. The *Trading with the Enemy Act 1914* passed with little discussion, and while there was some debate regarding raids on businesses in November 1914, generally parliamentarians accepted then Attorney-General Hughes' blunt view: 'better that a few individuals should suffer than that the safety of the Commonwealth should be imperilled'.¹³⁰ The *Patents, Trade Marks and Designs Act 1914* and amendments also passed rapidly, though Patrick Glynn (LIB) pointed out it entailed 'something outside the ordinary laws of confiscation'.¹³¹ Showing some concern for the affected aliens, Hughes cautioned:

This is not a Bill to legalize looting ... Civilized warfare does not interfere with the property of individual enemies; this is now one of the settled principles of international law.¹³²

Discussion in later years acknowledged the effects on people with enemy origins to a greater extent. For example, Senator Gardiner (ALP), Vice-President of the Federal Executive Council (the constitutional mechanism for providing ministerial advice to the Governor-General), declared in 1916:

... every consideration has been given to enemy subjects, and ... allotments and allowances should be given to aliens who are not dangerous to the community; and who are not interned.¹³³

Some parliamentarians, such as Senator William Senior (ALP), still raised the likely effects of the *Enemy Contracts Annulment Bill* on people of enemy origin, protesting, the 'Government propose [sic] to take away from him the means by which he lives'.¹³⁴ Indeed, people suspected of having enemy heritage were progressively 'forced out of employment, their businesses were shunned'.¹³⁵ By 1918, between 600 and 700 men voluntarily sought internment who 'because of their nationality, and because they were looked upon with suspicion, were unable to secure employment'.¹³⁶ King O'Malley (ALP) described the impacts of discrimination, stating:

I met a German the other day who said, "I come here, and I make a leetle [sic] home, and now I am starving." We do not wish to persecute the Germans who are here.¹³⁷

Such concerns were not sufficient to prevent the passage of Bills perceived to contribute to the war effort.

As with the war precautions powers, parliamentarians debated the level of authority granted to ministers through this legislation. The Attorney-General could dictate the commercial dealings of businesses and people with enemy origin, and declare arrangements to be 'enemy contracts' and therefore void.¹³⁸ Some parliamentarians suggested that people should have the opportunity to 'argue [their] status before the Attorney-General makes a declaration'.¹³⁹ There was also concern that some legislation countered the British Proclamation of September 1914, which gave 'express permission for subjects to continue their trading with all subjects of the German Emperor who are still permitted to remain in the British Dominions'.¹⁴⁰ Joseph Cook (LIB) cautioned against this display of Australian initiative, hoping they were 'not throwing a boomerang, which will return and hit us worse'.¹⁴¹ O'Malley (ALP) also criticised the scope of the *Enemy Contracts Annulment Bill*:

129. [War Precautions \(Enemy Stakeholders\) Regulations 1916](#); [War Precautions \(Land Transfer\) Regulations 1916](#); [Patents, Trade Marks and Designs Act 1914](#) (Cth); [Patents, Trade Marks and Designs Act \(No. 2\) 1914](#) (Cth), accessed 14 June 2015.

130. W Hughes, '[Question: Military raids on business premises](#)', House of Representatives, *Debates*, 18 November 1914, accessed 8 May 2015.

131. P Glynn, '[Second reading speech: Patents, Trade Marks, and Designs Bill](#)', House of Representatives, *Debates*, 12 November 1914, accessed 8 May 2015.

132. W Hughes, '[Second reading speech: Patents, Trade Marks, and Designs Bill](#)', House of Representatives, *Debates*, 12 November 1914, accessed 8 May 2015.

133. A Gardiner, '[Trading with the Enemy Bill \(No. 3\)](#)', Senate, *Debates*, 19 May 1916, accessed 17 May 2015.

134. W Senior, '[Second reading speech: Enemy Contracts Annulment Bill](#)', Senate, *Debates*, 21 May 1915, accessed 10 May 2015.

135. Beaumont, 'First World War—going to war 1914–8: the view from the Australian Parliament', op. cit., p. 4, accessed 14 June 2015.

136. G Pearce, '[Second reading speech: War Precautions Bill](#)', Senate, *Debates*, 13 December 1918, accessed 31 May 2015.

137. K O'Malley, '[Second reading speech: Enemy Contracts Annulment Bill](#)', House of Representatives, *Debates*, 7 May 1915, accessed 8 May 2015.

138. [Enemy Contracts Annulment Act 1915](#) (Cth); [Trading with the Enemy Act 1916](#) (Cth), accessed 14 June 2015.

139. L Groom, '[Second reading speech: Enemy Contracts Annulment Bill](#)', House of Representatives, *Debates*, 7 May 1915, accessed 8 May 2015.

140. W Irvine, '[Second reading speech: Enemy Contract Annulment Bill](#)', House of Representatives, *Debates*, 14 May 1915, accessed 10 May 2015.

141. J Cook, '[Second reading speech: Enemy Contracts Annulment Bill](#)', House of Representatives, *Debates*, 19 May 1915, accessed 10 May 2015.

... people here, many thousands of miles away from the seat of war, have nearly gone mad about chasing the enemies of the country. I have read the Bill with fear and trembling. After careful study, it appears that if your wife has an uncle who is the grandson of a German born before the Flood, you are trading with the enemy.¹⁴²

Despite these protests, most parliamentarians supported the introduction of legislation preventing people with enemy origins from fully engaging in business. As Senator Hugh de Largie (ALP) put it in 1915: 'Certain outrages have been committed by Germans, and we are anxious to get level with them.'¹⁴³

Post-war period: naturalisation a mere 'scrap of paper'?

Following the war, Cook, who had by then joined the new Nationalist Party with Hughes, described immigration as 'the most insistent of all our immediate problems'.¹⁴⁴ Many immigration tensions continued in the post-war period, including bolstering White Australia through immigration while excluding 'undesirables', and maintaining the White Australia policy in the face of geopolitical opposition. Some parliamentarians, particularly those associated with labour causes, also resisted the mass immigration of European people, because of 'a feeling that the fewer workers there are in Australia the more work there is for those who are here'.¹⁴⁵ Concerns about immigration were also intensified by the Spanish Flu epidemic, and William Maloney (ALP) expressed concerns about the adequacy of Australia's quarantine systems on immigrant ships.¹⁴⁶

Nevertheless, some parliamentarians advocated for a 'big immigration scheme' as the 'basis of our security' and 'national solvency'.¹⁴⁷ Prime Minister Hughes opined: '... we must get men of [the] right type and get them on the land and not in the great cities'.¹⁴⁸ While parliamentarians continued to prize British immigration, and welcomed former British soldiers, some also suggested that post-war Britain would not provide enough people.¹⁴⁹ Joel Gabb (ALP) declared: 'I yet believe that the intermingling of the blood of other white people with our own is good for us, and must help to build up a stronger and better nation.'¹⁵⁰

A few parliamentarians continued to warn that the administration of the White Australia policy damaged Australia's international reputation, such as William Maloney (ALP), who stated that it 'caused enmity and ill-feeling on the part of more than one-third of the human race'.¹⁵¹ Nevertheless, the policy was still supported, and Maloney was careful to temper his criticism by proclaiming: 'I believe in the policy of a White Australia, and would gladly give my life to preserve it.'¹⁵² Prime Minister Hughes' defence of the policy at the 1919 Paris Peace Conference was also widely celebrated by parliamentarians.¹⁵³

Extension of war precautions powers

Although the war ended in November 1918, war powers continued to be enforced.¹⁵⁴ As Minister for Defence in 1915, Senator Pearce (ALP) declared that he looked forward to a time when the war precautions powers could 'be swept into the waste-paper basket'.¹⁵⁵ When the war did cease, however, the Government extended the *War Precautions Act*, with Pearce arguing that the 'sudden cessation of the activities which have arisen in consequence of the war could not be accomplished without danger to the community'.¹⁵⁶ The extension of war

142. K O'Malley, '[Second reading speech: Enemy Contracts Annulment Bill](#)', House of Representatives, *Debates*, 7 May 1915, accessed 8 May 2015.

143. H de Largie, '[Second reading speech: Patents, Trade Marks, and Designs Bill \(No. 3\)](#)', Senate, *Debates*, 14 May 1915, accessed 8 May 2015.

144. J Cook, '[Budget \(1920–21\): in Committee of Supply](#)', House of Representatives, *Debates*, 16 September 1920, accessed 6 June 2015.

145. E Page, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 19 November 1920, accessed 5 June 2015. See also: S Nicholls, '[Question: Lead urgently needed](#)', House of Representatives, *Debates*, 11 March 1920, accessed 6 June 2015.

146. W Maloney, '[Question: Arsenal](#)', House of Representatives, *Debates*, 26 November 1918, accessed 2 June 2015.

147. E Page, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 19 November 1920, accessed 5 June 2015.

148. W Hughes, '[Question: Pay of wounded soldiers](#)', House of Representatives, *Debates*, 20 August 1915, accessed 14 June 2015.

149. Langfield, '[Recruiting immigrants: the First World War and Australian immigration](#)', op. cit., p. 58, accessed 14 June 2015.

150. J Gabb, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 28 October 1920, accessed 5 June 2015.

151. W Maloney, '[Third reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 28 August 1919, accessed 3 June 2015.

152. Ibid.

153. R Burchell, '[Question: Treaty of Peace](#)', House of Representatives, *Debates*, 19 September 1919, accessed 6 June 2015.

154. D Clark and G McCoy, *Habeas Corpus: Australia, New Zealand, the South Pacific*, Federation Press, Leichhardt, NSW, 2000, p. 187.

155. G Pearce, '[Second reading speech: War Precautions Bills \(No. 2\)](#)', Senate, *Debates*, 22 April 1915, accessed 7 May 2015.

156. L Groom, '[Second reading speech: War Precautions Bill](#)', House of Representatives, *Debates*, 22 November 1918; [War Precautions Act 1918](#) (Cth), accessed 14 June 2015.

powers in 1918 was vehemently opposed by some parliamentarians, who focused on the impact on the economy, extension of censorship and the internment of Australians thought to be 'disaffected and disloyal'.¹⁵⁷

Some parliamentarians also challenged the deportation of people under the war precautions powers, particularly because it included naturalised people.¹⁵⁸ Arthur Blakeley (ALP), for example, argued in 1919:

I do not care what crime may be charged, no man or woman should be deported without trial. It may have been necessary during war time ... but surely the time has passed when we cannot allow the full light of day to be thrown on every individual in this community against whom a charge is made.¹⁵⁹

William Finlayson (ALP) also criticised the Government for 'absolutely refusing' the relatives of deported people 'even the ordinary courtesy of a communication'.¹⁶⁰ Frank Brennan (ALP) warned that discrimination would:

... create amongst their friends and relatives a feeling of hostility and disloyalty which is likely to live many years after the war is over ... So far from the Government safeguarding the interests of the nation, the interests of the nation will be, to a great extent, jeopardized by these acts of injustice.¹⁶¹

Others, such as then Treasurer William Watt (NAT), defended the deportations, arguing 'if there is a slight injustice in some part of the procedure adopted, the safety of this community is more important than the display of sentiment towards a particular class of people'.¹⁶² Of 6,890 people interned in Australia during the war, 5,414 were deported, along with 736 family members and un-interned enemy aliens.¹⁶³

Other legislation passed in the post-war period continued to limit the freedoms of people of enemy origin. The *War Precautions Act* was repealed in 1920, but in that year the Government passed a series of Bills to 'take to themselves, by enactment, powers which they wielded under the *War Precautions Act* and its regulations'.¹⁶⁴ These were not passed as quickly as they were during the war, but rather were discussed at length in 1919 before the Seventh Parliament ended, and passed at the end of 1920. The *Aliens Registration Act 1920* continued the monitoring of alien registrations, address changes and changes of name.¹⁶⁵ Some parliamentarians opposed the *Aliens Registration Act* because it allowed suspected aliens to be arrested without a warrant, and the collection of suspects' fingerprints.¹⁶⁶ Others criticised the Act because they perceived it did not restrict undesirable immigration, and nor did it encourage desirable immigration.¹⁶⁷

The *Nationality Act 1920* repealed and replaced the *Naturalization Act 1903–1917*, and granted the Governor-General (and by extension, the Executive) absolute discretion over naturalisation.¹⁶⁸ The *Nationality Act* also allowed for the revocation of the citizenship of naturalised British subjects, and people whose mother or father were naturalised, without appeal. Reasons for denaturalisation could include being deemed disloyal or not of good character, being sentenced for serious criminal behaviour, or for trading or communicating with the enemy during wartime. This denaturalisation could also be applied to the subject's wife and children. This was criticised as making naturalisation a mere 'scrap of paper' and Leader of the Opposition, Frank Tudor (ALP) warned it 'takes away the papers of many persons now naturalized'.¹⁶⁹ Frank Brennan (ALP) opposed revoking naturalisation certificates, arguing:

157. Fischer, *Enemy aliens*, op. cit., p. 65.

158. A Poynton, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 26 October 1920, accessed 5 June 2015.

159. A Blakeley, '[Question: Konrad Ebert](#)', House of Representatives, *Debates*, 2 July 1919, accessed 6 June 2015.

160. W Finlayson, '[War Precautions Bill](#)', House of Representatives, *Debates*, 12 December 1918, accessed 30 May 2015.

161. F Brennan, '[Question: Deportations](#)', House of Representatives, *Debates*, 15 August 1919, accessed 6 June 2015.

162. W Watt, '[Question: Deportations](#)', House of Representatives, *Debates*, 15 August 1919, accessed 6 June 2015.

163. Fischer, *Enemy aliens*, op. cit., p. 302.

164. F Tudor, '[Passports Bill](#)', House of Representatives, *Debates*, 4 November 1920, accessed 5 June 2015.

165. [Aliens Registration Act 1920](#) (Cth), accessed 14 June 2015.

166. J Grant, '[Aliens Registration Bill](#)', Senate, *Debates*, 6 May 1920, accessed 14 June 2015.

167. E Page, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 19 November 1920, accessed 5 June 2015; J Grant, '[Second reading speech: Aliens Registration Bill](#)', Senate, *Debates*, 12 September 1919, accessed 4 June 2015.

168. [Nationality Act 1920](#) (Cth), accessed 14 June 2015; Fischer, *Enemy aliens*, op. cit., p. 287.

169. A Wienholt, '[Start of Business](#)', House of Representatives, *Debates*, 30 April 1920; F Tudor, '[Second Reading Speech: Nationality Bill](#)', House of Representatives, *Debates*, 27 October 1920, accessed 5 June 2015.

... when we take a man into the ranks of our citizenship we should render ourselves permanently responsible for him ... The law can and ought to punish guilty persons for what they do. When we make persons citizens, we should be permanently responsible for them.¹⁷⁰

These arguments were overruled by the Government, which claimed the right 'to keep out undesirables'.¹⁷¹ During 1918 and 1919, almost 150 naturalisation certificates were cancelled, mostly those of internees.¹⁷²

The *Immigration Act 1920* barred such a broad group of people from immigrating that Tudor declared it could effectively 'be interpreted in such a way as to keep out practically any person'.¹⁷³ People suffering from mental instability were prohibited, although this was uncontested in Parliament because it was seen to keep Australia 'pure, physically and mentally'.¹⁷⁴ Germans, Austrian-Germans, Bulgarians, Hungarians and Turks were also excluded for five years.¹⁷⁵ James Fenton (ALP) did ask: 'Why should we shut our doors for so long to desirable classes of new citizens?'. However, generally, British immigrants were still preferred.¹⁷⁶

Historian Michele Langfield argues while 'ideology had never previously been used as a standard of acceptability' in assessing immigrants to Australia, the Act also allowed officials to 'restrict migrants on the basis of their ideas'.¹⁷⁷ Many parliamentarians protested against the provision allowing political radicals to be deported, potentially including anarchists, Sinn Feiners and Bolsheviks.¹⁷⁸ William Finlayson (ALP) characterised the Bill as:

... nothing more or less than a declaration of war against any person in the community who ventures to hold a political opinion different from that of the Ministry of the day.¹⁷⁹

Nevertheless, Alexander Poynton (NAT) aligned the Bill with the urge to 'prevent this country being made the dumping ground for the discards of all other countries'.¹⁸⁰

Conclusion

This paper has traced Australian parliamentary debates regarding immigration during World War I and immediately afterwards. Parliamentarians continued to debate how to strengthen the nation through immigration without changing the White Australia policy or compromising working pay and conditions. At the same time, discrimination against southern and eastern Europeans and people of enemy origin intensified.

The parliamentary debates illustrated a range of tensions within Australian politics that are still being explored in the 21st century. This included debates about precisely what additional powers a government should have in responding to threats to national security, such as restrictions on movement and association or changes to citizenship status. There were also tensions about the extent to which Parliament and the judiciary should be allowed oversight of the Government's power. Parliament also saw debates about questions of national identity and loyalty, with some parliamentarians implying the impossibility of multiculturalism and arguing that an immigrant must have 'renounced his native country' to be a 'genuine Australian'.¹⁸¹

Ultimately, parliamentarians passed extraordinary wartime legislation in an effort to protect Australia's national security, but progressively sidelined parliamentary scrutiny and repressed both British subjects and people of enemy origin. According to William Finlayson (ALP), the legislation, 'which was originally intended to accomplish a salutary and proper purpose' had 'developed into something very different' and 'become a vicious tiger'.¹⁸²

170. F Brennan, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 3 November 1920, accessed 5 June 2015.

171. A Poynton, '[Second reading speech: Nationality Bill](#)', House of Representatives, *Debates*, 26 October 1920, accessed 5 June 2015.

172. D Dutton, *Citizenship in Australia: a guide to Commonwealth Government records*, op. cit.

173. F Tudor, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 22 August 1919, accessed 3 June 2015.

174. G Maxwell, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 28 August 1919, accessed 3 June 2015.

175. *Immigration Act 1920* (Cth); P Glynn, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 20 August 1919, accessed 3 June 2015.

176. J Fenton, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 19 November 1920; M Langfield, '[Recruiting immigrants: the First World War and Australian immigration](#)', op. cit., p. 65, accessed 2 December 2015.

177. M Langfield, '[Recruiting immigrants: the First World War and Australian immigration](#)', op. cit., p. 61, accessed 2 December 2015.

178. F Brennan, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 28 August 1919, accessed 3 June 2015.

179. W Finlayson, '[Second reading speech: Immigration Bill](#)', House of Representatives, *Debates*, 28 August 1919, accessed 3 June 2015.

180. A Poynton, '[Second Reading Speech: Immigration Bill](#)', House of Representatives, *Debates*, 27 August 1919, accessed 4 June 2015.

181. W Finlayson, '[Second reading speech: Naturalization Bill](#)', House of Representatives, *Debates*, 8 August 1917, accessed 22 May 2015.

182. W Finlayson, '[Question: The War House of Representatives debate](#)', House of Representatives, *Debates*, 27 September 1918, accessed 29 May 2015.



Abbreviations for political affiliations

ALP Australian Labor Party
LIB Liberal Party of Australia
NAT Nationalist Party

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