BRITISH IMMIGRATION CONTROL PROCEDURES
AND JEWISH REFUGEES, 1933–1942

Thesis submitted for the degree of PhD in the University of London.

Louise Ann London
Queen Mary and Westfield College
University of London

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Abstract

This thesis is an historical account of the British government's regulation of the immigration to the United Kingdom of Jewish refugees in flight from Nazi persecution. The focus of the study is the administration of immigration controls, with particular emphasis on the groups of refugees for whom entry was possible and the conditions subject to which they were admitted. The administrative process is also examined in the context of policy. The results of the government's efforts to control the influx are set against policy goals, in order to assess both the extent to which the quest for control was successful, and the extent to which it led to unintended consequences. The relationship between policy and procedure is thus a key theme of this study.

The bulk of the thesis is concerned with policy-making and administration within government, and is based on documents in the Public Record Office (PRO). Other sources used include private papers of ministers and officials, records of Jewish organisations, archives of refugee committees and interviews, listed in the bibliography. The material largely concerns the work of Whitehall departments, inter-departmental relations and activities at Cabinet-level. Home Office policy and practice are covered in particular detail. The contributions of other government departments, particularly the Foreign Office, the Ministry of Labour and the Treasury, are also discussed. Another important topic is the policy-making and administrative role of non-governmental organisations, especially refugee committees.

The introduction is followed by a chapter outlining the legal and administrative history of immigration control since 1905. Succeeding chapters deal chronologically with the British response to the immigration of Jewish refugees from 1933 to 1942. The conclusion discusses whether British policy was humanitarian or self-interested. Two appendixes contain brief biographical notes on persons relevant to the thesis and a list of Home Secretaries and Home Office Permanent Under Secretaries.
Acknowledgments

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Deputies of British Jews, the Bodleian Library, the British Library, Cambridge University Library, the Imperial War Museum, the Institute of Advanced Legal Studies, the Institute of Historical Research, the Institute of Jewish Affairs, the Parkes Library, Southampton, Queen Mary and Westfield College Library, the Rothschild Archive, the Wiener Library, the University of London Library and University College London Library, the American Joint Distribution Committee, Columbia University Library, the Franklin D Roosevelt Library, the Library of Congress, the National Archives, the New York Public Library, the YIVO Institute of Jewish Research and the Leo Baeck Institute.

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This thesis is dedicated to my parents.

Louise London.
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<td>AAC</td>
<td>Academic Assistance Council</td>
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<td>ADAC</td>
<td>Aliens Deportation Advisory Committee</td>
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<td>ANJSC</td>
<td>Aliens and Nationality Joint Standing Committee</td>
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<td>AJDC</td>
<td>American Jewish Joint Distribution Committee</td>
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<td>BCRC</td>
<td>British Committee for Refugees from Czechoslovakia</td>
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<td>CAW</td>
<td>Sub-committee on the Treatment of Aliens in Time of War</td>
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<tr>
<td>CBF</td>
<td>Central British Fund for the Relief of German Jewry</td>
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<td>CCJR</td>
<td>Central Council for Jewish Refugees</td>
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<tr>
<td>CID</td>
<td>Committee of Imperial Defence</td>
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<tr>
<td>CGJ</td>
<td>Council for German Jewry</td>
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<tr>
<td>COM</td>
<td>Committee on Overseas Manpower</td>
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<td>COR</td>
<td>Central Office for Refugees</td>
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<td>CRTF</td>
<td>Czech Refugee Trust Fund</td>
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<td>FO</td>
<td>Foreign Office</td>
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<td>GMC</td>
<td>General Medical Council</td>
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<td>HO</td>
<td>Home Office</td>
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<tr>
<td>IGC</td>
<td>Intergovernmental Committee on Refugees</td>
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<tr>
<td>ILO</td>
<td>International Labour Organisation</td>
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<tr>
<td>JFC</td>
<td>Joint Foreign Committee (of the Board of Deputies and the Anglo-Jewish Association)</td>
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<tr>
<td>JRC</td>
<td>Jewish Refugees Committee</td>
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<tr>
<td>JTS</td>
<td>Jews’ Temporary Shelter</td>
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<td>MEW</td>
<td>Ministry of Economic Warfare</td>
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<td>MOLANS</td>
<td>Ministry of Labour and National Service</td>
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<tr>
<td>PCD</td>
<td>Passport Control Department</td>
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<td>PCO</td>
<td>Passport Control officer</td>
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<td>PRO</td>
<td>Public Record Office</td>
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<td>SPSL</td>
<td>Society for the Protection of Science and Learning</td>
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<tr>
<td>UK</td>
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<td>USA</td>
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INTRODUCTION

Since the appearance in 1967 of the pioneering study by Arthur Morse, *While Six Million Died*, the urge to understand the response of "bystander" nations to the plight of Jews in Nazi Europe has inspired a succession of books by British and American authors. We now have a number of studies which document the refugee policies of the governments of the UK and the USA, and their inaction in the face of the Holocaust. Alongside the work of documenting the response of bystander nations, historians are also engaged in establishing the context in which these governmental decisions were made, so that specific policies towards Jews in Europe may be explained and evaluated. To do this, as well as describing what actually occurred, it is necessary to recreate the broad spectrum of governmental concerns and activities in the period, which provided the context for decisions concerning refugees and Jews. It will then be possible to analyse what happened; furthermore, equipped with knowledge of these events and an understanding of the choices which produced them, one may make a critical examination of government policy and address the question of


2 For full length scholarly studies of British government policy see references in bibliography to works by Sherman, Wasserstein and Gilbert; for American government policy see references in bibliography to works by Wyman, Feingold, Friedman, Penkower, Breitman and Kraut.


whether there were valid alternatives in the period under study.

This thesis is within a developing tradition which seeks to place a fateful episode in Jewish history within the context of the wider society. It is in the first instance a case study of UK immigration controls and policy towards Jewish refugees. Refugee policies and practice are placed within their political and administrative context, in order to show the frame of reference within which British decisions on refugee policy were taken. They are also examined for any assistance they can give in understanding what might have happened, in particular why more was not done to offer refuge and rescue to Jews in Nazi Europe. How did it come about that perhaps 70,000 European Jews were admitted to the UK prior to the outbreak of the Second World War? By what process was this quantity of admissions arrived at? The answers to these questions will, it is hoped, assist in addressing questions which envisage other possible outcomes: first, why the numbers admitted to the UK in the years between 1933 and 1942 were neither higher, nor lower; second, why, in the years between 1942 and 1945, more effort was not made to save Jews from mass murder. This study is therefore both an account of British aid to Jews in flight from Nazism up to 1942, and a prologue to the British response to the Holocaust. It seeks to establish an understanding of the restrictiveness of refugee policy and of the choice not to solve Jewish refugee problems in Europe prior to the Holocaust. It concludes by seeking to use this understanding to throw light on the British failure to act to provide refuge and rescue to Jews during the Holocaust period.
Refugees, in international refugee law, are persons who have already left the country in which they fear persecution. In this work, however, the term "refugee" is also sometimes used, as it was in the period covered by this study, in a broader, less technical sense, to include also persons more correctly described as "would-be refugees" or "potential refugees", in other words, people who wished to flee from the countries where they were residing, but had not yet succeeded, and in many cases never did succeed in doing so. Likewise, the term "refugee policy" is used to refer to policy towards both "actual" and "potential" refugees.

Only David Wyman's study of American policy, *Paper Walls*, covering the period between 1933 and 1941, has been distinctively concerned with the process of admission, which is the subject of this thesis. Works on British government policy which are particularly important for the purposes of this study, are AJ Sherman's *Island Refuge, Britain and Refugees from the Third Reich, 1933-1939*, and Bernard Wasserstein's *Britain and the Jews of Europe, 1939-1945*. These studies of the British response to Jews seeking to escape from Nazi Europe address the question of admissions to the UK, but this is but one strand among many. The greater part of Sherman's study of the pre-war era is devoted to British involvement in international action on the refugee problem. Wasserstein gives a great deal of space

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to the question of entry to Palestine throughout the Second World War. His discussion of admissions to the UK is much shorter, and gives detailed consideration to just two proposals for the admission of specific groups of Jews, only one of which appears to have been put to the Home Office. Neither Sherman nor Wasserstein uses Home Office files in the Public Record Office (PRO), but both authors use source material originating in the Home Office and now located in other departments' files. Sherman used a small quantity of material in the possession of the Home Office, to which he was granted brief access. This present study is largely based on sources in the PRO. It refers to many of the same sources as Sherman and Wasserstein and complements their findings, but also employs files of a wide range of departments which they did not use, particularly the Home Office, the Ministry of Labour and the Treasury.

Policies and procedures

This thesis deals with the response of the British government to Jewish refugees and to Jews seeking to leave Nazi Europe in the years between 1933 and 1942. Its primary concern is with UK immigration controls, and it examines both the mechanisms of the administrative process, and how control was operated in practice. It is also concerned with policy - its formation, aims, and execution. It asks what the government sought to achieve in its handling of Jewish refugee immigration, and the extent to which it succeeded. The thesis is thus a study of policies and procedures, and the complex relationship between them. Immigration controls are examined as the expression and instruments of government

7 Sherman., op. cit, p.9; personal communication to this author, September 1988.
policy, and procedural considerations are seen in turn as determinants of policy.

This study also reflects the author's concern with immigration controls and refugee policies in 1933-42, as precursors of their present-day British counterparts. The decision to embark on this research arose originally from the realisation that the response of the Home Office to Jewish refugees in the 1930s contained parallels with present-day Home Office practice, in particular, the pre-occupation of Home Office ministers and officials with achieving firm immigration control. The practice of altering immigration procedures in response to a new influx of refugees, by introducing visa requirements to control their entry, was utilised after the Anschluss in 1938 to control the entry of Jewish refugees, and utilised again in 1985 to control the entry of Tamil citizens of Sri Lanka who sought asylum from events in their own country. The imposition of visas was, however, only one among a series of British reactions to a succession of crises and extensions of the rule of Nazi Germany to new territories, which caused Jews to seek refuge or rescue from Nazi Europe. With each new crisis British policy and procedures were adjusted to deal with pressure for entry from increased numbers of applicants.

The organisation of the thesis reflects this cycle of crisis and adjustment. Chapter one establishes the organisational system which dealt with refugee immigration, by setting out the legal and administrative framework of immigration control. After this preliminary chapter, events unfold in the five subsequent chapters, each of which starts with a
crisis, and then examines the impact of this crisis on British policy, procedures, and practice. Thus, each of the four pre-war chapters takes as its starting point a new episode of persecution by the Nazi regime, which created new pressure for refugee admissions to Britain. Chapter two begins with Nazi persecution of Jews in Germany in the first quarter of 1933, chapter three with the Anschluss, when Germany annexed Austria in March 1938, chapter four with the Kristallnacht pogroms in Germany in November 1938, and chapter five with the refugee crisis in Czechoslovakia following the Munich Agreement in September 1938. Each of these pre-war crises on the Continent produced a reconsideration of British policy and led to changes in refugee admissions to the UK.

The sixth chapter, which deals with the war-time years 1939-1942, is different, in several respects. For the UK, the outbreak of war was a crisis, but one that had little to do with refugees. The main impact of the war on the refugee question was to prevent further refugees from coming to the UK. The war certainly led to pressure for new refugee admissions, but this had a relatively insignificant impact. In late September 1939 War Cabinet ministers made an explicit decision to subordinate refugee policy to the need to win the war, and established a rule against humanitarian admissions of refugees. The organisation of the treatment of policy issues in this chapter reflects the different nature of the policy process during the war. Establishing at the outset the transition to war-time priorities, the chapter then explores, under the two broad headings of policy towards refugees in the UK and admissions policy, aspects of
policy affecting refugees which ran parallel over the same
time-period.

British refugee policy and the Holocaust

In the UK, the knowledge that the Nazis were implementing a
programme of exterminating the Jews of Europe came in mid-
1942. This news did not produce a relaxation of the
restrictive policies which had been established, although
many people within government and outside it expected that
it would. Ministers decided that the rule of excluding
humanitarian refugee admissions, made three years earlier,
must remain intact. The Home Secretary, Herbert Morrison,
played a leading part in asserting that such a policy was
correct. The decision to maintain this strict stance on
admissions was, so this thesis argues, the culmination of a
succession of pre-war and war-time controls on Jewish
refugees, imposed within the context of a pre-existing
restrictive immigration policy, which had by this time set
British policy in a restrictive mould. The British response
to the earlier crises, it is submitted, prefigures the
response to the Holocaust.

The full range of the components of the British government's
stance on refuge and rescue during the Holocaust, of which
refugee policy was only one, has not been addressed here.
Another important factor, to which brief reference will be
made, was the explicit ruthlessness of British war-time
policy towards the populations of occupied Europe, which
included bombing of civilian targets and starvation of
civillian populations. Nevertheless, refugee policy and the
context in which it was formulated is a factor without which
British policy during the Holocaust cannot be explained or evaluated.

Policy and action
The structure of this work reflects not only the evolution of refugee policy but also the relationship between policy and action. It is concerned in particular with the way in which both the actions taken, and the officials who carried them out, related to high-level policy decisions. Thus, chapters two, three, four and five, which deal with the pre-war era, separate the treatment of the policy system, in which top-level decisions about refugee policy were made, from the organisational system in which this policy was mediated and executed. Each of these four chapters is subdivided into a section on policy, followed by a section on administration. The policy sections highlight the issues each new crisis raised, the formal response at Cabinet level and the operational procedures that were activated as a result of Cabinet decisions. They show the involvement of ministers in attempting to adjust to changed circumstances, the interplay in top-level decision-making between the priorities of different departments, including considerations involving foreign policy and public funds, and the principles behind discussions of procedural questions. The administration sections are broadly concerned with what may be termed implementation. These sections show how policies worked out in practice. They show both the extent to which policies were carried out and the extent to which they were modified. The administration of admissions by the Home Office is described, showing the management of refugee casework in conjunction with other departments and
outside bodies, and the conditions imposed on the various categories of refugees seeking admission.

This separation of policy and administration also highlights the extent to which policy resulted from action on the ground, rather than preceding or determining it. "Policy" is here used in several senses. It is used in a narrow sense to mean the determinants of action: formal intentions arrived at by Cabinet decisions; operational decisions expressed in circulars and other detailed rules of administrative procedure which provide the framework for action. The description provided here of the way in which immigration controls on refugees evolved illustrates the observations of Barrett and Fudge in *Policy and Action*, that, when procedures are refined in practice, the line where policy ends and implementation begins is difficult to define, and that original policy aims may be significantly altered in the course of implementation.

"Policy" is also used here in a broader sense, to include objectives which, although not formally articulated, are also determinants of action, and which may be in large part derived from practice. The research findings presented here support Barrett and Fudge's questioning of the validity of the "policy-centred approach" to the analysis of public policy, in which implementation is conceived of as a 'rational' process of putting policy into effect. They argue for a conception of policy as sometimes being a response to pressures and problems experienced on the ground, and

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sometimes the result of innovations by persons who are not formally part of the policy process. The usefulness of such an "action centred" approach in explaining what occurs in practice is illustrated by the close links found here between administrative action and the evolution of policy. For example, initiatives by refugee organisations and practices developed by officials, generated new policy. Jewish organisations gave a lead in presenting policy issues for decision, and set up administrative arrangements for dealing with refugees to which the government responded. Officials evolved guidelines and schemes for the management of casework which resulted in new policy. In late 1938, for example, Home Office and Ministry of Labour officials, for reasons which included manpower economies, agreed to alter and lighten the conditions which would be imposed on thousands of refugee domestics, knowing that they might face criticism if it became known that this had been done without parliamentary approval. Procedural developments with policy implications such as this were possible because plans for managing the refugee influx were, on the whole, not formally articulated. Most policy questions were not specifically dealt with, many policy objectives were not explicit, and very little broad policy was committed to writing. Officials therefore had considerable scope for decision-making in line with their perception of departmental objectives.

The absence of clear and comprehensive policy statements was not the result of a failure in the functioning of the system, although it exposed its limitations, but flowed from conscious government policy. The government hoped to

\[9 \text{Ibid., p.12.}\]
preserve sovereignty and freedom of manoeuvre on all aspects of the refugee issue. For much of this period, the government aimed to have the minimum possible policy on refugees in Europe. An important reason for the maintenance of such a guarded approach towards the formulation of policy was the belief that the more policy the UK had on this problem, the more it would be compromised and forced into responsibility for solving it. It was the aim of the British government to avoid such responsibility. Minimising the making of a policy on refugees was seen as a means of minimising British involvement in action on refugees, whether international or unilateral. British policy thus aimed to contain the size of the refugee problem and the scale of its impact on the UK. The government's nervousness of having publicly known policies on refugees meant that, in the early years, the safest response was thought to be to leave the problem alone, in the hope that it would be dealt with, and, it was hoped, "liquidated" - a term much used in the mid-thirties - through the efforts and funds of private organisations.

As regards UK admissions, the government decided in 1933 to treat the refugee problem as an immigration problem which could be managed by reference to existing immigration policy. The Home Office tried to say as little as possible about the details of refugee admissions policy, or the numbers and types of refugees admitted, refusing to collect formal statistics on Jewish refugee arrivals. The Home Office sought freedom of manoeuvre on individual cases and on policy questions, relying as far as possible on departmental discretion in deciding refugee matters. As chapter one shows, Home Office spokesmen had for several
years been defending the policy of using discretion to decide refugee admissions, on the ground that this guaranteed both the maintenance of strict immigration controls and the right of refugees to obtain sympathetic consideration of their cases. The flexibility of this system was constantly put forward by Home Office spokesmen as one of its main justifications.

The power and autonomy of the Home Office was also enhanced by this exercise of unpublished discretion in immigration cases. The Home Office could publicly insist on strict immigration policies, but in practice modify this, without compromising its rights. It accepted and relied on a guarantee offered by Anglo-Jewish leaders in 1933 that no Jewish refugee who was admitted would be allowed to become a charge to public funds, but made no formal commitment in return. The exercise of Home Office discretion was in some cases inadequately explained to persons who had to implement it. For example, Home Office lack of explicitness affected passport control officials who handled refugee visa applications under Foreign Office authority in central European cities shortly before the outbreak of war. Certain passport control officers (PCOs) strongly objected to what they saw as dangerous laxity in Home Office attitudes to the admission of refugees. The virtually mutinous manner in which PCOs made known their objections to what they saw as the Home Office's undermining of the basis of control might perhaps have been avoided, if they had been candidly told that Home Office policy was to allow the entry of certain groups, notwithstanding their inability to comply with all the usual immigration requirements.
It is possible to envisage a clearer policy approach based on clearer directives, or on quotas, as in the policy of the United States government. A policy based on quotas would however have been much less flexible, as alterations would presumably have required changes in the law, a requirement which proved a stumbling block to campaigns to make US admissions policy more generous. In the absence of any such clarity at the formal level of policy, official discretion became the means by which the details of policy were resolved and flexibility maintained. The wide scope for the exercise of discretion by officials involved in refugee immigration meant that precedents were set and schemes and practices evolved which functioned as policy, in the absence of more explicit guidelines such as quotas, or more specific guidance from higher authority.

An informal policy-making community, whose principal participants were Whitehall officials and a select group drawn from the voluntary sector, generated many of the policy decisions on the refugee issue. It acted both as a source of pressure for change and as a force for the maintenance of existing policy. Such policy communities have been defined by Martin Laffin as "a relatively closed group of participants, including civil servants, professionals, politicians with a specialist interest in the policy area and other interested actors". This description aptly summarises the composition of the informal network which concened itself with refugee policy in this period. Laffin posits the existence within such policy communities of

internal "negotiated orders" which reflect the significance attached to participants' claims to knowledge, value stances and inter-relationships. A particularly important ingredient in the "internal order" of the refugee policy community was the long-established trust established between Home Office officials, such as EN Cooper, and Jewish leaders, especially Otto Schiff of the Jewish Refugees Committee. As a result, close and informal co-operation was possible, so that Home Office officials were in daily, even hourly, contact with representatives of the refugee organisations. The refugee organisations were also viewed within the Home Office as part of the environment in which the government's policy community was operating, and therefore needing to be consulted and, if at all possible, satisfied. The middle-ranking civil servants at the centre of the policy community forged links across departmental divides, through their contacts over both formal policy matters and discretionary decisions. Members of the informal policy-making community settled many questions concerning refugees among themselves, and at times invoked higher authority, to insist on new procedures or more resources, or to resolve some inter-departmental deadlock.

The working relationship described in chapters two to four between EN Cooper and Otto Schiff is a particularly striking example of such collaboration. Differences between the two men were resolved so promptly that they left few traces. The Schiff-Cooper nexus is a good example of a characteristic which Richardson and Jordan, in Governing Under Pressure, consider to be typical of policy communities, namely, the attaching of high priority to the speedy achievement, in a confidential atmosphere, of
pragmatic accommodation by consensus\textsuperscript{11}. The dealings between the two men also illustrate another tendency which has been remarked on by these authors, which is the propensity of civil servants within such policy communities to identify with the needs of "their" lobby. Cooper, it will be argued, came both to share and to articulate many of the concerns regarding Home Office activities which Schiff put forward on behalf of refugee organisations and refugees\textsuperscript{12}. Policy outcomes such as those described in this study, where the focus is on decision-making in the absence of parliamentary scrutiny, may, as Richardson and Jordan suggest, perhaps better accounted for by analysis of the role played by specific policy communities, than by studies of politicians' statements or parliamentary influence\textsuperscript{13}.

The process by which policy was supposedly translated into action not only informed the formal policy process but, to a significant degree, displaced it. This process extended far beyond the details of control. It will be argued here that considerations of the management of the system largely determined the policies adopted, so that the Home Office's quest for firm immigration control, by filling the vacuum in policy-making, became not merely a substitute for policy, but policy itself.

The war-time chapter, unlike the four preceding chapters, is more concerned with policy than administration. This


\textsuperscript{12} \textit{Ibid.}, p.55-7

\textsuperscript{13} \textit{Ibid.}, p. 74
reflects the fact that in war-time Britain there was tight control from the top over refugee matters, restricting the scope for officials either to make policy, or to make exceptions to policy. In consequence there was less administrative experience to be fed back into the policy process than before the war, particularly as regards Jewish refugee admissions, which were at such a low level that they generated very little new input. At the same time, non-urgent policy decisions could be shelved until the end of the war.

The organisation of the war-time chapter reflects the altered relationship between policy and implementation. Policy was now more specific, and formal policy reached down further, dominating the organisational machinery. The relationship of the policy process with the administrative process was therefore more hierarchical than in peacetime, bearing a much closer resemblance to the conception of the policy process as a "chain of command", in which policy is made on high and carried out by those below. This change was reflected in the way in which British refugee policy was subordinated to new wartime priorities in September 1939. Chapter six starts with Cabinet-level decisions about the consequences of the transition to wartime priorities for the broad principles of refugee policy. Peacetime Cabinets had not spent much time on refugee questions, but a section concerning controls on aliens in wartime Britain shows how much more involvement the War Cabinet had in these matters. This section deals with security measures and internment, refugee employment, emigration and the financial plight of and the unresolved question of whether refugees would be allowed to settle in the refugee organisations. A separate section deals with refugee admissions in wartime, examining the scope for entry for
The refugee problem in context

This is a study of British administration, in which the Jewish refugee problem, far from being a central concern, was a relatively unimportant matter which had to jostle for attention with matters of far greater immediate importance to ministers and their officials. The low priority accorded to the refugee question reveals much about the process of government, because it was, in the greater part, left to officials. People, as much as priorities, figure in this story, particularly the civil servants who decided much of the detail of pre-war refugee policy, illuminating as they did so not only inter-departmental relations in Whitehall, but also their relations with ministers and with outside organisations.

The refugee committees figure importantly in this study, which thereby tells part of the history of the voluntary sector and its relations with government. The degree to which informal arrangements supplemented formal structures in refugee matters is shown by the use the Home Office made of such outside organisations in "aliens work". Increasingly, the Home Office relied on the voluntary sector, both to manage refugee casework and to provide control, thereby saving resources and avoiding the need for administrative machinery, At the same time, it was becoming
drawn into financing refugee organisations, and maintaining
refugees. The refugee organisations and their officers were
not engaging in pure philanthropy, but were interested
parties affected by government policy and involved in its
implementation. They had their own agenda, and did not
always represent the interests of individual refugees. The
role of representation by the voluntary organisations was
crucial in enabling refugees to come to the UK. Broadly,
those whose entry was not recommended by one of the refugee
organisations faced exclusion, a system which suited the
Home Office and the main refugee organisations. Refugees
themselves were thus excluded from direct representation in
this policy process.

The scope of this study is restricted in a number of ways.
It includes some particulars of Nazi persecution of Jews,
but it does not systematically discuss British
interpretations of what such persecution revealed about Nazi
intentions towards the Jews of Europe. Neither does it
explore the question of the influence of public opinion on
policy makers. This deliberate omission reflects the fact
that the government officials, whose activities are the main
concern of this story, were relatively remote from public
opinion in the broad sense, to which they, unlike elected
representatives, were not directly accountable. The concern
of this study is how officials interpreted their duty, and
the central tension in this account of British refugee

14 For the question of information about the
persecution of Jews and the Holocaust see: Andrew Sharf, The
British Press and Jews under Nazi Rule, Oxford 1964; Walter
Laqueur, The Terrible Secret: An Investigation into the
Suppression of Information about Hitler's Final Solution,
London 1980; for British Jews' awareness of the Holocaust,
see Richard Bolchower 'Anglo-Jewish response to the
policy is not between public opinion and the government, but in the struggle of ministers and officials to balance humanitarian considerations against perceptions of the national interest. These apparently conflicting priorities were not only considered in themselves but came into such questions as the distribution of responsibility between public and private bodies, or whether it was desirable for the UK to engage in unilateral action, as opposed to action in conjunction with other nations, or even no action at all.

In repeatedly considering these questions among themselves and with ministers, officials engaged directly in debate with trusted outsiders. They also took into the account the views of other outsiders, such as parliamentary critics of British policy and individuals with specialist knowledge of refugee matters. More remote expressions of public pressure and public opinion were not systematically investigated by officials, and although borne in mind during the policy process, they seem to have been generally discussed more in terms of the presentation of refugee policy than in its formulation. Thus, outraged responses from the British public were evoked by Kristallnacht in 1938, and by the British government's policy of mass internment of refugees in 1940, but their impact on policy was principally a matter for the Cabinet rather than for civil servants.

Within the British government the scope for action to help Jewish refugees was from the start defined as limited, the need for action largely denied, and the motivation to act often lacking. Without pressure, organisation and finance from the refugee organisations, the entry of even the 70,000 refugees who did come to the UK would have been
inconceivable. The following account of the British response emphasises that, while it made efforts to mitigate the Jewish refugee problem, at no time did the British government commit itself to solving it, nor did it ever consider it to be in the UK's interest to try to do so. The Home Office had no departmental responsibility for the plight of Jews in Europe. What it did have was a duty to regulate alien admissions and to deal with aliens once they entered the United Kingdom. It aimed both to maintain control over refugee admissions and to avoid refugees becoming a charge to public funds. On each of these counts it partly succeeded and partly failed.
CHAPTER 1

IMMIGRATION CONTROL: LAW AND ADMINISTRATION

Introductory

Adolf Hitler, the leader of the Nazi Party (Nationalsozialistische Deutsche Arbeiterpartei - NSDAP) in Germany, took office as Chancellor of the German Republic on 30 January 1933. The Nazi regime rapidly began to undermine the German constitution and civil liberties, and to single out Socialists, Communists, trade unionists and Jews for persecution. On 23 March 1933, a cowed Reichstag passed Hitler's Enabling Act, giving the government powers to promulgate emergency legislation which amounted to legal authority for dictatorship. In late March the government imprisoned thousands of people, and for the first time put detainees into concentration camps. Much Nazi propaganda was directed against Jews. Nazi hooligans and members of the SA (Sturmabteilung - stormtroopers) made violent attacks on Jews and Jewish businesses, and on 1 April the Nazis organised a boycott of Jewish businesses and professionals.

In March 1933 many Jews in government posts and in the professions were dismissed. The first piece of Nazi anti-Jewish legislation, the Law for the Restoration of the Professional Civil Service, was promulgated on 7 April 1933, and provided a legal basis for the exclusion of Jews and political opponents of the Nazi regime from the civil service. Another law of the same date excluded Jews from legal practice. There followed a succession of anti-Jewish laws which excluded "non-Aryan" professionals and academics.

1 Lucy S Dawidowicz, The War Against the Jews, 1933-1945, Harmondsworth 1977, pp. 78-86.
from a range of government posts, and established "non-Aryan" quotas in schools and universities. The term "non-Aryan" was defined in a law of 11 April to include anyone with a Jewish parent or grandparent: religious affiliation was employed to resolve cases of racial ambiguity. These laws had all been passed before the end of April, and in the ensuing months a multitude of other anti-Jewish measures followed\(^2\). Many Jews decided to seek refuge abroad.

Refugees from Germany began to arrive in the UK in February, March and early April 1933. The numbers arriving were not great, but an increase in alien arrivals was noticed by the immigration authorities. This new wave of immigration posed urgent questions for the British government. The refugee exodus from Germany showed no sign of abating. The government faced pressure to review the adequacy of existing immigration laws and procedures to deal with the continuing influx. Some voices loudly opposed refugee admissions and called for stronger controls. Others pressed for relaxation of existing controls to facilitate the entry of refugees\(^3\). Alternatively, if the existing machinery gave satisfactory control over this influx, no changes would be necessary.

At this date, the British Government had few anxieties about uncontrolled entry from abroad. The system of controls on aliens, dating from 1905, had been tightened up after the end of the First World War. New legislation in 1919-1920 had

\(^2\) _Ibid._, pp. 89-90.

\(^3\) A parliamentary question by Josiah Wedgwood on 21 Feb 1933 supported relaxation of controls to admit Marxist refugees from Germany; a question by E Doran on 9 Mar 1933 sought measures to prevent the entry of Jews from Germany. Sherman, _op. cit._, pp. 27-28.
introduced a comprehensive and highly restrictive system of controls, which was equal to dealing with any unwelcome alien immigration. By 1933 Home Office ministers and officials working on aliens matters had accumulated enough experience in the administration of this system to be able to assess how it would cope with an influx of refugees.

The decision about how to respond to the influx, while it involved purely technical questions of effectiveness, was made within the broader context of current immigration policy. Since the end of the First World War, British policy had been to impose strict limits on alien immigration for settlement purposes. Broadly, admission for settlement was granted only to persons whose presence was thought to present some benefit to the country, or to individuals who were regarded as having a strong claim on personal or compassionate grounds. Before 1914, immigrants had been admitted for permanent residence, subject only to the exclusion of those who failed to satisfy certain statutory conditions. That policy had been reversed following the First World War, when it was decided to keep permanent increases to the alien population within fairly rigid limits. Successive governments had continued this policy. By 1930 so much had changed since the days when entry for permanent residence had been the norm, that the Permanent Under Secretary at the Home Office, Sir John Anderson, could say that immigration "in the ordinary sense of the term" was no longer allowed. Concern over the state of the economy

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4 Harold Scott, memorandum, 19 Nov 1929, PRO HO 45/24765/432156/56.

5 Anderson, minute, 2 Jan 1930, PRO HO 45/24765/432156/56; see also JR Clynes (Home Secretary) to Josiah Wedgwood, 22 Jul 1930, PRO HO 45/24765/432156/64.
and high levels of unemployment ensured that in 1933 this policy of restriction was still in force. Other western European countries were following similar policies. Thus, when Nazi persecution became so oppressive that Jews in Germany began to flee abroad, the countries of potential refuge were already entrenched behind highly restrictionist immigration policies⁶.

The question of how the British government should respond to Jewish refugee immigration involved considerations of policy, law and practice. Did the existing machinery give an adequate level of control? Was it desirable to make any adjustments or exceptions to admissions policy and procedures? The government's deliberations over these questions in April 1933, which resulted in an interim decision to make do with the system as it was and to reject formal relaxation of existing controls, are the subject of the early part of the next chapter. First, however, the remainder of this chapter will provide the context for the April 1933 discussions, by giving a brief outline of the British system of immigration law and practice. The legal basis of the system will be covered first, with special reference to the status of refugees. The latter part of the chapter will look at the administration of immigration control. This latter section will demonstrate the extent to which the government encouraged participation in aliens controls by representatives of outside bodies. In particular it will be apparent that a habit of close co-operation on aliens matters between the Home Office and representatives

of Anglo-Jewry had been firmly established well before the arrival of the first refugees from Germany.

The legal basis of immigration control

The Aliens Act 1905.

The modern system of immigration control in the UK dates from the Aliens Act of 1905. The Act was brought in largely in response to agitation opposing the influx of Jews fleeing poverty and persecution in eastern Europe. Consideration of the question included a Royal Commission which reported in 1903, and months of parliamentary controversy. A highly restrictive Aliens Bill, abandoned in 1904, was followed by the milder 1905 Act, passed in the last days of a Conservative administration. Before this Act, there had been no immigration controls, but under previous legislation the government had kept returns from shipping companies relating to immigrant landings. The 1905 Act introduced a system of controlling aliens at the ports, through inspection of alien arrivals, but it did not set out to be exhaustive. The system was selective, subjecting only the bulk of the poorest class of alien passengers to inspection by immigration officers, but placing no such obstacles in front

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of the majority of alien visitors. The Act applied only to ships which carried more than a certain number of alien passengers travelling steerage class. Such a vessel was designated an "immigrant ship". Ships carrying less than the minimum number of steerage class passengers (in practice 20), and all cabin class passengers on any ship, were exempt from inspection. Alien steerage class passengers on an immigrant ship, if they could not establish on inspection that they were capable of "decently" supporting themselves and their dependants, were liable to be refused entry as "undesirable immigrants", along with other undesired categories such as the insane, the diseased and the criminal. The Act also introduced Immigration Boards which heard appeals against refusals of leave to land.

As a result of public concern that the UK's tradition of granting refuge should not be abandoned, a limited concession for aliens seeking asylum was included in the

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1905 Act. This took the form of an exception from refusal of leave to land on grounds of poverty for immigrants who could prove that they were seeking entry "solely to avoid prosecution or punishment on religious or political grounds or for an offence of a political character, or persecution, involving danger of imprisonment or danger to life or limb, on account of religious belief". Such a person should not be refused "on the ground merely of want of means, or the probability of his becoming a charge on the rates." While this exception had important limitations, these provisions, interpreted generously by a Liberal administration, enabled many refugees who would otherwise have been refused entry to gain admission between 1906 and 1914. The figures for 1906, a year in which pogroms in Russia reached new extremes, show the admission to the UK of 505 persons under the refugee exemption, a very high figure compared with subsequent years. However, the difference the exemption made in practice should not be overstated. The numbers admitted under the exemption were a relatively small proportion of entrants, the majority of aliens inspected passed the poverty test, and refusals on any grounds were relatively

10 In 1929 William Haldane Porter, the first Chief Inspector of Immigration, opposing the revival of immigration boards and the exemption for political refugees, said that their inclusion in the 1905 Act had been the result of pressure from the Jewish community and that they had been designed to prevent the exclusion of Jews who could plead political or religious persecution. Refugees were now, he said, mainly Italian anti-Fascists, while Jews in Russia and Poland were no longer refugees, so that Jewish arguments for the admission of refugees were "out of date". He claimed that when two out of the three members of an immigration board had been Jewish, Jews had succeeded "in practically every case". Haldane Porter, memorandum, 11 Dec 1929, PRO HO 45/24765/432156/56.

11 Aliens Act 1905, s. 1(3). The definition excluded persecutees not facing prosecution or punishment, unless exposed to the risk of imprisonment or facing danger to life and limb because of their religion.
rare, a total of 7,594 persons being refused admission during this eight-year period. The vast majority of Jewish immigrants who came to the UK between 1905 and 1914 had no need to claim any exemption, and thus the total numbers who could have claimed to be refugees is not known. Total numbers of alien admissions declined in this period, as most emigrants from eastern Europe now preferred other destinations, particularly the USA, for reasons unconnected with the British controls, although the existence of the UK's new law undoubtedly had a deterrent effect on immigration\(^\text{12}\).

**Aliens controls from 1914**

On the outbreak of the First World War in 1914 the government passed the Aliens Restriction Act. This introduced sweeping powers to make orders imposing restrictions on aliens entering, leaving and remaining in the UK, and gave wide scope to provide for the deportation of aliens, going far beyond the powers contained in the 1905 Act\(^\text{13}\). After the end of the war, the Aliens Restriction (Amendment) Act 1919 continued and extended the 1914 provisions into peacetime, and introduced important new measures of restriction. The 1914 and 1919 Acts together provided the statutory basis for immigration control in the post-war era, the 1914 Act being the principal Act, while the 1919 Act required annual renewal. Detailed regulations

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\(^{12}\) See works by Garrard, Gainer, Pellew, and Troup, cited n. 9 above.

\(^{13}\) Unlimited powers to make orders for the deportation of aliens were contained in the Aliens Restriction Act 1914, s. 1(1)(c); limited powers to expel "undesirable aliens" had been contained in the Aliens Act 1905, s. 3.
for the administration of control were contained in the Aliens Order 1920, which was repeatedly amended until its repeal in 1953\textsuperscript{14}. In addition to the laws governing aliens, certain prerogative powers of the Crown continued alongside the statutory code. These powers were exercised by the government of the day, without the need for parliamentary approval. They enabled the Home Office to take arbitrary action against aliens, and rendered lawful the internment of enemy aliens in both world wars\textsuperscript{15}.

The acquisition of British nationality was covered by separate legislation. Persons possessing British nationality throughout the Empire were known as British subjects. Aliens who wished to become British subjects could apply for naturalisation, a discretionary process, normally after five years' residence. British subject status was acquired automatically by alien women on marriage to a British subject. Conversely, on marriage to an alien, a British woman ceased to be a British subject\textsuperscript{16}.

The 1919 system was more comprehensive than the repealed 1905 Act, as all aliens were now subject to entry

\textsuperscript{14} See Aliens Restriction (Amendment) Act 1919, s. 16(1). S. 16(2) of the Act provided for the repeal of the 1905 Act on a date or dates to be specified by Order in Council. The rules for determining eligibility of aliens for entry were removed from Acts of Parliament to regulations. Henceforth, changes in these rules were effected by amending the Aliens Order.


controls. The new code also swept away protective measures which had mitigated the impact of the 1905 system. Immigration Boards were abolished, leaving aliens with no right of appeal against refusal of leave to land. Another casualty of the 1919 Act was the exception from the poverty test for refugees, which disappeared.

Refugees, the law and the tradition of asylum after 1919. The abolition of the exception from the poverty test had removed from the law any trace of legal protection for refugees. Nevertheless, there remained certain features of the old system which could weigh in favour of refugees. The UK had a history of granting asylum to those fleeing political persecution. Following the repeal of the 1905 Act, no part of this tradition was enshrined in law. Thus there was no right of asylum for refugees. The only right was that of the state, to grant asylum if it saw fit. In July 1929 the Home Secretary, JR Clynes, reminded the House of Commons of the government's freedom to choose whether or not to admit any particular asylum-seeker, in the course of his explanation of the government's decision to refuse admission to Leon Trotksy. The brief prepared for this occasion was to

17 Troup welcomed the 1919 Act as the introduction of an effective system of control to replace the ineffective 1905 Act. Troup, op. cit., pp. 144-145.

provide the basis for Home Office formulations of the position during the 1930s\textsuperscript{19}.

Despite the absence of legal rights for refugees or a right of appeal on entry, the Home Office maintained that the British tradition of granting refuge was being maintained in practice. In the rhetoric of debate on refugee questions, the tradition of asylum was accorded a quasi-constitutional sanctity, which would be invoked repeatedly during the years of Nazi persecution. Advocates of a more generous response to the plight of refugees would demand that British policy show greater adherence to this tradition. They could be sure that no government spokesmen would think it politically possible to argue for its abandonment. On the contrary, successive Home Secretaries would assert that, despite restrictions, British policy remained as far as possible in accordance with the tradition. Yet these assertions often amount to little more than the claim that British policy had attained conformity with the asylum tradition merely through treating refugees no worse than other aliens. Home Secretaries claimed that a policy of refraining from imposing more severe restrictions on refugees than on other aliens, and admitting refugees who were already eligible for entry within the terms of current immigration policy, was part of the tradition of asylum, but they were confining the

operation of this humanitarian tradition within the terms of an immigration policy based on national interest\textsuperscript{20}.

In late 1929 and 1930 the complete reversal in immigration policy which had taken place since the 1905-1914 period was cited by Home Office representatives as a reason for rejecting proposals for the revival of the rights enjoyed by refugees under the repealed 1905 Act. The Permanent Under Secretary, Anderson, advised that the policy of strictly limiting admissions for settlement made it necessary for ministers to keep control over decisions at the port of entry in their own hands\textsuperscript{21}. The exception from the poverty test for refugees under the 1905 Act had been part of the old policy of allowing immigration for permanent residence, subject only to the exclusion of those who failed to satisfy certain statutory conditions. It had been a very limited concession, merely relieving refugees of the Act's requirement that applicants for entry be refused if destitute\textsuperscript{22}. Sir John Pedder of the Home Office observed that the "so-called 'right of asylum'" was "no more than a bogey to talk about", but claimed that the essence of the British tradition of asylum had nevertheless been


\textsuperscript{21} See Anderson, minute, 2 Jan 1930, PRO HO 45/24765/432156/56.

\textsuperscript{22} Harold Scott, memorandum, 19 Nov 1929, PRO HO 45/24765/432156/56.
preserved. The Home Secretary, Clynes, accordingly assured Josiah Wedgwood MP that the disappearance of the limited right of asylum from the statute book had not affected the practice of giving sympathetic consideration to applications from refugees. Clynes also reassured the President of the Board of Deputies of British Jews that refugees from religious persecution received sympathetic consideration.

In this period Home Office representatives also opposed the revival of a right of appeal on entry, as a fetter on discretionary control over port decisions. In addition, they argued that a right of appeal would be impractical to administer, given the greatly increased scale on which the inspection of immigrants was now taking place. Whereas under the 1905 Act immigrants had landed at 14 ports in the year 1911, and only 38,399 had been inspected, by 1928 immigrants were landing at almost every port in the UK and the number inspected had risen to 439,419.

Home Office discretion over port decisions was thus perceived within the Home Office and presented to critics of the system as being both an essential safeguard for the government's restrictive immigration policies and a guarantee that the applications of refugees would receive sympathetic consideration. The efforts of the Home Office to

23 Pedder, minute, 14 Dec 1929, PRO HO 45/24765/432156/56.

24 Clynes to Wedgwood, 22 Jul 1930, PRO HO 45/24765/432156/64. Clynes cited the admission of refugees from Fascist Italy and Russian stowaways from Archangel.

25 Clynes to D'Avigdor Goldsmid, 5 Feb 1930, PRO HO 45/24765/432156/56.

26 Ibid.
function at one and the same time as the standard bearer of the tradition of asylum as well as the watchdog for the national interest in allowing only limited immigration, required careful balancing in the formulation and presentation of policy. In defending the restrictive nature of the post-1919 immigration system, Home Office officials derived reassurance from the knowledge that representatives of the Jewish community had no wish to see a return to the days of unrestricted mass Jewish immigration. They also pointed out that the rigours of the system were mitigated for Jewish applicants by informal arrangements which made it possible to obtain exceptional consideration in deserving cases. All these factors would influence the policy of both the Home Office and Jewish leaders towards the refugee influx from Germany.

Apart from the tradition of asylum, two other features of the existing system provided some persons who had already entered the UK with protection against removal in certain circumstances. First, the Extradition Act 1870 conferred protection against extradition to persons alleged to have committed political offences. Second, stateless persons were safe from deportation, because the Home Office did not

27 Haldane Porter, minute, 11 Dec 1929, Pedder, minute, 14 Dec 1929, PRO HO 45/24765/432156/56.

28 Haldane Porter described an unofficial arrangement between the Home Office and the Jews' Temporary Shelter (JTS), a Jewish charity dealing with immigrants, (described more fully below), whereby the JTS put forward after investigation cases of aged parents or orphans whose relatives in the UK were prepared to receive and maintain them: male orphans except those of tender years were excluded on the ground that they would come on the labour market. Haldane Porter, minute, 11 Dec 1929, PRO HO 45/24765/432156/56.

29 Extradition Act 1870, s. 3(1).
attempt to deport persons who were stateless, as no country could be forced to receive them. This gave protection to stateless persons already in the country, but made it hard for them to gain admission, because the authorities, knowing that it would be impossible to enforce their departure, granted visas to stateless persons very sparingly, only for limited periods, and only where the person was in possession of a return visa\textsuperscript{30}.

The administration of immigration control

The organisation of control

The administration of immigration control and the related field of nationality was the province of the Home Office. The Home Office was also responsible for the police and public order, factory inspection, matters concerning children, the Channel Islands and certain other matters\textsuperscript{31}. The Home Secretary was assisted by a Parliamentary Under Secretary. At the head of the permanent officials of the Home Office was the Permanent Under Secretary. Under him at times was a Deputy Under Secretary or a Principal Assistant Under Secretary, and always several Assistant Under Secretaries. The day-to-day running of individual divisions within the department was carried out by Assistant Secretaries. At the next level down in the hierarchy were two dozen or more individuals at the grade of Principal, who

\textsuperscript{30} Sir John Gilmour, memorandum, 'The Present Position in regard to the Admission of Jewish Refugees from Germany to this Country', AR(33)2, 6 Apr 1933, Cabinet Committee on Aliens Restrictions, PRO CAB 27/549.

were often granted a high degree of responsibility. Below these grades were several grades of executive and clerical officers, who were excluded from policy-making.\(^32\)

The Home Office had carried out statutory duties of collecting statistics on alien arrivals at ports for many years prior to 1905.\(^33\) A small new department of the Home Office was set up in 1904 to take responsibility for a number of subjects, including aliens. This evolved in 1912 into B Division, which dealt with aliens, nationality and naturalisation, and some other matters. Within B Division was the Aliens Division, later known as the Aliens Department.

The Aliens Branch, later known as Immigration Branch, which contained the immigration inspectorate, was attached to the Aliens Division. A sizeable immigration service had been set up under Home Office control after the First World War.\(^34\) At its head was the Chief Inspector of Immigration, assisted by two senior inspectors. William Haldane Porter, previously the sole inspector under the 1905 Act, became the first Chief Inspector of Immigration in 1919. There were also several inspectors with responsibilities for regions or districts within which ports were located. Controls at the ports were the province of some dozen chief immigration officers.

\(^32\) For further particulars of the personnel of the Home Office, see *British Imperial Calendar and Civil Service List*, London, annually, 1933-1942.


\(^34\) Prior to this, immigration officers were officers of Customs and not under direct Home Office control. Instructions were issued by the Board of Customs with the concurrence of the Home Secretary. See Haldane Porter, minute, 11 Dec 1929, PRO HO 45/24765/432156/56.
officers, with a staff of over 100 immigration officers and 50 assistant immigration officers, in addition to staff at headquarters. This establishment did not alter greatly over the next three decades. The numbers of immigration officers remained between 150 and 200. The staff of the immigration service dealt with persons landing in the UK at certain ports designated as approved ports for the landing of passengers. Certain aerodromes were also designated as approved ports, but in the early 1920s the scale of air traffic had not yet justified the appointment of full-time immigration officers.

From the First World War, all passengers had to be in possession of passports or other documents establishing nationality and identity. Passports were little used before 1914, but during the war an elaborate system of passport control by means of visas was introduced, supervised by the War Office's Military Intelligence department. After the war the government decided to continue the visa system, as a security device as well as for

35 See Haldane Porter, memorandum, 'The Control of Passengers and Alien Seamen in Time of War', 31 Jan 1921, in Subcommittee on Treatment of Aliens, Committee of Imperial Defence, Standing Subcommittee on the Co-ordination of Departmental Action on the Outbreak of War, 29 Mar 1923, PRO CAB 15/10, pp. 21-24, CIC paper No 411B; for numbers of immigration officers whose employment was sanctioned by the Treasury during the period covered by this thesis, see PRO T 162/847/E20500/2 (for 1929-1936) and PRO T 162/847/E20500/3 (for 1936-1946); at the peak of refugee admissions in May 1939 the authorised number of immigration officers totalled only 170, including temporary and supernumerary staff: ibid., HR Foyle to W Wilson, 5 May 1939.

36 Traffic increased greatly during the 1930s, requiring more staff at airports, See e.g. Crapper(HO) to Secretary, 31 Dec 1934, PRO T 162/847/E20500/2.

37 The passport system had been defunct before the war except in Russia and Turkey, according to Haldane Porter, memorandum. 31 Jan 1921, see n. 35 above.
immigration control purposes. The visa system was now placed in the hands of passport control officers (PCOs), who were responsible to the Passport Control Department of the Foreign Office, but received their instructions, in effect, from the Home Secretary.\(^38\)

**Admission procedures**

Immigration control at the port of entry into the UK began with inspection at the port by an immigration officer. Not all passengers would need to produce visas. A visa is not a guarantee of admission, but a form of entry clearance. Where a visa is a pre-requisite of entry, someone arriving without one will normally be refused entry. In the inter-war years, the passports of aliens coming from many foreign countries had to bear a British visa. Aliens from such countries were required to have visas before they set out, whatever the purpose of their journey to Britain. The visa application was made to a British PCO or Consul, located in a major city abroad. Many countries now had visa requirements and so a traveller might need one or more transit visas for intermediate countries, as well as a visa for the country of destination, which was obtained first. A British visa would be granted, subject to payment of a prescribed fee, if the applicant’s plans did not conflict with the requirements of the Aliens Order, and there were no objections to the alien personally. Visa decisions could be made on the spot but certain decisions were referred to higher authority in London. The grant of the visa was endorsed on the passport, generally by means of a rubber-stamp, and handwritten particulars were added. In some cases the passport control

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\(^38\) Haldane Porter, memorandum, 31 Jan 1921, see n. 35 above.
officer might also send a secret signal to the port authorities by means of coded messages written in the passenger's passport.

A passenger who landed in Britain armed with the appropriate visa could expect to be granted leave to land. This might still be refused at the port of entry if the basis for the grant of the visa appeared invalid. The fact that the passenger's circumstances had already been investigated before the visa was authorised eased the job of the immigration authorities at the ports and reassured the passenger in advance that refusal was unlikely. The conditions under which the immigration officer granted leave to enter would be endorsed on the passport. In 1933 the vast majority of alien travellers were not subjected to any formal conditions - these were only imposed in cases where there seemed cause for extra caution. The most common conditions imposed were a condition against employment or a time limit, and sometimes both. The use of landing conditions grew drastically. At Harwich, for example, where many refugees landed, cases in which time or employment conditions were imposed increased by 79% from 10,105 in 1932 to 18,074 in 1934. In 1931 it was decided to impose a new form of conditional landing to prevent aliens landing as students or visitors from taking employment: over 22,000 aliens were subjected to this condition in 1933. Persons coming for employment also had to be in possession of a permit issued to the employer by the Ministry of Labour. At the ports, new arrivals who were coming for residence and

40 Ibid.
employment were also advised that on reaching their
destination they should register their residential addresses
and any subsequent changes with the police. On first
registration the police issued the alien with an Aliens
Registration Book, a small grey booklet which was to be
produced for amendment when necessary41. The Home Office
kept a card index of all aliens landing, which in
conjunction with the Central Register of Aliens, based on
aliens registration records, enabled aliens' movements to be
monitored closely42.

Security and political considerations
In the course of the 1920s, visa requirements were
progressively reduced by means of agreements to abolish
visas which were concluded with Western European nations43.
The process began with France and Belgium in 1921 and 1922,
and by the end of 1927 such agreements also embraced the
former enemies, Germany and Austria. By contrast, visas were
still required by citizens of the Soviet Union and Poland,

41 The authority to impose landing conditions was
contained in the Aliens Order 1920, Article 1(4); for the
requirement to produce a Ministry of Labour permit, see
ibid, Article 1 (3)(b); for Home Office practice on the
imposition of conditions, see S Hoare to R Morrison, 22 Jun
1933, PRO FO 372/2949, T7159/509/378, f.288, explaining that
no formal permission to reside in Britain was granted to any
foreigner; See also, 'Memorandum on United Kingdom
Immigration Laws and practices and the present policy of Her
Majesty's Government on the reception of immigrants',
CIE/CT/15, 8 Jul 1938, Intergovernmental Committee, Evian,

42 Troup, op. cit., p. 146.

43 Such reductions had been envisaged by the
architects of the inter-war system. See recommendations of a
meeting of a Sub-committee of the Aliens and Nationality
Joint Standing Committee, appointed to deal with the
controls abroad of passenger traffic to the UK, 27 Feb 1919,
minutes, Aliens and Nationality Joint Standing Committee,
vol. 1, ff.33-35, PRO HO 45/19966.
whose territories were the main source of Jewish immigration.

Another means of limiting the disruption to traffic caused by the visa system was through the exemption of transmigrant traffic. This flow of passengers in transit through Britain was a source of profit for British shipping lines, and did not require very stringent controls. The Aliens Order exempted transmigrants from many of the restrictions on aliens generally. They did not require visas, providing the masters or owners of the ships which brought them to Britain had given security (usually in the form of a bond) that transit passengers would be properly maintained and controlled during transit, and would not remain in the country for any other purpose without permission. A similar system of bonding had been in use under the 1905 Act, exempting transmigrants from inspection, in the days before passports and visas had been required. When drafting the legislation of 1905 and 1919, the authorities had also known that they would be able to rely on the unofficial machinery of the Jews' Temporary Shelter (JTS) to provide additional control of the transmigrant traffic. Conveniently, and at no cost to public funds, Jewish transmigrants from Poland and elsewhere in central and eastern Europe, who now passed through Britain rather than settling there, were subject to the firm charitable policing of officials of the JTS. The JTS had been established in the east end of London by Anglo-Jewish leaders soon after the expansion of Jewish immigration in 1881, and was maintained

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44 Aliens Order 1920, art. 4(i).
45 Aliens Act 1905, s. 8(1), s. 8(1)(b).
by funds raised in the Jewish community. JTS workers met Jewish migrants arriving at the ports and railway termini, helped them with short-term accommodation and sufficient financial support for a brief stay, and supervised their compliance with immigration controls. The work of the JTS was highly valued by the Home Office, and close working relations had been established between JTS officers and Aliens Department officials. The Home Office aimed to keep interference with tourist and commercial traffic to the minimum consistent with the desired level of control on the influx of immigrants. Any reduction in immigration conditions cut down the need for follow-up and casework, and while concern with control was the Home Office's priority, this had to be balanced against staff shortages and reluctance to expand the arm of government. Other departments also pressed for reduced controls to foster tourism, commerce, cultural exchange and good international relations. Thus visa abolition was accompanied by other concessions, including special arrangements for "no passport" excursions to the UK.

The visa system was also seen as a defence against potential foes. The war-time visa system had been designed to prevent the entry of suspected enemy agents and to reduce passenger


47 See Gilmour to Danesfort, 25 Nov 1933, PRO HO 45/15882/666784/50; No-passport excursions increased dramatically between 1930 and 1934. A suggested explanation for the increase was the UK's going off the gold standard. Home Office memorandum, 5 Feb 1935, PRO T162/847/E 20500/2.
traffic to the minimum in the interests of national security. While war-time security considerations no longer applied in 1919, the planners of the post-war system were highly conscious of the potential offered by passport control for the pursuit of British security objectives in peacetime. In February 1919, for example, Haldane Porter told a meeting of a sub-committee considering the controls abroad of passenger traffic to the UK that "one of the chief functions of the Controls after the war would be to exclude Bolshevik agents from the UK"\(^{48}\).

The Cabinet’s Home Affairs Committee approved the new passport control system for the UK in August 1919. Later that month, Colonel VGW Kell, the head of MI5\(^{49}\), pointed out that without a system which embraced the whole of the British Empire there would be a very dangerous gap in the fence erected around Britain. Kell proposed a scheme of passport control offices throughout the Empire to complete the chain of control. He stressed that the collection of intelligence would be "closely bound up with that of Ports Control in that the surveillance of persons in transit to and from the various ports of the Empire will provide not only the cover necessary, but the bulk of the material for records." He envisaged that the primary considerations of port controls would be naval and military security and the prevention of Bolshevik activities\(^{50}\). As the identity of

\(^{48}\) Minutes of sub-committee meeting, 27 Feb 1919, (see n. 43. above), f.35.

\(^{49}\) For Kell, see appendix I.

Britain's main enemy altered in the 1930s, the security authorities utilised passport control officers, many of whom held military rank, to gather intelligence on Nazi Germany. The head of the Passport Control Department in the late 1930s was Captain M Jeffes. His deputy, RT Parkin, assistant director of passport control, had been a member of MI5\(^\text{51}\).

Doubts as to the value of the security aspect of the controls existed within the government. Early in 1922 Edward Bridges was working in the Treasury's Establishment Division, where his duties included sanctioning the salaries of passport control officers. Seemingly provoked by a Foreign Office request for additional staff for Riga, the centre for much of the Russian traffic, Bridges made a distinction between what he termed the "Scotland Yard aspect" of passport controls and the "immigration aspect". To abandon the former, and confine the system to the latter, Bridges suggested, might not mean the loss of "anything of real benefit". His superior, Maurice Headlam, agreed that the system was anachronistic, unpopular, perhaps even not self-supporting through visa fees; Headlam also doubted whether it even achieved its intended object "of keeping out undesirables"\(^\text{52}\).

Yet the system survived such scepticism. The secret services were soon reliant on the intelligence role of passport control in peacetime. Had it been abandoned, they would have

\(^{51}\) In 1919 Parkin was in MI5 and worked on drafting instructions to passport control officers, See Report of Passport Control Sub-committee, 15 Sept 1919, Memorandum no. 67, Aliens and Nationality Joint Standing Committee, vol. 2, (no page no.), PRO HO 45/19966.

\(^{52}\) Bridges, memorandum, 8 Mar 1922, Headlam to Bridges, 29 Mar 1922, PRO T 162/76/E7483/1.
wanted a substitute. This was demonstrated in early 1923, when the Foreign Office's Nevile Bland protested at Treasury proposals for certain reductions in passport control posts. Reductions were now considered possible as visa abolition agreements covered increasing numbers of countries in Western Europe. Bland objected that this would result in the loss of the "cover" provided by passport control for secret service work and require corresponding addition to the secret service Vote for work now performed by passport control at an equivalent cost. By 1925 it was agreed that the Foreign Office would no longer need to consult the Treasury over filling posts in passport control, provided no increased expenditure was involved and a preference given to ex-servicemen was maintained\textsuperscript{53}.

As well as being concerned about security considerations in peacetime, the authorities were soon discussing the treatment of aliens in wartime. These questions formed part of the planning for future wars, which was commenced within the Committee of Imperial Defence (CID) soon after the end of the 1914-19 war. At this stage the main threat was assumed to come from the Soviet Union, and the authorities' anxieties about Russians as future enemies extended to an estimated 92,000 Russian residents, of whom perhaps half lived in the east end of London\textsuperscript{54}. Most of these Russians were Jews who had come to the UK before 1914, and had thus completed the five years' residence in the UK prescribed for applicants for naturalisation as British subjects. Many

\textsuperscript{53} Treasury memoranda and correspondence with Foreign Office, 7 Feb 1923 to 30 Apr 1925, \textit{Ibid.}

\textsuperscript{54} Shorthand note of meeting on 8 Jun 1920, CID Sub-committee on Treatment of Aliens in Time of War, Report, Proceedings and Memoranda, PRO CAB 15/10, p. 64;
still had Russian nationality, for a variety of reasons, frequently because they could not afford the prescribed fees for naturalisation. In addition, many applications made by Russians were being covertly and systematically delayed by the Home Office for up to 15 years on top of the five year period of statutory residence, a practice which Sir John Pedder, Assistant Secretary responsible for aliens matters in the Home Office, defended in 1924, although by 1929 such delays were regarded as unacceptable by a majority of senior opinion within the Home Office.\(^55\)

In June 1920, at a meeting of the sub-committee of the CID concerned with the treatment of aliens in time of war, Pedder imagined that, although the "Russians" were long-standing residents, it would be quite intolerable in wartime to have "a solid block of enemies like that" in the east end of London.\(^56\) Pedder rejected Kell's idea of putting a cordon round that part of the east end, saying that this would not be as easy as a camp, and might be more expensive. Kell accepted the inevitability of mass internment, advising that the aliens "should be interned first and let out

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\(^55\) Pedder supported this practice, see minute, 28 May 1924, PRO HO 45/24765/432156/17; his remarks are quoted in Cesarani, 'Anti-Alienism', op. cit., p. 17; Sir John Pedder (1969-1956) retired in 1932, with the rank of Principal Assistant Secretary. For his career, see Pellew, 'Home Office and Aliens Act', op. cit., pp. 374-375; for Home Office views in 1929-1930, see minutes by Haldane Porter, Scott, Pedder, Anderson and Arthur Short (Parliamentary Under Secretary), PRO HO 45/24765/432156/56.

\(^56\) Note of meeting on 8 Jun 1920 (see n. 54 above), p. 64.
afterwards, when possible". 57 Thus despite the tenuousness of the links of these Jewish residents with their Russian homeland, they were presumed to require mass internment as enemy aliens; when detailed planning of wartime controls resumed in the late 1930s the presumption remained that the mass of enemy aliens would immediately be interned.

The management of control

The Home Office's Aliens Department was responsible for dealing with aliens after landing in the UK. It also dealt with questions of immigration policy and practice, and liaison with other ministries. The day-to-day conduct of the work was managed by Assistant Secretaries, together with their immediate subordinates who were Principals. In the 1933–9 period much of the policy work was handled by an Assistant Secretary, Sir Ernest Holderness. Holderness was eventually superceded by EN Cooper. Between 1925 and 1932, Cooper held the office of Superintending inspector in the Aliens Branch. By 1930 he had been seconded for duty as a Principal to B Division, in the course of a planned reduction in supervisory staff of the Aliens Branch and strengthening of B Division, to which much administrative work was being transferred58. By 1932 Cooper was a permanent member of the Aliens Department, where he held the rank of

57 A senior Customs official named Mackie asked if such measures would apply to Russian Jews as they had done to German Jews; he claimed that a great number of the Russians "are really Jews and are not regarded by the population as Russians. They carry their race on their face." Ibid. p. 66. Mackie also claimed that "a very large percentage of these Russian Jews are not of any military value at all". Pedder said this was merely a prejudice.

58 Anderson to Secretary, 16 Dec 1929, PRO T 162/846/E20500/1.
Principal until he became an Assistant Secretary in 1940, keeping this rank until his retirement in 1943. Cooper devoted a large proportion of his time to work with refugees and dealing with refugee organisations, and his contribution is extensively covered in this study\textsuperscript{59}.

The Aliens Department did not have a large staff. Many of its policies in the period under examination must be seen as attempts to economise on manpower. One method was to reduce time spent on individual cases, by limiting the numbers of cases followed up, and simplifying procedures. Interviewing callers was time-consuming. In 1937 officials hoped that the numbers of callers might decrease when the Division moved to less accessible premises\textsuperscript{60}. Manpower resources could be increased by involving other departments in aliens work; by drafting in immigration officers; by making use of customs officers; and by giving junior staff extra responsibility. During the refugee crisis of 1938-9, temporary and permanent increases in manpower were sanctioned, but at no stage was expansion contemplated on a scale proportionate to the explosion in casework caused by the refugee crisis. The great expansion took place in the voluntary sector.

\textbf{Co-operation with advisory committees and other government departments}

The Home Office had a tradition of co-opting voluntary organisations, including several in the Jewish community, in aliens work, and some were accorded what was in effect semi-

\textsuperscript{59} See Appendix 1 for Cooper’s career.

\textsuperscript{60} Sir Ernest Holderness, memorandum on aliens procedures, 1935, PRO HO 213/328; for Home Office concern about the adequacy of arrangements for interviewing callers on aliens matters, see PRO HO 213/1.
official status. Civil servants had for years fostered close working relations with particular individuals holding leading positions in these organisations or within the Jewish community. This is illustrated in the period 1919-39 by the history of two non-statutory committees which the Home Office set up to assist with the design, operation and monitoring of statutory controls.

The Aliens and Nationality Joint Standing Committee

The most important of these committees was the Aliens and Nationality Joint Standing Committee (ANJSC), which existed between 1919 and 1932. Senior Home Office officials had suggested in late 1918 that it would be useful to have a standing inter-departmental committee with executive powers on aliens questions. This was partly in response to allegations of friction and lack of co-operation between departments over aliens work during the war. The ANJSC was set up by Home Secretary Edward Shortt on 7 February 1919. This committee, which was serviced by Home Office officials, was designed to improve interdepartmental communication and co-ordination. Any department might refer to it "any question as to nationality or the control and treatment of aliens". The committee included representatives from about a dozen interested departments. It was chaired by Sir John Pedder, who had been one of its principal advocates. The committee was dissolved, without any protest from other departments, in April 1932, following Pedder's retirement, having not met for the previous five years. In its first years, however, the Committee was very active, dealing with
the drafting of the new Aliens Order, and designing the post-war system of control.

The committee also dealt with aliens questions which were the legacy of the war, some of which were of particular concern to the Jewish community. Numerous refugees, known as "war refugees" had been admitted during the war. Most came from Belgium. The war refugees included some 10,000 Jews, many of Russian or Polish nationality, some 2,800 of whom remained in Britain in February 1919. Some were the destitute dependants of Jewish men of Russian nationality who had gone to Russia for military service under a convention agreed in 1917. These Jewish refugees and their dependants had been cared for by the Jewish community, which had set up the Jewish War Refugees Committee (JWRC), an expansion of the Jews' Temporary Shelter. In 1919 an officer of the JWRC, Erich Turk, attended ANJSC meetings which considered the progress of repatriation. These meetings also decided whether to authorise the continued use of public funds for maintenance of destitute Jewish families, for which the government had taken over responsibility during the war. By November 1919, only 14 of the refugees from Belgium remained in Britain, plus 155 refugees from France, mainly convention cases, and 85 from other parts of the

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61 See four volumes of AJNSC minutes and memoranda, 7 Feb 1919-30 Sept 1922, PRO HO 45/19966. For appointment of committee members, see PRO HO 45/19966/374034/2. The AJNSC had representatives nominated by eleven government departments in addition to the Home Office. It was dissolved on 4 Apr 1932, see PRO HO 45/19966/374034/28.

The committee had a Jewish member, E Sebag Montefiore, whose appointment Pedder recommended, in order to retain the benefit of the "very great advantage in dealing with Jewish questions which had been derived during the war from his presence on the Civilian Internment Camps Committee." Sebag Montefiore used his contacts with Jewish bodies abroad to speed repatriation.

The suggestion that this committee should be abolished was put forward within the Home Office in early 1932. The Home Secretary, Sir Herbert Samuel, agreed, accepting that the aliens questions which were arising were more suitable for ad-hoc conferences than for a large general committee. For the remainder of the decade, there was no standing committee concerned with alien immigration. Committees concerned with refugees were found not within government, but outside it, set up by the Jewish community, Christian religious bodies, and others. Many Jewish public figures did voluntary work for the Jewish committees. Samuel was the most illustrious of these, and became founding chairman of the Council for German Jewry in 1936.

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63 See 'The Jewish Refugees', in Report on the Work undertaken by the British Government in the Reception and Care of the Belgian Refugees, London 1920, pp. 26-27, PRO HO 45/10738/261921; Erich Turk (secretary of the JTS), 'Note on the Work of the Jewish War Refugees Committee', 15 Nov 1919, ibid., Appendix No 4: pp. 52-8. For Turk, who became the one Jewish trustee of the Czech Refugee Trust Fund in 1939, see Appendix 1

64 Pedder, minute, 4 Feb 1919, PRO HO 45/19966/374304/2.

65 B Division also sent a representative to two Committee on Imperial Defence sub-committees. The job of the first was to prepare and co-ordinate war-time control on aliens. The second dealt with control of aliens in secret munitions work. Holderness to Currie, 17 Nov 1938, PRO HO 45/24918/545775/49.
The Aliens Deportation Advisory Committee

In 1932 an Aliens Deportation Advisory Committee (ADAC), composed of non-official persons and chaired by Roland Vaughan Williams KC, Recorder of Cardiff, was set up by the Home Office. Its role was to advise the Home Secretary on individual deportation cases. The decision of whether to refer cases to the committee was entirely at the discretion of the Home Secretary. The only cases to be referred were those under article 12(6)(c) of the Aliens Order, which authorised the making of a deportation order where the Secretary of State deemed it "conducive to the public good." Only cases of established residents were considered suitable for referral. Thus persons who overstayed their leave to land and unlawful entrants were expressly excluded from the ADAC's remit. This Committee proved troublesome, and by November 1938 the Home Secretary had referred no cases to it for over two years.

The history of the ADAC illustrates aspects of the Home Office approach to aliens controls which have a bearing on this study. As the practice of the 1920s has shown, Home Office ministers and officials believed in including prominent figures from the Jewish community in the process of immigration control. In the 1930s they remained open to suggestions from Jewish leaders about immigration policy and the machinery of control, as the origins of the ADAC illustrate: an undertaking to set up such a body was given

66 Holderness to Currie, 17 Nov 1938, PRO HO 45/24918/545775/49; papers containing the background to the setting up of the ADAC are in PRO HO 45/15171/552811, for the period 1930-1933. It was set up on 1 Mar 1932: papers on the appointment of its members are in PRO HO 45/14909/617473; for ADAC's work in 1932 see PRO HO 45/15171/552811/7. For changes in 1936 see below.
in 1930 by JR Clynes, then Home Secretary, to a deputation from the Jewish Board of Deputies, whose Aliens Committee had regular meetings with the Home Secretary of the day. The suggestion was nevertheless hardly accorded high priority, as the ADAC was not set up until two years later.

The internal discussions about who should sit on the committee demonstrate the high regard which certain officials had developed for Otto Schiff. Schiff, a Frankfurt-born City stockbroker, and President of the Jews' Temporary Shelter since 1922, was the leading figure in Anglo-Jewish charitable work for aliens. He was awarded the OBE for his work for Belgian Jewish refugees in the 1914-18 war. He became the leading figure in British Jewry's response to the refugees, a contribution acknowledged by the award of the CBE in 1939. Schiff was the Jewish leader in whom the Home Office placed most trust. His working relationship with EN Cooper was particularly close, and they became trusted friends. Many of the detailed schemes for the entry of Jewish refugees evolved from their collaboration.

It was natural for Home Office officials to think of enlisting Schiff's help when planning the ADAC. In April 1930, the Home Office's Harold Scott suggested that a person of standing in the Jewish Community, such as Schiff or his brother, should be the chairman of the new deportation advisory committee. Pedder disagreed, saying he did not think that

the chairman should be of Jewish extraction. Mr Schiff would not be persona grata to more than one section of Jews. Personally he might be a very good member but I should not

67 For initial Home Office reactions to this suggestion in 1929-30, see PRO HO 45/24765/432156/56.

68 For Schiff, see appendix 1.
choose him - though valuing his services to the HO highly."

In March 1931 Scott nevertheless suggested a Jewish KC as the ADAC's first Chairman. He also suggested Otto Schiff as a member. There was no dispute that there should be a Jewish member on the committee. The Home Secretary, Clynes, had wished to include Professor Harold Laski of the LSE, on the ground that he was a leader of the Jewish community of Manchester and could represent the Jewish point of view on the tribunal. However, before the committee came into being, Clynes was displaced by a change of government. The ADAC was ultimately set up by Clynes' successor, Sir Herbert Samuel, Home Secretary from August 1931 to September 1932. When the Committee was finally appointed in March 1932, its six members included one Jew, Colonel FD Samuel, who had been recommended by Otto Schiff.

Pedder admitted to delay over getting the committee going: other work was more urgent, while the advantages of the committee were "mainly 'window dressing'". It would not make the work easier or better, and he saw disadvantages in "'washing dirty linen in public'". When the ADAC finally started work, its practical impact was extremely limited. It provided a possibility of review in the very small number of cases referred to it - some 20 per year - and it tended to uphold the proposed deportations in two cases out of three. More significantly, the attitudes of senior Home Office

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69 Pedder, minute, 15 Oct 1930, PRO HO 45/15171/552811/1.
70 Scott, minute, 27 Mar 1931, PRO HO 45/15171/552811/1; for Schiff's recommendation, see Newsam to Sir H Samuel, 17 Feb 1932, PRO HO 45/14909/617473/2,
71 Pedder, minute, 5 Jun 1930, PRO HO 45/15171/552811/1.
officials to wider aspects of immigration control were revealed in their dealings with the committee. In particular they illustrated a strong preference for relying on their own discretion and reluctance to be hampered either by legal technicalities or the views of outsiders.

The most striking difference between immigration control in the inter-war period and the present day is that no formal conditions of any kind were imposed on the majority of aliens. The Home Office, wishing to restrict the activities of certain persons who had not been subjected to formal conditions on entry, resorted to interpretations of the law which lacked any genuine foundation. In 1932 the Home Office decided to make deportation orders against a group of aliens who had been allowed to enter without formal conditions, on the basis that their presence was not conducive to the public good. The sole ground for this contention was that they had taken employment.

When these cases were referred to the ADAC, its Chairman objected that entering employment could not in itself be regarded as not conducive to the public good, whatever economic considerations might apply. He concluded that in the absence of any formal conditions, the aliens concerned were free from restriction and could not be deported on this basis. In a reply from the Permanent Under Secretary, Sir R Russell Scott, the Home Office countered with the argument that the alien's stay in Britain "was subject to an implied condition, resulting from the alien's own statements to the

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72 See correspondence between the Home Office and the Board of Deputies, Jan to Mar 1933, PRO HO 45/15171/552811/9.
immigration officer, that he would not take employment", and the deportation orders therefore justified because the men had entered employment "when they were not free to do so." The aliens concerned were former British nationals who had taken US citizenship; on arrival they had apparently disclaimed any intention of settling or working. Such persons could be assumed to be aware that the Aliens Order required persons wishing to enter employment to obtain Ministry of Labour permits, a provision allegedly well publicised to visa applicants in the USA. The dispute with the ADAC was settled on the basis that the Home Office would follow the committee's advice on the cases in question. It was also agreed that in future the Home Office would impose both time and employment conditions on similar cases, and that only cases of persons settled in the UK would go to the ADAC.  

The referral of cases to the ADAC was further restricted from February 1936. After a difference of opinion over a case involving certain Italians who had bribed an immigration officer in order to get a relative into the country, the Home Office's Alexander Maxwell observed critically that the committee was inclined to give the alien the benefit of the doubt and to reject the Home Office view that the onus was on the alien to show his worthiness to be allowed to remain. Scott agreed that in future the department would refer to the ADAC only cases where "the Home Office itself felt doubts, or there is room for controversy, or a likelihood of serious protests".

73 See Roland Vaughan-Williams KC (the chairman) to Porter, 27 Jul 1932, PRO HO 45/14909/617472/5; Home Office memoranda, Sept 1932, RR Scott to Vaughan-Williams, 3 Nov 1932, PRO HO 45/15171/552811/7.

74 Maxwell, memorandum, 29 Feb, 1936, PRO HO 213/239.
The Aliens Department faced a continual problem of overwork. Its officials did not welcome interference from outside bodies. This would make more work for them, and cause delays, as Holderness emphasised in 1935, when assembling arguments to counter an MP's proposal for a new advisory committee on immigration matters. By this date the Aliens Department was overburdened with a large volume of correspondence. Fifty or sixty persons were interviewed each day, with immediate decisions needed in many cases. Every effort was made to encourage holiday and business travel by imposing the minimum of restrictions on it. The chief problem was presented by persons who made a visit a pretext for prolonging their stay indefinitely.

Other government departments

The Prime Minister and the Cabinet. The involvement of the core of central government in immigration control was limited. Prime Ministers generally took little or no interest. On rare occasions the Home Secretary brought up aliens questions in the Cabinet. The question of refugees from Germany occupied the Cabinet on two occasions in April 1933. In the intervening week they were the subject of a report by a Cabinet Committee which met once only. The Cabinet did not formally discuss refugees from Germany again until after the Anschluss in March 1938. From 1938 on, as


76 In July 1935 the Home Secretary raised a question concerning admission of certain refugees from Germany in the Cabinet, but the issues were political and did not concern asylum. Cab. 36(35)9, 10 Jul 1935, PRO CAB 23/82.
the refugee crisis intensified and war approached, Cabinet ministers other than the Home Secretary, including the Prime Minister, became more involved in refugee policy. Two further Cabinet Committees on refugees were established. The Cabinet Committee on the Refugee Problem was set up in January 1939, and met seven times in that year. The Cabinet Committee on the Reception and Accommodation of Refugees was set up at the end of 1942 and met, with periods of activity punctuated by long gaps, until mid 1945.77

**The Treasury.** The Treasury was involved in immigration control through its role in the control of public expenditure. Its Establishment Division sanctioned the pay and employment of persons involved in immigration controls. The Treasury's role in advising on expenditure of public funds obliged it to express views on whether the UK should contribute to international organisations concerned with refugees and on specific aid projects for refugees. In the mid-1930s the Treasury view on refugee policy issues was sought in particular by Foreign Office officials dealing with Britain's international role in the protection of refugees. Certain Treasury officials, distanced from both Home Office preoccupations with maintaining control and Foreign Office diplomatic objectives, showed humanitarian concern with Jewish refugees and readiness to consider spending public funds to help them. Through the Treasury's international activities, its officials had developed networks of foreign political and business contacts, and the Treasury had some success in dealing with Nazi Germany

77 For the Cabinet Committee on the Refugee Problem see PRO CAB 98/1; for the Cabinet Committee on the Reception and Accommodation of Refugees, see PRO CAB 95/15.
during the 1930s. It was therefore natural for Treasury officials to be involved in negotiations over refugee finance with Nazi Germany, and to play a leading part in British negotiations with the government of Czechoslovakia over aid to refugees after the Munich Agreement. The Treasury also became actively involved in overseeing the expenditure of moneys made available by the British government for refugees from Czechoslovakia.

The Foreign Office. The permanent officials of the Foreign Office had frequent dealings concerning aliens with Home Office officials. On aliens matters the Foreign Office operated largely as an intermediary, since policy was primarily made by the Home Office. The Foreign Office's duty was to play its part in carrying out this policy and to explain it to aliens and foreign governments. The Foreign Office was frequently in receipt of representations from aliens and people concerned with immigration cases, which it would transmit to the Home Office. Many such cases resulted from Foreign Office responsibility for the Passport Control Department (PCD). The PCD came under the supervision of the Foreign Office's Treaty Department, which had a general concern with the procedural aspects of international agreements, passports and visa questions, nationality, naturalisation and deportation. The Foreign Office also transmitted messages between the Home Office and foreign governments, and brought matters to the attention of other British government departments, particularly the Dominion and Colonial Offices. Thus Foreign Office officials raised questions concerning the admission of Jewish refugees to the mandated territory of Palestine with the Colonial Office, which in turn consulted the Government of Palestine. For
Foreign Office purposes, countries outside the British Empire were grouped into several areas, each of which was covered by separate department. Germany, for example, was the concern of the Central Department 78.

The Foreign Office had a specialist department concerned with the League of Nations which formulated British policy on international efforts to help refugees. In the mid-1930s the key official in this department was Roger Makins, who took the lead in Foreign Office policy-making on refugees from Germany 79. From early 1939 the work was allocated to a Refugee Section set up within the Foreign Office, which later became the Refugee Department. Foreign Office officials involved in this work became expert on refugee matters, and were a source of well-informed criticism of Home Office attitudes and policies, while acknowledging Home Office primacy in matters concerning immigration to the UK.

Inter-departmental consultation. The Aliens Department had a wide range of contacts with other government departments over casework. The Ministry of Labour was involved in alien employment matters, issuing labour permits to employers who wished to take on aliens who currently resided abroad; the employer forwarded the permit to the alien for presentation on arrival in the UK. Applications from aliens already in the UK for permission to take employment were dealt with by the Home Office, which gave a decision after consultation

79 Roger Makins, now Lord Sherfield, underlined the extent to which he was responsible for formulating refugee policy, particularly during and after the Evian conference in 1938, when interviewed on 13 Dec 1990 by this author. For Makins, see Appendix 1.
with the Ministry of Labour. The ministry's policy was to refuse applications which might displace British residents from employment. Information on undesirable aliens was kept on a blacklist maintained in co-operation between these ministries, on which employers who broke the regulations were placed, as well as aliens who were not to be readmitted or granted extensions. In cases of aliens applying to start businesses, the Home Office consulted the Board of Trade. After the Special Areas Acts of 1934 and 1937, the Commissioners for the Special Areas also became involved in the applications of alien manufacturers who might set up business in depressed parts of the country.

The Secret Service organisations MI5 and MI6 also played a part in aliens controls. MI5, the Security Service, was responsible for security within the Empire, while MI6, the Special or Secret Intelligence Service (SIS), was responsible for foreign agents and the collection of intelligence and counter-intelligence abroad: both agencies provided the Home Office with advice on aliens who might be undesirable 80. One example from May 1933, showing secret service involvement in visa controls on refugees abroad, was a warning to the Home Office from Sir Vernon Kell of MI5 that two refugees from Germany who were suspected Communists, and therefore viewed as undesirable, were intending to apply for visas in Holland. Their names were consequently added to the "black list" of undesirable aliens who were to be denied entry, and warnings were sent out to Passport Control not to grant them

visas without reference to London. The Special Branch of the police, whose members had specialist knowledge of political matters, also provided information on aliens. The locally based police, as well as handling aliens registration, also assisted in the enforcement of immigration control, conducting investigations, and warning and detaining aliens on behalf of the Aliens Department. The Home Office also acquired new casework through the receipt of recommendations and certificates from criminal courts regarding aliens' convictions of offences rendering them liable to deportation.

Conclusion

In aliens matters generally the Aliens Department was more than happy to co-operate with outside organisations. As the refugee influx developed the Home Office increasingly sought advice and assistance from refugee organisations, which developed a system of specialised committees to advise on specific categories of application. In addition members of professions which refugees hoped to enter, such as medicine and dentistry, also set up advisory committees to make recommendations to the Home Office. The work of such committees will be dealt with in the context of the British response to refugees from Nazism, in the chapters which follow.

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81 See copy correspondence, Sir VG Kell and Home office minutes, May 1933, PRO LAB2/2084/ETAR/4174/33.

82 For deportation, see Aliens Order 1920, art. 12.
CHAPTER 2
CONTROL WITHOUT VISAS:
THE FIRST FIVE YEARS OF REFUGEE IMMIGRATION, 1933-1938

Policy
Cabinet decisions in April 1933
The Cabinet meeting on 5 April 1933
The initial influx of Jewish refugees from Germany to Britain was reflected in a small increase in the entry statistics for alien visitors in the first quarter of 1933. Between 300 and 400 Germans, most of whom were thought by the immigration authorities to be Jews, had been admitted as visitors up to 30 March 1933. On three days in early April a further 150 or so had been admitted, far in excess of the usual traffic. The number refused entry to date was estimated at less than ten1. These figures, extracted by the Home Office from its records of alien immigration, did not reveal the precise numbers of refugees among the new arrivals, nor how many were Jews.

A figure for the number of Jewish refugees appeared in the Jewish Chronicle, Anglo-Jewry's weekly national newspaper, on 14 April 1933. The newly formed Jewish Refugees Committee had estimated that 200 Jews had recently arrived in Britain

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1 These figures were given by the Home Secretary, Sir John Gilmour, to the Committee on Aliens Restrictions, on 6 Apr 1933. Conclusions, Committee on Aliens Restrictions, AR(33) 1st Cons., 6 Apr 1933, PRO CAB 27/549. This file contains the records of the Cabinet Committee on Aliens Restrictions: (i) the Committee's composition and terms of reference; (ii) a memorandum by the Home Secretary dated 6 Apr 1933; (iii) the record of the Committee's one meeting on 6 Apr 1933; (iv) the Committee's report of 7 Apr 1933; and other documents to which reference will be made. All references to these papers are to the comprehensive collection in CAB 27/549. Sherman refers to the report in (iv) as PRO CAB 24/239, CP 96/33, and to the memorandum in (ii) as Appendix I to the report.
from Germany. The single paragraph in the *Jewish Chronicle* also reported that some 30 of the new arrivals had passed through the hands of the Jews' Temporary Shelter, (the Jewish charity dealing with impoverished transmigrants\(^2\)), implying that some of the refugees had insufficient funds for their immediate needs.

The nationality of the refugees was a matter of concern both to the authorities and the Jewish community. The overwhelming majority of the new arrivals possessed German nationality\(^3\). The secretary of the JTS, so the *Jewish Chronicle* article reported, had said that the bulk of the new arrivals were "highly cultured people and Germans by birth, only a few being Poles"\(^4\). The *Jewish Chronicle* did not need to spell out to readers the differences between Jews of German and Polish nationality. Many Jews of Polish nationality were now resident in Germany. Many had been born there, but this alone did not bestow entitlement to German citizenship\(^5\). Among Jews in Germany they constituted a minority which was poorer and far less assimilated than the German Jews. Nazi persecution of Jews in Germany was particularly intense against Jews of non-German nationality. As the exodus of refugees developed in the spring of 1933, 

\(^2\)'Refugees in London. The Work of the Jews' Temporary Shelter', *Jewish Chronicle*, 14 Apr 1933, p. 21; for the JTS, see pp. 51-52, 60-61, 63 above.

\(^3\) Jewish Refugees Committee (JRC) statistics indicate that 1,199 out of 1,343 refugee women and 2,226 out of 2,712 refugee men admitted from Mar 1933 to Oct 1934 were German nationals. See JRC, Monthly information circular, May 1934, Archives of the Society for the Protection of Science and Learning, (hereafter SPSL), Box 116/2.

\(^4\) See n. 2 above.

the British immigration authorities adopted a policy of withholding visas from Jews who were of non-German nationality or stateless, if they suspected them of being refugees from Germany. One ground the Home Secretary gave for this decision was that Jews of non-German nationality could return to their own country.\(^6\)

The issue of refugees from Germany was raised in the Cabinet by the Home Secretary in early April 1933. The inclusion of this item in the Cabinet's agenda resulted primarily from the need to agree a speedy response to an initiative from Jewish leaders, who asked whether controls could be relaxed to ease the entry of refugees. Moreover, they offered the community's guarantee to take responsibility for them. The offer had the attraction that it seemed to promise a way out of the government's anxieties about the consequences of admitting destitute Jews to Britain. Public pressure both for greater restriction and for greater generosity also existed, but this alone would hardly have been sufficient to stimulate the Cabinet into instituting an urgent review of controls.\(^7\) The new item came up at the morning Cabinet meeting on 5 April 1933. The minutes of this meeting record that the Home Secretary, Sir John Gilmour, informed his colleagues, as a matter of urgency,

that in consequence of events in Germany there had been a considerable increase in the number of Jews entering this country under the Aliens Act. In two days alone, there had been about one hundred admittances. Most of these were persons of the professional classes on temporary visits.

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\(^6\) Sir John Gilmour, 'The Present Position in regard to the Admission of Jewish Refugees from Germany to this Country', 6 Apr 1933, PRO CAB 27/549.

\(^7\) For parliamentary pressure over refugee admissions on 21 Feb and 9 Mar, see Sherman, op. cit., pp. 27-8.
There had been some entries, however, of Jews who were completely destitute.

This was the first occasion when the problem of immigration control posed by the exodus of Jewish refugees from Germany was raised formally at Cabinet level. The issue which the Home Secretary put forward for particular consideration was how the government should react to refugees who were or might soon be completely destitute. By granting the new arrivals leave to land, immigration officers were accepting them as eligible for admission as visitors, but those who lacked adequate means clearly did not comply with the requirements of the Aliens Order. The Home Secretary now raised the possibility of a different approach to the cases of Jewish refugees. His words were recorded as follows:

Representatives of the Jewish community had visited the Home Office with a scheme to provide money and work for destitute Jews. These representatives had anticipated that the numbers might be as many as 3,000 to 4,000. The matter was rather complicated and he thought it was one for a Cabinet Committee.

The brief minutes of the meeting do not record that the Home Secretary offered any explanation for the admission of completely destitute persons notwithstanding the requirement in the Aliens Order that visitors show means of support. Details of such a case were included the next day in a Home Office memorandum, which stated that only three Jewish refugees from Germany had been unable to satisfy the immigration officer as to their means of maintenance. An 18-year old apprentice tailoress, in possession of £2, had been allowed to land for a limited period "in view of special hardships in her case...purely on compassionate grounds". Yet a German engineer, aged 31, who had lost his job owing to persecution and was in possession of 100 Marks, had been refused leave to land, as had a German law student, aged 22, in possession of 170 Marks. Gilmour, memorandum, 'The Present Position etc.', 6 Apr 1933, see n. 6 above. It thus seemed that, in selected cases only, sympathy for the plight of a refugee might be allowed to override the letter of the Aliens Order.
The description of the Jewish proposals in the Cabinet minutes was not a completely accurate summary of a set of written proposals which the Home Office had received, signed by four Jewish leaders. The Jewish document made no mention of "work", for example. However, the document itself was not the sum of all the Jewish representations. There is, for example, no reference in it to the concessions which Jewish leaders were seeking, but such matters may have been put forward verbally when Jewish leaders called at the Home Office with the document.11

The great attraction of this Jewish initiative for the immigration authorities was the offer of finance. By guaranteeing that no Jewish refugee would be allowed to become a charge on public funds, the Jewish proposals offered substantial insurance against the risk of admitting large numbers of refugees who were or might become destitute. This made it possible to consider the Jewish request that policy towards refugees from Germany be changed. The authorities were being asked both to allow all Jewish refugees from Germany to enter, whether or not their means were sufficient, and to allow those already admitted, or to be admitted in future, to prolong their stay in the UK while the emergency continued. The authorities had already incurred the potential embarrassment of admitting several hundred refugees, some of whom might soon be destitute, and

11 'Proposals of the Jewish Community as regards Jewish Refugees from Germany', (n.d.), Appendix I to Gilmour memorandum of 6 Apr 1933, see n. 6 above. The four signatories were Neville Laski KC, President of the London Committee of Deputies of British Jews (hereafter the Board of Deputies), Lionel L Cohen, KC, Chairman of the Board's Law, Parliamentary and General Purposes Committee, Leonard G. Montefiore, President of the Anglo-Jewish Association, and Otto Schiff.
whose applications for extensions would have to be decided over the ensuing weeks. Thus the Jewish proposals were highly relevant to the current casework of the Aliens Department as well as having implications for daily port decisions on new arrivals\textsuperscript{12}.

These issues were presumably in the mind of the Home Secretary, but very little background seems to have emerged during the Cabinet meeting. The minutes refer briefly to the Jewish guarantee:

A short discussion confirmed the view of the Home Secretary. As against the objection of admitting persons who might become destitute was the guarantee of the Jewish community, as well as evidence that some industries (e.g. the fur industry of Leipzig) might be transferred to this country.

The Cabinet agreed to set up a new Cabinet Committee chaired by the Home Secretary to examine the Jewish proposals\textsuperscript{13}.

In the preceding pages the entire minutes of the short discussion of this item in the meeting have been quoted or paraphrased. Cabinet minutes are not necessarily full or precise records of discussion but they record concerns expressed in relation to the issue in question, concerns which would be in the minds of those subsequently involved in drafting memoranda and discussing the issue. Particularly important were concerns recorded in the minutes, which would provide the mandate and initial brief for the implementation

\textsuperscript{12} The concessions requested by the Jewish leaders were summarised in the Home Secretary's memorandum of the following day.

\textsuperscript{13} The Committee members were the Home Secretary (in the chair), the Foreign Secretary and/or a representative (the same alternative applied to the next three ministers), the Colonial Secretary, the President of the Board of Trade, the Minister of Labour, and the First Commissioner of Works, Cab. 23(33)5, 5 Apr 1933, PRO CAB 23/75.
of the Cabinet's instructions. The discussion in the Cabinet on 5 April had been of the short duration appropriate to an item which did not rank high in the order of priorities and on which no written briefing material was as yet available. The account given of the Cabinet meeting in Sherman's *Island Refuge* contains inaccuracies. He notes the brevity of the discussion, yet makes it seem much longer and fuller than it was, because he presents the meeting as if it had included contributions by the Home Secretary which were in fact contained in a document dated the following day\(^\text{14}\). Sherman also introduces quotations from the Jewish proposals as if they were given to the meeting, but there is no evidence that any document referring to the Jewish proposals was produced at the Cabinet meeting\(^\text{15}\).

The question of what level of refugee numbers was seen as acceptable, and by whom, was a key issue throughout this period. For this reason it seems justifiable to go over the details of what was said on this issue in the Cabinet meeting, particularly as these matters came up at a high level so rarely. The report in the Cabinet minutes stated that Jewish representatives had estimated that the numbers might be "as many as 3,000 or 4,000". Sherman quotes this phrase, but footnoted not as part of the Cabinet minutes, but as if it came from the Jewish proposals, or perhaps from

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\(^{14}\) Following the Cabinet decision to refer the question to a specially constituted committee, a memorandum signed by the Home Secretary was prepared for the new committee's first meeting. Sherman quotes more than once from this memorandum (which was dated 6 Apr, although he dates it 7 Apr) as if the Home Secretary had communicated portions of its contents to the Cabinet meeting. Neither the minutes nor any other material examined by this author suggest that these points were made on 5 April. Sherman, *op. cit.*, pp. 29-31.

the Home Secretary's memorandum. Sherman's account may as a result give the impression that the attitude of Jewish leaders was that such numbers were disturbingly high. The Home Secretary's memorandum of the following day did contain a reference to Schiff's figure, reporting that he estimated "that the total number should not exceed some three or four thousand", which suggests that Schiff was representing an influx of such dimensions as acceptably small. Schiff was far from sounding a note of alarm, and at this juncture, the emphasis in what Jewish leaders were saying to the government was very much on the side of reassurance. Nevertheless, Jewish leaders had no wish to encourage large numbers of refugees to come to the UK.

The Cabinet Committee on Aliens Restrictions

By the time the committee set up by the Cabinet met on 6 April, the Home Office had produced a memorandum signed by the Home Secretary to provide a basis for discussion. This summarised the influx to date, and explained how refugees from Germany had been dealt with at the ports, showing that the authorities had already tightened up the administration of port controls. The memorandum reported that it was believed that

a number of persons who have recently arrived from Germany and have been given leave to land as visitors, are in fact Jews whose journey has been prompted by the desire to escape from prevailing conditions in Germany. The 300 to 400 persons admitted up to 30 March whom the authorities believed to be refugees had been allowed to land

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16 Sherman, op. cit., p. 30, n. 22.
17 Gilmour, memorandum, 6 Apr 1933, see n. 6 above.
18 Ibid.
on the basis that they qualified for admission as visitors. Many of the new arrivals, although presenting themselves as visitors, had also admitted to the immigration officer that they were refugees. The practice at the ports had now been modified. New guidelines for such cases had already been applied in the cases of 100 to 150 such persons admitted since 30 March. Now, in all cases, where a newly-arrived passenger from the Continent seemed to be a refugee, and leave to land was granted by the immigration officer, he would routinely attach a short time condition — one month in most cases — plus a condition forbidding employment. Such conditions were routine precautions used for the small fraction of total alien arrivals whose intentions raised doubts. By making a new rule of practice that such conditions should be attached in refugee cases, the Home Office had decisively singled out refugees as a problematic category of visitor. The Home Office, while it treated refugees from Germany as problematic visitors, also regarded them as a category deserving of sympathy, hence the low rate of refusals and the exceptional treatment accorded in certain cases, which included admitting destitute persons despite the Aliens Order requirement that visitors show means of maintenance.

The immigration authorities were thus already highly conscious of the difficulty of distinguishing refugees from other visitors. The time had not yet arrived when the authorities would refuse to believe that any Jew coming from Nazi Europe could be a genuine visitor who would depart, and


20 For one such case see n. 9 above.
would decide that Jews could not be allowed to set foot in Britain until their circumstances had been thoroughly investigated. Many of the early refugees were indeed visitors, in the sense that they did not plan to remain in Britain for long. Some did not yet even consider themselves refugees. State persecution of Jews in Germany was a recent phenomenon in the spring of 1933. Jews in Germany and abroad hoped that the emergency would not last long. As the extremes of Nazi persecution appeared to subside during the ensuing months, many refugees returned voluntarily from Britain and other countries of temporary refuge to Germany.

Within Whitehall, too, hopes persisted of an improved internal situation in Germany. However, the Home Office was bound to think in terms of the possible impact on Britain, and to take into account signs that the influx of Jewish refugees from Germany was neither a short term phenomenon nor one whose dimensions could be reliably predicted. The Home Office, urgently seeking information on the extent to which Jews were seeking refuge abroad and the response in countries adjoining Germany, had prepared a list of questions for answer by British representatives on the

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21 Susanne Horwell (née Caspary), who subsequently worked for the JRC, has recalled that when she came to England from Berlin in 1933 she did not regard herself as a refugee. When her brother-in-law advised her to register with the Jewish Refugees Committee, she asked what was a refugee, and was told, "That's you". Susanne Horwell, interview with this author, 19 Apr 1988.

22 JRC statistics for May 1933 - Oct 1934, (n. 3 above) showed that of 4055 arrivals (excluding a further 868 family members), 5 had died, the fate of 651 was unknown, 1852 had remained in the UK and 1547 re-emigrated. The destinations of those re-emigrating were: Palestine(149); East or South Africa(167); South America(48); the USA (50); elsewhere in Europe(295); 760 had been repatriated to Germany, most(688) being German citizens.
The Home Secretary, who chaired the meeting of the new Cabinet committee, read out two telegrams from the British Ambassador in Berlin, Sir Horace Rumbold, which suggested that Schiff's figure of between 3,000 and 4,000 arrivals might be an underestimate. Rumbold's figures showed a continuing large-scale exodus of Jews to neighbouring countries. There were indications that Nazi policies might yet drive out far greater numbers. One of the telegrams passed on a report that, at a recent meeting of the German Cabinet at which an informant had been present, the German Chancellor, Hitler, had asked "for information about the number of Jews who had left Germany recently and remarked that he hoped, in time, to get rid of every Jew in the country". The report suggested that Hitler had failed to foresee that other countries' immigration restrictions would be bound to curtail the scale of the desired Jewish exodus. On this consideration being pointed out by a colleague, Hitler had "looked very surprised and admitted that this had never occurred to him". Whether this report was accurate is secondary to its probable impact on those responsible for

23 Holderness to MH Huxley, 5 Apr 1933, PRO FO 371/16720, C3159/319/18, f.177.

24 The ministers present at the meeting were: Gilmour, the Home Secretary (in the chair); Sir Henry Bitterton, Minister of Labour; William Ormsby Gore, First Commissioner of Works; Douglas Hacking, Parliamentary Under Secretary of State, Home Office. Four senior Home Office officials were present: Sir Russell Scott, Permanent Under Secretary; E Davies, Chief Inspector (Aliens Branch); Sir Ernest Holderness, Assistant Secretary and Frank A Newsam, Private Secretary to the Home Secretary. Also present were: RT Parkin, Assistant Director, Passport Control department; Humbert Wolfe, Director of Services and Establishments, Ministry of Labour; ACC Parkinson, Assistant Under Secretary of State, Colonial Office, and CS Dodd, Foreign Office.

25 The two telegrams were appended to the record (Conclusions) of the meeting, but the telegram containing the confidential report of the recent German Cabinet meeting was not appended to the Committee's report to the Cabinet. See AR(33) 1st Cons, n. 1 above.
maintaining effective British immigration restrictions. This must have been to underline the need for vigilance, in the knowledge that at this stage realistic estimates of future numbers were impossible.

The Jewish proposals

What did the Jewish proposals offer? The document which Jewish leaders had submitted to the Home Office consisted of seven short paragraphs, over the signatures of four Jewish leaders, itemising new arrangements being made by the Jewish community to provide for Jewish refugees. The most important single element of these provisions from the point of view of the Home Office was a guarantee to ensure that no refugee became a burden on public funds. The guarantee was expressed in the commitment that, "all expense, whether temporary or permanent accommodation or maintenance will be borne by the Jewish community without ultimate charge to the state". The guarantee was not limited either as to its duration or as to the numbers to whom it would apply. It was not, however, intended to be seen as limitless, because Jewish leaders intended that refugees would not remain in the long term, but would re-emigrate. This was emphasised by a further crucial element in the package of proposals, the affirmation that negotiations were in progress "with a view to the ultimate transmigration of the refugees to countries other than England". Jewish leaders were undertaking this immense responsibility to ensure that refugees did not become a burden. They emphasised that refugees would be looked after from the moment they landed until their eventual departure.

26 The absence of any record of this exchange in published reports of German Cabinet meetings suggests that it did not take place. The author gratefully acknowledges the advice of Dr Peter Longerich on this point.
To cope with new arrivals, representatives of the Jews’ Temporary Shelter would meet all continental trains. The authorities were asked to telephone the Jews’ Shelter with advance details of Jewish refugee arrivals. Emergency accommodation for up to 500 people at the Shelter and at other hostels had been secured. More permanent homes would be found for the refugees amongst the Jewish community. Jewish schoolchildren and students would be coming to continue studies disrupted in Germany, and a hospitality committee had been set up to deal mainly with professionals and students.

Overall, the proposals provided reassurance that the community would contain the influx. The machinery being created would be supervised by an organising committee under Schiff’s chairmanship. Additionally the Jewish leaders proposed that it should be made a condition of entry that newly arrived refugees from Germany register at the Shelter. This package of proposals continued the tradition of Anglo-Jewish charitable efforts to ensure that poor Jewish immigrants and transmigrants caused minimal embarrassment, but with the addition of the huge and unprecedented commitment of the guarantee.

What did the Jewish leaders ask for in return? The Home Secretary summarised the Jewish requests as follows. Firstly, in relation to those seeking entry at the ports, they asked "that all German Jewish refugees from Germany should be admitted without distinction". Secondly, "those already admitted, for the purpose of visits or who may be"

27 'Proposals of the Jewish Community', (n.d.), Appendix I to AR(33) Conclusions, 6 Apr 1933, PRO CAB 27/549.
admitted in the future should be allowed during the present emergency to prolong their stay indefinitely". To agree to deal with refugees in this way would have amounted to granting all such persons a right of asylum, which would go directly against current immigration policy\(^\text{28}\). The Jewish proposals also failed to address the problem of what was to happen to the refugees in the longer term.

The Cabinet Committee's recommendations

The Home Office memorandum emphasised that while Jewish leaders had emphasised temporary admissions, they had not addressed the crucial underlying question of whether such refugees could be allowed to become permanent residents. The question of permanent stay, and the right to take employment must arise sooner or later. It would be difficult in practice to insist that refugees return to face the situation from which they had recently fled. The main issue for the committee to consider was therefore the possibility that large numbers of refugee admissions would lead to "a considerable addition to the permanent population of this country"\(^\text{29}\). The one group singled out in the Home Office memorandum as possible candidates for absorption had been fur traders from Leipzig, but applications for permission to work were envisaged from teachers, doctors, dentists, clerks, domestic servants, hospital nurses and many others. Re-emigration might cut down the numbers of refugees in Britain, but there was no certainty about settlement prospects overseas. Permission to settle in the UK would

\(^{28}\) The Jewish Chronicle article of 14 Apr\(\ n. 2\) above), mentioned the Jewish initiative, and used the expression "right of asylum".

\(^{29}\) Gilmour, memorandum, \(n. 6\) above.
involve a potential threat to British jobs; it would also involve a potential welfare burden, because the Jewish offer of temporary maintenance, entirely credible for the moment, left open the question of whether a proportion of the refugees might not ultimately come to rely on public funds. These considerations applied equally or with greater force to destitute refugees. Thus the fundamental question was the same, whether or not refugees could on arrival comply with Aliens Order provisions designed to exclude the destitute.30

Although the question of permanent settlement had been declared to be the "main issue" it was not resolved at the committee meeting. The two ministers and four Home Office officials present needed a speedy decision on the immediate issue of control. Should the Home Office relax immigration restrictions as the Jewish proposals envisaged? Alternatively, should controls be significantly tightened? A third alternative, of leaving the system more or less unchanged, was the solution favoured by the Home Office. The committee accepted the Home Office preference for leaving the controls more or less as they were. A Home Office official, Sir Ernest Holderness, the Assistant Secretary concerned with aliens matters, proposed an additional requirement that refugees register with the police as soon as they reached their destination. This was accepted. Such registration had no implications for eligibility to enter Britain, being a measure of post-entry control, although imposed at the port.31 The imposition of strict landing conditions was to continue.

30 Ibid.

31 For registration with the police see Aliens Restriction Act 1914, s. 1(1)(f); Aliens Order 1920, art. 6.
The Committee had thus rejected the Jewish suggestion of granting the refugees a right of asylum. Its response to the Jewish guarantee was to recommend telling Jewish leaders that, although there could be no question of relaxing entry restrictions for the benefit of German Jewish refugees, in the cases of refugees already admitted temporarily, applications for further extensions would be considered "provided that the Jewish Community were prepared to guarantee, as far as might be necessary, adequate means of maintenance for the refugees concerned." This wording appears to have made consideration of all future extensions dependent on the guarantee.

The guarantee provided the Home Office with security against the burden of future refugees who fell into financial difficulties. It also offered relief from possible trouble over the cases of several hundred people already admitted, whose departure it might be difficult to enforce, but whose impoverished presence might embarrass the authorities. The guarantee thus had from the outset an immediate attraction for the Home Office, which would face criticism if refugees were admitted and later became a public liability. On the other hand, no commitment had been made either to admit anyone who did not appear eligible, or to grant extensions in all refugee cases. Thus the Home Office had obtained instant benefits from the guarantee without incurring specific obligations.

32 Committee on Aliens Restrictions: Conclusions, 6 Apr 1933, (n. 1 above); Report, 7 Apr 1933, PRO CAB 27/549.
The long-term question regarding permanent settlement posed in the Home Office memorandum had not been answered. Provisions had been made to cover temporary entry, but temporary entry signified the probability of permanent immigration; reliance on the Jewish guarantee would increase the number of potential candidates for absorption. Members of the committee showed no enthusiasm for the prospect of absorbing refugees. Home Office and Board of Trade representatives claimed that

there did not appear to be much weight in the argument that new businesses might be brought to this country by the refugees. In the case of two trades which were mentioned (the fur trade and the fancy leather trade) it was stated that this country already had a preponderating interest, which was mainly in the hands of the British Jewish Community.

The Minister of Labour, Sir Henry Betterton, said he would refuse to agree to anything which might produce the embarrassment of "a perceptible increase in the unemployment figures".

On 12 April 1933 the Cabinet considered and accepted the Committee's recommendations. An interim solution had been found which appeared to leave immigration procedures substantially unaltered, and involved no drastic increases in immigration. Considerations of Britain's image abroad reinforced ministerial hopes of avoiding the embarrassment which might result from the enforced return to Germany of refugees who otherwise qualified for entry as visitors. In the course of the Cabinet meeting some enthusiasm was expressed for inviting to Britain distinguished individuals displaced by persecution in Germany. Yet the warning in the Committee's report of the possibility of greatly increased

33 Conclusions, 6 Apr 1933, (n. 1 above).
"pressure to migrate" from Germany, coupled with the uncertainty about numbers, dictated caution34.

The committee's meeting had demonstrated the uncertainty of re-emigration prospects. The Colonial Office representative had stated that no prospects of settlement could be expected in the colonies. Arrangements were however being made to facilitate the early settlement of Jewish refugees from Germany in the mandated territory of Palestine35.

The committee, as it emphasised in its report, had dealt with the question only on an interim basis. The matter should be reconsidered in a few weeks, "when more experience of the problem had been gained"36. Yet no such reconsideration ever took place, despite an instruction from the Cabinet that the committee should keep an eye on the position. The committee was simply not re-convened by the Home Secretary37. For the next five years, refugee admissions would create a steady demand for absorption. This demand was satisfied only in selected cases. Meanwhile the Home Office accumulated increasing experience of handling refugee cases, largely in co-operation with the voluntary organisations set up to help refugees.

34 Conclusions, Cab. 27(33)8, 12 Apr 1933, PRO CAB 23/75; Committee on Aliens Restrictions, Report, 7 Apr 1933, PRO CAB 27/549.

35 Conclusions, Committee on Aliens Restrictions, see n. 1 above.

36 Ibid.

37 Conclusions, Cab. 27(33)8, 12 Apr 1933, PRO CAB 23/75; see account of this meeting, Sherman, op. cit., pp. 32-33; for the Committee's failure to re-convene, see Foreign Office minutes, 4 and 10 Oct, 1933, PRO FO 372/2949, T4351/509/378, f.273.
Persecution of Jews, the refugee problem and Anglo-German relations

For Jews in Germany, the alternative to emigration would have been living with antisemitism or the cessation of persecution. In the early years it was possible to hope that persecution in Germany would abate. The British government regarded persecution of Jews as an obstacle to Anglo-German relations, while taking great care over how this concern was expressed by its spokesmen in public. The Cabinet meeting on 12 April 1933 decided not to publish a despatch from Rumbold which detailed German persecution of Jews and others. Nevertheless, at the suggestion of the Prime Minister, Ramsay MacDonald, it was agreed that the Foreign Secretary, Sir John Simon, would say something in the next day's foreign policy debate in the House of Commons to mark British alienation as a result of Nazi outrages. Simon's remarks, which were far from inflammatory, nevertheless caused discomfort within the Foreign Office.

Rumbold himself had written a penetrating analysis of Hitler's Mein Kampf, in a despatch which became required reading within the Foreign Office. Until his retirement in the summer of 1933, Rumbold used his ambassadorial position

38 Cab. 27(33)8, 12 Apr 1933, PRO CAB 23/75.

39 Simon. Hansard, vol. 276. cols. 2808-2810, 13 Apr 1933; for a Foreign Office official's critical reaction see Michael Heatley, minute, 28 Apr 1933, PRO FO 372/2949, T4295/509/378, f.241; see also the remarks of Sir Austen Chamberlain, a former Foreign Secretary, in the same debate, ibid., col. 2739; in early July both Chamberlain and Simon made further references to the issue. Hansard, vol. 280, col. 358(Chamberlain) and col. 452(Simon), 5 Jul 1933.

to confront representatives of the German government with British disapproval of excesses of persecution. In May he lectured Hitler on his anti-Jewish policies, with what he interpreted as a beneficial result\(^{41}\). Rumbold was strongly anti-Nazi, and concerned about Nazi persecution of Jews, but he also had certain antisemitic assumptions, which enabled him to find German anti-Jewish attitudes understandable. In late March 1933 he expressed the view that there had been a Jewish problem which was becoming serious in Germany before Hitler, accepting claims that Jews had "practically monopolised some professions and have obtained the plums of a great many others", and regarding as "only natural" the bitter resentment of the academic youth at these alleged successes "at a time when the learned professions are hopelessly overcrowded"\(^ {42}\). In April 1933 he sent home a despatch in which he said it was "only natural" that the Jewish community as a whole was "held up to obloquy indiscriminately for the sins of its most prominent representatives", such as "undesirable" eastern European Jewish immigrants to Germany, certain of whom had recently been involved in highly publicised financial scandals\(^ {43}\). Thus, although he stressed that in attempting to account for Jewish unpopularity, he was seeking to explain it, but not to condone outrages, his explanation condoned much of the prejudice which made such outrages possible\(^ {44}\). In private, Rumbold was both ready to help Jewish refugees, and prepared

\(^{41}\) Ibid, pp. 380-381.

\(^{42}\) Rumbold to Simon, 28 Mar 1933, PRO FO 371/16720, C3074/319/18, f.140.

\(^{43}\) Rumbold to Simon, 13 Apr 1933, PRO FO 371/16722, C3594/319/18, f.1.

\(^{44}\) Ibid.
to give vent to anti-Jewish prejudices. Thus in 1939, having agreed to become chairman of a new body, the Co-Ordinating Foundation, which aimed to re-settle German Jews overseas, he expressed dislike of discussing confidential matters in front of the organisation's secretary, "a German Refugee Jew who is well off" who had "all the unpleasant Jewish characteristics".

Rumbold was not alone in combining inability to comprehend or condone outrages against Jews with readiness to accept the naturalness of much German antisemitic prejudice, and acceptance of antisemitic stereotypes. Neville Chamberlain, in letters to his sisters following the *Kristallnacht* pogroms in November 1938, expressed his inability to understand these acts of barbarity, which he unhesitatingly condemned, but accepted that prejudice against Jews was understandable, and acknowledged that he himself felt it. Chamberlain was not only shocked, but intensely frustrated by the *Kristallnacht* outrages, because they impeded his aim of maintaining normal diplomatic relations with Germany, and the main impulse for his perfunctory efforts to analyse German antisemitism appears to have arisen from this pre-occupation.

The British government’s position on the significance of Nazi outrages against Jews for Anglo-German relations during the years prior to the Second World War may be summed up as


46 See chapter four.
being that normal relations would be possible, if only the extremes of persecution could be contained. German antisemitism was a fact of life, but there seemed no necessity for it to lead to such outrages. British observers seized eagerly on suggestions that the Nazi authorities were curbing the excesses of their followers. The Nazis fostered the belief abroad that foreign criticism of their followers' atrocities would only provoke further violence. Such intimations were noted by British politicians and Anglo-Jewish leaders, who tried to prevent the Nazis' anti-Jewish boycott on 1 April 1933 by moderating the outraged reactions abroad to recent Nazi excesses. A key ingredient in the British initiative was a plan to publish a declaration signed by Sir Herbert Samuel and Lord Reading, playing down atrocity reports and deploiring attempts to boycott German goods, which the Foreign Office believed might have a good effect, but it failed to stop the boycott. British government representatives and Anglo-Jewish leaders also cultivated discreet contacts with more moderate elements within the German government.

The British government's care to limit public criticism of German internal affairs was matched by cautious concern lest the refugee issue should unduly damage relations with Germany. Efforts were made to ensure both that the UK did not become unduly prominent in international action on the refugee problem, and that trusted British figures occupied key positions on international refugee committees. It was considered desirable that League of Nations activity aimed

47 See Foreign Office correspondence, minutes and memoranda, 31 Mar - 7 April 1933, PRO FO 371/16720, C2998/319/18, f.97.
at assisting refugees should not add to the isolation of Germany from the international community, still less hasten German withdrawal from the League. At the same time British representatives tenaciously reiterated the duty of Germany to solve the problem it had created, and emphasised that other nations could not be expected to take up this burden unassisted.\(^4^8\)

Anglo-Jewish leaders also hoped that Nazi anti-Jewish persecution would diminish. They made unsuccessful efforts to restrain Jews in the UK from calling for the use of boycott tactics against Nazi Germany.\(^4^9\) Jewish leaders also challenged Nazi antisemitic propaganda but defence of the reputation of Jews in Germany gave way to a growing emphasis on documenting the persecution which they faced.\(^5^0\)

Increasingly, Anglo-Jewish leaders felt they must explore avenues of refuge for Jews who wished to leave Germany: as persecution grew, the search for refuge became more urgent and more demanding. The formation of the Council for German Jewry (CGJ) in 1936, with the aim of organising large scale emigration overseas, publicly acknowledged the urgent need to find new homes for the Jews of Germany. But asylum in countries of first refuge such as the UK was from the start seen as a transitional stage for most Jews from Germany.

\(^4^8\) Sherman, *op. cit.*, pp. 35-84.


Throughout, Jewish leaders and the British government gave high priority to containing and reducing the numbers of refugees in the UK, as will be apparent from the accounts of the exploration of emigration prospects and of refugee employment which follow.

The exploration of emigration prospects

The organisation of Jewish work for refugees and emigration to Palestine

The UK itself was intended to play only a peripheral role as a refugee haven. Designation of the UK as a minor haven by Jewish organisations reflected both British government policy and Anglo-Jewish priorities. Jewish leaders agreed that Palestine occupied the prime position as a potential refuge; a consensus that existed alongside deep divisions over the political future of Palestine and over prospects for Jewish assimilation within the countries of Europe\(^{51}\).

The policy of Anglo-Jewish work for refugees was shaped by the consensus over the primacy of encouraging immigration to Palestine; its organisation reflected the wide spectrum of political positions held by Jews in the UK on Zionism and the future of Palestine. The concerns of the Jewish Refugees Committee (JRC), set up in March 1933 by Schiff, were largely limited to helping refugees in the UK. In contrast, the Central British Fund for German Jewry (CBF), which provided the JRC's funds, had a far broader perspective, aiming to foster reconstruction rather than relief. The CBF was set up

\(^{51}\) Fuller discussion of these themes may be found in this author's 'Jewish Refugees', op. cit, pp. 167-168, 173, 184-189.
after the JRC, following a meeting of Jewish leaders at the Rothschild bank's headquarters at New Court in the City of London. Relief for refugees in the UK was only one of the CBF's commitments, and although the JRC's needs had the first claim on CBF funds, the amount spent on the JRC was small in comparison to large-scale expenditure on projects supporting emigration to Palestine. The emigration of German Jews to Palestine became Jewish Agency policy in the spring of 1933, and was pursued with particular zeal by Zionists within the CBF. The funds the CBF allocated to Palestine were largely to finance development projects such as housing, which would increase the country's wealth and capacity to absorb new arrivals, at a time when British government policy linked authorisation of new Jewish immigration to the country's economic absorptive capacity.

The structure of the CBF reflected a decision by Zionists and non-Zionists to co-operate over fundraising for refugees. Co-operation was based on an agreement over how the proceeds of appeals for funds should be divided and controlled. The regular Zionist appeal for funds was suspended: in return, a portion of the funds raised would be applied for Palestine purposes under Zionist control. The agreement was reflected in careful balancing of Zionist and

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non-Zionist members on the key Allocations Committee of the CBF and the appointment of two joint secretaries: a Zionist, Bakstansky, balanced by a non-Zionist, Stephany. Conflict between Zionist and non-Zionist factions within the CBF marred, but did not prevent, continued co-operation on the refugee issue. Despite Zionist uncertainty whether the partnership constituted too great a compromise, co-operation continued when the Council for German Jewry (CGJ) was set up in early 1936 to organise a massive programme of permanent emigration overseas.

The Jewish refugee organisations had close links with Jewish organisations in Germany and in the USA. The CGJ formally, spanned all three countries, but the British section of the CGJ remained dominant. Anglo-Jewish leaders made repeated efforts, of which the formation of the CGJ was one, to involve American Jewry as a senior partner in the financing of their refugee work, but met with little success. The leading American Jewish charity, the American Joint Distribution Committee (AJDC) had many other calls on its funds, but nevertheless agreed in 1939 to contribute to the maintenance in the UK of two groups of refugee transmigrants, most of whom were bound for the USA. AJDC leaders, however, regarded the dominance of Palestine projects and Zionists within the CBF and the CGJ with

55 Ibid.
56 These were St Louis passengers and inmates of Richborough camp - see Chapter four.
serious disquiet, which they conveyed to confidants within
the Anglo-Jewish elite57.

The Jewish refugee organisations were linked to the Board of
Deputies by a network of cross-memberships and co-options58. The Board as such did not engage in refugee work, but its
Aliens Committee received regular reports from Otto Schiff, who conducted most negotiations over refugee matters with
the Home Office. Board leaders concentrated on representing
Anglo-Jewry as a whole and fostering good relations between
Jew and non-Jew in the UK. They saw admission of refugees to
the UK as a subsidiary aspect of the German crisis. The
Board's Joint Foreign Committee (JFC) pursued a policy of
supporting the cessation of persecution against Jews in
Europe, and frequently contacted the Foreign Office in this
connection. To the extent that emigration was necessary, the
Board supported the pre-eminence of Palestine as a country
of settlement for refugees, a policy confirmed by a
conference called by the JFC in October 1933.

Informal, personal links within the Anglo-Jewish elite
played an important role in determining Jewish policy on
refugee questions. Members of the Rothschild family made a
particularly significant contribution to the policy process
and to the organisation and funding of refugee work. The
offices of the Rothschild merchant bank at New Court in the
City were the venue for innumerable meetings and lunches, at

57 See e.g. David M Bressler to Joseph C Hyman, 1 May
1935, Archives of the American Jewish Joint Distribution
Committee, 1933-1944, New York (henceforth AJDC) 559; Morris
C Troper, 'Memorandum re: conversation with Lord Samuel', 17
Feb 1939, AJDC 575.

58 See this author's 'Jewish Refugees', op. cit, pp. 168-9.
which committees were set up, policy decided, difficulties, often between Zionists and non-Zionists, ironed out, and initiatives organised. Alongside the formal institutions of Anglo-Jewry - the Board of Deputies, the Chief Rabbi and the Jewish refugee organisations - the Rothschild organisation combined the functions of a debating chamber, a court of arbitration and appeal, a source of funds, a reservoir of diplomacy and an informal channel to the British government, presided over by members of the family who were responsible for the family bank, notably Anthony de Rothschild and his older brother Lionel, who died in 1942. In late 1939 Anthony de Rothschild took over the chairmanship of both the CBF and the Central Council for Jewish Refugees (the CGJ renamed in war-time).

Anthony de Rothschild took pains to disclaim a representative role and to deny that he and members of his family had influence in Jewish matters, but was nevertheless treated by both Anglo-Jewish leaders and by British ministers as a particularly important representative of Jews in Britain. During the Second World War both Chaim Weizmann, the Zionist leader, and Selig Brodetsky, president of the Board of Deputies, emphasised the importance they attached to de Rothschild's access to ministers. In November 1941, for example, Weizmann told Lord Rothschild of his concern to keep in contact with Anthony de Rothschild, complaining that although de Rothschild was the leader of a section of opinion in Anglo-Jewry which was non-Zionist and assimilationist, he was consulted by Eden, who would

59 For Anthony de Rothschild, see Appendix 1.

60 Lord Rothschild, note of lunch with Weizmann on 14 Nov 1941, Rothschild Archive (henceforth RA) X1/35/61.
"wheedle private opinions out of him" over dinner, and then confront Zionists with the claim that these views were representative of large sections of British Jewry. In October 1941, Lord Moyne, the Colonial Secretary, invited Anthony de Rothschild to advise him of the opinions of British Jews about the possibility of limiting post-war emigration to Palestine. Moyne, disturbed by Weizmann's demands for admission of an estimated three million refugees to Palestine after the war, was reassured to hear that de Rothschild did not accept Weizmann's figure. Sir Cosmo Parkinson, Permanent Under Secretary at the Colonial Office, who was present, questioned de Rothschild about Brodetsky and his position as President of the Board, "adding that he thought it had been a very great mistake that a foreigner like this should be appointed to this post." Brodetsky himself, conscious of de Rothschild's ease of access to Eden, consulted him in February 1942 about the possibility of approaching Eden over requests to help Romanian Jews emigrate in order to escape extermination.

In de Rothschild's work on the refugee issue he built on good connections with ministers and officials and enlisted the services of individuals with past experience in government service. Along with other members of the family, he also

61 Ibid.
62 Moyne to de Rothschild, 9 Oct 1941, RA XI/35/61
64 Brodetsky to de Rothschild, 3 Feb 1942, de Rothschild to Brodetsky, 4 Feb 1942, de Rothschild to Lionel Cohen, 6 Feb 1942, Cohen to de Rothschild. 11 Feb 1942, RA XI/35/62.
65 See, e.g., his work in 1933 on the formation of the Palestine Liaison Scheme, RA XI/31/3.
contributed generously to refugee appeals and assisted numerous individual refugees. Lionel's efforts to rescue Jews included writing to Germany in the spring of 1939 with a request for four men to come to the UK, to join the large team of gardeners on his estate in Hampshire.\(^{66}\)

Such efforts to save individuals by bringing them to the UK were emergency substitutes for opportunities for permanent refuge overseas. By 1939 restrictions on emigration to Palestine had forced many Jews who had hoped to go there to seize such alternatives as were offered\(^{67}\). In 1933, however, the British government shared the Jewish view that Palestine could make a far more substantial contribution than the UK to solving the Jewish refugee problem. It was not intended to exacerbate Arab feeling against Jewish immigration to Palestine by allowing in large number of German refugees; nevertheless, in April 1933 the government announced speedy adjustments to Palestine's immigration procedures, covering both immigrants in the labouring category and persons possessing defined amounts of capital, to facilitate the entry of German Jews.\(^{68}\) Palestine provided permanent homes for perhaps four times as many Jews from Germany in the five years between 1933 and 1937, as against an estimated 10,000, present in the UK by early 1938, of whom only a minority had

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\(^{66}\) One of these refugee gardeners, Ernst Guter, was given support by Lionel to study economics. Guter was later interned, and deported on the Ettrick to Canada, where he remained, becoming an economist. Ernst Guter, interview with this author, 7 May 1989.

\(^{67}\) Ernst Guter had been intending to emigrate to Palestine. *Ibid.*

\(^{68}\) Conclusions, AR(33)1, PRO CAB 27/549; Simon; *Hansard*, vol. 276. cols. 8210-8212, 13 Apr 1933.
resident status. Palestine was thus fairly described in 1935 by the head of the Foreign Office's League of Nations and Western department, Maurice Peterson, as "our contribution to the refugee problem".

Refugee emigration to the dominions

The dominions sought immigrants from the UK at times during the inter-war period. The passing of the Empire Settlement Act in 1922 and the setting up of an Oversea Settlement Department (OSD) within the Dominion Office were aimed at fostering co-operation between UK and dominion governments in encouraging and aiding migration to the dominions.

Immigrants of British stock were preferred. Various categories of immigrant, including male agricultural workers and female domestic servants, obtained assisted passages from the UK, but this declined and by 1933 was at low ebb.

From 1933 the possibility of resettling German Jews in the dominions and colonies was explored by Anglo-Jewish leaders. They succeeded in enlisting the help of persons in senior positions within the British government. However, despite extensive efforts by British officials and ministers, motivated largely by the wish to reduce refugee numbers in the UK, dominion governments either rebuffed or ignored

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69 Strauss, 'Jewish Immigration (I)', op. cit., Table I, p. 346, 'Jewish Immigration (II)', op. cit., Table X, pp. 354-345.


71 The 1922 Act applied only to Canada, Australia and New Zealand; for a summary of British policy from 1918-1932 see See Civil Estimates, Class II, 7, 'Oversea Settlement', PRO DO 175/14508/4, p. 1.

72 Ibid., pp. 2-10.
proposals asking them to co-operate in arranging schemes to accept Jewish refugees.\textsuperscript{73}

In June 1933, Dennis Cohen, acting on behalf of the JRC, approached Humbert Wolfe, Principal Assistant Secretary responsible for the Ministry of Labour's Employment and Training Department, with whom he was on first-name terms. He wished Wolfe, who was himself Jewish, to raise with the Canadian government the possible settlement of Jewish doctors in remote districts of Canada, hoping for a waiver of restrictions requiring foreign doctors to re-qualify. Failing this, the Jewish organisation would pay maintenance. Cohen thought that a government-to-government approach would be more effective than direct enquiries from Jewish representatives to the Canadians.\textsuperscript{74} Wolfe set in motion an approach to the Canadians, but obtained only negative results. He next explored possibilities with the other dominions, but was again met with the reiteration of strict immigration regulations. Wolfe made further efforts, for example, sending to Malcolm MacDonald, then Parliamentary Under Secretary to the Dominions Office, who was also Chairman of the OSD, a list, provided by the CBF, with details of 85 refugees in the UK who were "likely to be useful citizens": he explained that the Ministry of Labour's concern in the matter was to see "that there is not any avoidable addition to our unemployment register" and that it

\textsuperscript{73} For Canadian policy see Abella and Troper, op. cit.; for Australian policy, see Blakeney, op. cit; for South Africa, see Frieda H Sichel (herself a Jewish refugee to South Africa from Germany), From Refugee to Citizen: A Sociological Study of the Immigrants from Hitler-Europe who Settled in Southern Africa, Capetown 1966.

\textsuperscript{74} Cohen to Wolfe, 27 Jun and 7 Jul 1933, PRO LAB 2/1189/ETAR/5513/1933.
would therefore "welcome any reasonable scheme which could absorb some of the refugees". The Ministry's sensitivity about unemployment figures thus provided an argument for supporting Jewish leaders' efforts to organise refugees' early re-emigration from the UK. Another possible advantage from such migration was mentioned by Sir Geoffrey Whiskard, Chairman of the OSD, who wrote to Sir Edward Harding, Permanent Under Secretary at the Dominions Office, saying that

The Jews who at various times have reached this country as refugees and have settled here have never, so far as I am aware, been other than a source of strength to us, and the presence in the Dominions of a certain number of Jewish refugees who might well reach positions of influence and importance, and would have every reason to be grateful to the British Empire in general and this country in particular, might well be politically beneficial.

The CBF was asked to provide reassurance that dominion governments would not have to pay the expenses of deporting refugees who failed to make a living: it undertook to bring back individuals who failed to make good, whether through


Dennis Cohen's role in these initiatives was taken over in July 1933 by JL Cohen, formerly a lecturer in economics at the London School of Economics, now an economics adviser with the firm Marks and Spencer, who had lent him for six months to the CBF. Part of Cohen's brief was to make a world survey to see where German refugees in Britain could be placed. JL Cohen, memorandum 'Possibilities in the Colonies', 24 Jul 1933, Schiff to Wolfe, 25 Jul 1933, PRO LAB 2/1189/ETAR/5513/1933. The Colonial Office seemed prepared to send out a circular letter to colonial governments asking about employment and settlement possibilities: Cohen arranged for a Colonial Office official to visit Schiff to look at emigrés' case cards.

76 GW[Whiskard] to Harding, 25 Jul 1933. PRO DO 57/175/14414/5. See also Stephenson to Dixon, 31 Jul 1933, ibid.
their own failure to adapt or because of local conditions; it would not accept financial responsibility for refugees settled in the dominions, stating that local committees would look after their welfare. Finally, in September, a letter signed by the Dominions Secretary, JH Thomas, was sent to the High Commissioners for Australia, Canada, New Zealand and South Africa stressing how much the British government had done for refugees, including making concessions on immigration policy. Refugees in the UK were presented in as favourable a light as possible, no doubt in order to persuade dominion governments to take them off the hands of the British government and the JRC. Enclosed with this plea was a copy of an eloquent letter from Simon Marks about the plight of the refugees, which emphasised how much they had to offer a country that accepted them. The outcome of this initiative was discouraging. The representatives of New Zealand and South Africa replied with a reiteration of their restrictive immigration policies. Australia and Canada chose not to reply at all. After

77 Besso to Schiff, 27 Jul 1933, Stephany to Besso, 4 Aug 1933, PRO LAB 2/1189/ETAR/5513/1933.

78 Gomme, memorandum 'German Jewish Refugees', n.d., sent 8 Aug 1933 to Plant (OSD), Schiff to Gomme, 15 Aug 1933, Plant to Gomme, 9 Aug 1933, Gomme, minute, 11 Aug 1933, Gomme to Wolfe, 21 Aug 1933, Cooper to Gomme, 26 Aug 1933, Thomas to Howard Ferguson (Canada), SM Bruce (Australia), Sir TM Wilford (New Zealand), C de Water (South Africa), 13 Sept 1933, (enclosing Marks to Thomas, 14 Jul 1933), PRO LAB 2 1189/ETAR/5513/1933. Thomas's letter contained a reminder that he had circulated copies of Marks' letter to certain dominion government representatives in July. See also Dominions Office, Home Office and Ministry of Labour correspondence and memoranda during the drafting of the letter, 8 Aug to 7 Sept 1933, PRO DO 57/175/14414/2.
several months, the Dominions Office decided to let the matter drop.\textsuperscript{79}

Lord Bledisloe, Governor-General of New Zealand, expressed sympathy with the refugees, especially "German scientists of Semitic origin", but stated that no openings were available, and that even if there were openings, his government would be reluctant at present to take any step...from humanitarian motives which might leave the impression that German Jews of any description were being welcomed to this Dominion during a period of acute economic depression to the possible detriment of New Zealanders.\textsuperscript{80}

He also voiced the fear "that immigrants from Germany might be at heart, if not openly, Communists, and spread revolutionary propaganda to the social unsettlement of the local community", but asserted that the country's aliens controls were adequate to deal with this possibility. Such an evocation of the spectre of the entry of refugee communists, swept immediately aside with confident assertions about the effectiveness of aliens controls, closely echoes statements made by the Home Secretary to the Cabinet Committee in April 1933.\textsuperscript{81}: an impression remains in both cases of anxieties that could not be altogether...

\textsuperscript{79} JM Young (Prime Minister's Office, Wellington) to Thomas, 8 Dec 1933, Wilford to Thomas, 15 Dec 1933, Lord Bledisloe (Governor-General of New Zealand) to Thomas, 22 Dec 1933, Thomas to Marks, 24 Jan 1934, GW[Whiskard], minutes, 5 and 23 Apr 1934, Thomas to Ferguson, 23 Apr 1934, PRO DO 57/175/14414/11; a file now destroyed recorded that the South African High Commissioner told the Dominions Office in Dec 1933 that it would be "quite impossible for the government, in view of the already high percentage of Jews in the Union, to encourage in any way any artificial increase in their numbers". Reference to file 14414/10 in PRO DO 5/10.

\textsuperscript{80} Lord Bledisloe to Thomas, 22 Dec 1933, PRO DO 57/175/14414/11.

\textsuperscript{81} Gilmour, memorandum, 6 Apr 1933, already cited.
dismissed. Cooper later provided information for dominion
governments about steps the Home Office had taken to prevent
"Communists and other undesirable aliens from Germany"
coming to the UK "in the guise of refugees"\(^{82}\). Such worries
can only have added to the disinclination of these
governments to surrender any aspect of the control offered
by handling cases on their individual merits, and may
explain some of their reluctance to make broad commitments
to accept certain classes or specified numbers of refugees.

The episode illustrates not only the failure on the part of
dominion governments to work with representatives of British
government to help German Jewish refugees, but also
Dominions Office reluctance to put these autonomous
governments under strong pressure to co-operate. In May
1936, when Jewish representatives saw Sir Eric Machtig,
Assistant Under Secretary at the Dominions Office, about a
scheme to settle young German Jews in Australia, they were
told that the preference of both governments that the
migrants be British left little scope for including German
Jews\(^{83}\). The High Commissioner for Refugees, Sir Neill
Malcolm, reported later that year that the Australian
government was willing, but hampered by its economic
situation; he thought it reasonable for their attitude to
be: "We will help in a quiet and unostentatious way with
great good will but don't ask us to undertake large scale
schemes, which in these days would excite opposition and

\(^{82}\) See references to destroyed DO files (of 18 Sept
1933) and 14414/7 of 17 Oct 1933, PRO DO 5/10.

\(^{83}\) Bentwich to Machtig, 4 May 1936, Plant, minutes, 8
Jan 1936, 6 May 1936, PRO DO 57/175/14414A/1.
make the position more difficult."\textsuperscript{84} Michael Blakeney's research has demonstrated that the Australian government continued to make a distinction between individual and block arrangements for the entry of Jewish refugees. Individual non-British migrants benefitted from reductions in Australian requirements for landing money, reduced yet further for migrants nominated by persons or organisations prepared to guarantee that they would not be a charge on the state\textsuperscript{85}. The guarantee arrangement, modelled on the Anglo-Jewish guarantee, apparently flowed from suggestions made by Bentwich\textsuperscript{86}. On the other hand, the Australian Department of the Interior of August 1936 opposed group immigration schemes for Jews, claiming that Jews as a class were not desirable emigrants because they did not assimilate and generally preserved their identity as Jews\textsuperscript{87}. Australian Jewish organisations, like their government, also preferred to restrict the size of groups entering the country\textsuperscript{88}.

Discreet small-scale emigration to Australia of selected German Jews from both Germany and the UK was arranged through several initiatives, in which Anglo-Jewish leaders provided much of the impetus which activated the Jewish

\textsuperscript{84} MacDonald to Malcolm, 24 Dec 1936, Malcolm to Macdonald, 3 Jan 1937, PRO DO 57/175/14414A/3.

\textsuperscript{85} Blakeney, \textit{op. cit.}, pp. 103, 111.

\textsuperscript{86} \textit{Ibid.}, p. 111. Blakeney's date for Bentwich's meeting Australian minister Earle Page, which he says led to this change, is however May 1936, i.e. after the April date he gives for the Cabinet's policy decision.

\textsuperscript{87} \textit{Ibid.}

\textsuperscript{88} \textit{Ibid.}, p. 113.
community in Australia\textsuperscript{89}. Bentwich "sifted" Jews in Germany to assess their suitability for re-emigration to Australia\textsuperscript{90}. A scheme for German Jews to come to the UK for a few months, to learn English before re-emigration to Australia was agreed between Cooper and Schiff. One feature of the agreement was a "pool" system, whereby new entrants had to be balanced by departures from the UK\textsuperscript{91}. In 1937, however, a modest Jewish scheme for admission of agricultural trainees to the UK pending re-emigration to the dominions, foundered on Canadian refusal to make an exception to immigration regulations, despite Cooper's efforts to pave the way through a friend in the Canadian High Commission\textsuperscript{92}.

One problem in arranging large-scale schemes, as British officials and Jewish leaders agreed in March 1937, was that, "any attempt to force the pace, or to do anything spectacular, would only result in increased restrictions, as had been the case in South Africa"\textsuperscript{93}. Increased pressure

\textsuperscript{89} For the conservative response of the Australian Jewish community to the refugees, and pressure on new arrivals to assimilate, see \textit{ibid.}, pp. 109-116; see also Bentwich's note of contacts with Australian Jewish organisations and Australian government representatives, forwarded by an Australian government representative in London to the Dominions Office, Dept of External Affairs to ET Crutchley, 28 Nov 1936, PRO DO 175/14414A/3.

\textsuperscript{90} Bentwich, \textit{Wanderer between Two Worlds}, London 1941, p. 270.

\textsuperscript{91} London, 'Jewish Refugees', \textit{op. cit.}, p. 174.

\textsuperscript{92} See correspondence between Cooper and Wyndham Deedes of the Inter-Aid Committee for Children from Germany, Oct 1936-Jul 1937, Cooper to Lieut-Col GP Vanier(Canadian High Commission), 30 Mar 1937, Vanier to Cooper, 16 Jun 1937, PRO HO 213/267.

\textsuperscript{93} JLM[Sir John Loader Maffery, Permanent Under Secretary, Colonial Office], minute, 24 Mar 1937, Plant, memorandum of meeting with Felix Warburg, 31 Mar 1937, PRO DO 57/175/14414 A/3.
from refugees seeking asylum in South Africa had recently led to the introduction of severe restrictions. South Africa was the destination for some 1,066 Jewish refugees in the years 1933-5: a figure representing about one third of total Jewish immigration, which constituted about one fifth of all immigrants. However, when, following the passing of the Nuremberg laws in Germany the previous year, refugee immigration increased in 1936, agitation in South Africa against alleged flooding of the country by "unassimilable" Jewish immigrants, resulted in the imposition of increasing restrictions, by the United Party government under General Smuts. New cash deposits of R200 were required from intending immigrants: this would exclude Jews from Germany, who could not take more than a twentieth of the required sum out with them. Jewish organisations abroad chartered a special boat, the Stuttgart, which in late October succeeded in landing 537 refugees in Cape Town just ahead of the deadline for the new deposits. With the arrival of the Stuttgart, anti-refugee agitation grew again, and the government hastily passed a new Aliens Act stemming the influx of refugees, and introducing an Immigrants Selection Board, with absolute power to grant or refuse permits to aliens, who had to show not only good character, but that they would become readily assimilable (a term used in previous legislation) to the white inhabitants of the country, and would neither harm its welfare or pursue an overcrowded occupation. The total number of German-Jewish immigrants to South Africa for 1936 was 2,549, but after October, numbers declined dramatically; in 1937 new German-

94 These figures, and the remainder of the paragraph are based on Sichel, op. cit., pp. 13-20 (the work of Louis Hotz), and pp. 20-5.
Jewish admissions dropped to 481, followed by 238 in 1938; in 1939, just over 1,000 German Jews were granted permission to enter or take up permanent residence - there was a slight easing of restrictions after Kristallnacht. The total number of refugees to South Africa from Nazi Europe is estimated at between 6,000 and 7,000. Developments there showed how frantic efforts by refugees to beat one set of restrictions could generate clamour for yet more restrictions: a worrying example of what the refugee immigration issue could do if it became a subject of public controversy.

British reluctance to press dominions governments for help became temporarily less marked after Kristallnacht, but in late November 1938, Malcolm MacDonald, now Colonial Secretary, was told by Canadian High Commissioner, Vincent Massey, that "unfortunately the Jews were not generally good settlers on the land, they hastened into towns and cities", and that in cities like Toronto with large numbers of Jews, "any increase would start an anti-semitic movement". The Canadian government maintained its unbending stance. Canada admitted non-Jewish refugees from Czechoslovakia in 1938-9, but made a derisory contribution in giving refuge to European Jews - it found room for fewer than 5,000 between 1933 and 1945. Australia offered to take 15,000 over three years (of whom less than half arrived); the Australian High Commissioner, SM Bruce, had urged his government to agree to

95 MacDonald, memorandum of meeting with Massey, 29 Nov 1938, PRO DO 121/2.

96 The figure of 5,000 is given by Abella and Troper, op. cit., p. xxii; see ibid., p. 131 for an example of British Foreign Office disdain for the Canadian record; see chapter 5 below for the Canadian response to refugees from Czechoslovakia.
twice this number. Altogether, Australia took about 10,000 refugees from Nazism (excluding deportees during the war), the majority arriving in 1938-40.

Pressure such as that employed by Malcolm MacDonald reflected the height of the pre-war refugee crisis and its impact on the British government. In late 1945, when the disposal of far smaller numbers Jewish survivors of the war in Europe was discussed, the Dominions Office took great care to ensure that dominion governments were not alarmed by the prospect of pressure to take Jews from Europe. Sir John Stephenson, Deputy Under Secretary at the Dominions Office commented, "The Dominions will be very reluctant to accept these intractable and unassimilable settlers and they would certainly take exception to a proposal which in terms suggested them as a possible home for the Jews."

The administration of admissions

The British government required refugees to fit into existing immigration policy. Throughout this period, government spokesmen emphasised that refugees were being admitted or refused entry as foreigners, rather than because they were refugees or Jews. If they could qualify like other aliens, or show that their circumstances justified making an

97 MacDonald, memorandum of two talks with Bruce, 1 December 1938, PRO DO 121/2.

98 F Straton to Official Secretary, Office of High Commissioner for the UK, 28 Mar 1945, DO 57/1331/M1164/5; for the Australian record, see Blakeney, op. cit.

99 JES[Stephenson] to Secretary of State, minutes, 1 and 11 Oct 1945, PRO DO 35/1589; see also Addison, minute, 7 Oct 1945, ibid.
exception to the regulations, they might be admitted. If they could not, their plight did not of itself constitute a passport to admission. In public, the Home Secretary preferred to speak of them as foreigners, avoiding compromising references to Jews, refugees, or asylum, stating that, "in accordance with the time-honoured tradition of this country no unnecessary obstacles are placed in the way of foreigners seeking admission"\(^{100}\). He refused to give guidance on how German Jews seeking admission might qualify for entry, but fell back on a well-worn formula: each case would be considered "on its individual merits".

Policies relating specifically to refugees were nevertheless evolved. The first part of this section covers policy on refugee employment, beginning with a discussion of the extent to which the admission of refugees was seen as beneficial. It will be apparent that, while the government took no formal steps to recruit refugees or facilitate their entry, Home Office and Ministry of Labour officials exercised discretion to allow certain refugees to enter employment. Next follows a detailed discussion of the employment prospects of three categories of refugee: academics, trainees and dentists, and some of the problems they faced. Home Office manpower problems are then outlined in connection with the management of immigration controls on refugees, and it is shown how the contribution of the voluntary organisations to controlling the influx mitigated government manpower shortages. The chapter ends with Home

\(^{100}\) Gilmour, *Hansard, op. cit.*, vol. 276, col. 2558, 12 Apr 1933.
Office assessments of the results of the first five years of refugee immigration.

**Refugee employment**

*The benefits of admitting refugees*

The Cabinet Committee, its agenda set by the Home Office and therefore pre-occupied with questions of control, had focussed on the potential problems and embarrassment resulting from the entry of Jewish refugees, and the reassurance offered by the guarantee. The possible benefits which might accrue from the entry of refugees from Germany had been dealt with dismissively by the committee, and no action was taken on Cabinet instructions that the committee follow up the possibility of offering hospitality to distinguished men who could not continue their careers in Germany. Support for encouraging the selective immigration of refugees who wished to work came from Sir John Simon, the Foreign Secretary, who argued in a House of Commons debate that the country could at the same time utilise the refugee crisis for its benefit and show sympathy and generosity to refugees: he claimed that "the admission to this country of people of good character who bring their trade and experience with them is a gain and not a loss to this country". The previous speaker, Sir Herbert Samuel, had spoken on similar lines, mildly suggesting "a little relaxation of the very severe conditions of admission into this country", but acknowledging that the state of economy and widespread unemployment would prevent action on a large scale.

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101 Conclusions, AR(33)1, PRO CAB 27/549; Cab. 27(33)8, 12 Apr 1933; PRO CAB 23/75.

scale. Yet no formal steps were taken by the government to ease or encourage the admission of refugees. Instead, it was left to non-governmental bodies to launch initiatives designed to facilitate the immigration of refugees who might prove useful.

The Ministry of Labour and refugee employment
Numerous refugees were allowed to enter employment. Many were permitted to do so because they were able to comply with Aliens Order provisions protecting the resident work force; others received exceptional consideration from the Ministry of Labour as refugees. An analysis of the records of 773 refugees who had been granted permission to take employment, carried out by a Ministry official in October 1934, led him to conclude that less than a third should be classified as "refugee" cases, meaning cases in which "the humanitarian and compassionate aspect of the case has been the deciding factor i.e. cases which in normal times would be rejected on various grounds". The "refugee" cases, totalling 215, were mostly au pair domestics, plus a considerable number of "the clerk type", "a sprinkling of au pair teachers and nurse trainees but practically every type is represented". The official categorised the remainder of the cases into three groups: 230 "ordinary" work permit cases, comprising "the clerk-student type, domestics and teachers...an odd few in clothing and textiles"; 186 "professionals", mainly university cases under the aegis of the Academic Assistance Council(AAC); lastly, 142 "training scheme" cases, mostly in the manufacturing and distributive side of the clothing trade, tailoring, furs, boots and

103 Samuel, ibid., col. 2807.
shoes, and a few woodworkers, cabinet-makers and mechanics, principally connected with radio and garages. It was impossible to estimate the numbers of cases in which permission to take employment had been refused, since some refugees ultimately obtained permission after being refused several times.\textsuperscript{104}

The majority of those allowed to work had originally entered as visitors.\textsuperscript{105} Admission to the UK (a Home Office matter) had been "granted freely", difficulties having been largely overcome by means of the provision of financial support by the JRC and private individuals, according to RE Gomme of the Ministry of Labour's Aliens Restriction Branch, in a summary of government policy drafted in August 1933. The employment of refugees after admission was a separate issue, since refugees, made subject to an occupational condition on entry, needed specific authorisation to work. Permission had been "freely" given for refugees to undertake various forms of study, including lawyers and members of the medical profession who were required to obtain British qualifications in order to practice. The appointment of some of the more distinguished academics to research posts, subsidised by the AAC, had been permitted. Businessmen had been allowed to engage in such activities as manufacture, import and export trading and the fur trade. Sympathetic consideration had also been given to cases where the employment is of a minor character or the post is in effect being created in special circumstances...Jewish women have been allowed to take up posts of a domestic or semi-

\textsuperscript{104} Ministry of Labour, memorandum, 'Refugees from Germany irrespective of nationality', 3 Oct 1934, PRO LAB 8/78.

\textsuperscript{105} Holderness to Under Secretary, 26 Oct 1934, PRO LAB 8/78.
domestic character, i.e. as domestic servants, nursery governesses and teachers of the German language, in private houses.

Authorisation had also been given to firms prepared to employ a refugee "over and above their actual requirements". There was also a new JRC trainee scheme. Jewish refugees in the UK, Gomme concluded, were in the main "a very good type", yet, because they were mainly professional men and students, the possibilities of absorption were "necessarily limited"106. Gomme's memorandum, prepared for the purpose of encouraging dominion governments to accept refugees from the UK, both represented the refugees in an especially favourable light and stressed how much the UK was doing to help them107.

The proportion of refugees who came from the professional class - approximately 50 per cent - was far higher in the UK than among those going to other countries in western Europe. For example, comparative statistics prepared near the end of the year, showed the professional class constituted only 15 per cent of refugees going to Czechoslovakia and 12 per cent of those going to Holland; these countries had a higher proportion of refugees categorised as workers: 46 per cent in Czechoslovakia and 23 per cent in Holland, compared with just over 7 per cent in the UK. The UK was receiving a higher proportion of students than these countries. Ernest Cohen, who prepared these figures, attributed the disparities both to the higher cost of travel to the UK and to the attraction the country possessed for the highly


107 See p. 106 above.
educated\textsuperscript{108}. Nevertheless, the greater efficiency of entry controls to the British Isles and the policies of both the British government and of refugee organisations must have been important contributory factors.

Refugee academics in general and physicists in particular. The UK was the first refuge for perhaps half the 2,200 refugee scholars who emigrated from Germany by 1938\textsuperscript{109}. In May 1933 William Beveridge, then director of the London School of Economics, set up the Academic Assistance Council (AAC), which in 1936 became the Society for the Protection for Science and learning (SPSL)\textsuperscript{110}. The AAC helped displaced scholars and scientists to pursue their careers, through information about possible openings at academic institutions in the UK and elsewhere, and by the provision of modest maintenance grants. The AAC only took up the cases of a

\textsuperscript{108} Ernest Cohen 'Some notes on the problem of Jewish refugees from Germany', (n.d., first half of December 1933), PRO HO 45/15883/666764/77. The survey was based on 2,500 JRC case cards. Cooper described it as "very interesting", Cooper to Gomme, 13 Dec 1933, ibid.


\textsuperscript{110} Beveridge had written to Sir John Simon, thanking him for his recent remarks in the Commons, and mentioning his plan for a new organisation for refugee academics. Beveridge to Simon, 21 Apr 1933, Archives of the Society for the Protection of Science and Learning (hereafter SPSL), Box 111/5, f.266.
small minority of the people who sought its aid, although advice was given to many more111.

Physics, along with chemistry and philology, each of which generated roughly 170 AAC cases, were the disciplines with the highest number of case files for single specialties, although perhaps three times as many were generated by the multiplicity of medical specialties. A sample of eleven consecutively numbered case files taken from the section of the AAC archive concerning physicists with names beginning with the letters K or L, conveys something of the range of refugee candidates and the options available to them112. The individuals concerned possessed a wide range of nationalities, and most were wholly or partly Jewish. Many British scientists subscribed to the AAC, and the files also show support for individual refugees from members of the scientific community, through help with recommendations, funds and hospitality. However, cases in which good contacts helped people to find a way to continue their careers in the UK were offset by cases in which even the most prestigious recommendations were of little avail.


112 The archive contains a total of 163 physicists' case files. The 11 cases discussed here are in a box of 12 files concerning physicists whose names begin with K or L: the latter part of the K files and the first part of the L files (the 12th file is a case of a later date). The files were chosen simply because they were in the box containing the file of Nicholas Kurti, itself chosen because of a Home Office decision on the case in a policy file.
The AAC was able to assist a number of refugee physicists, helped by contacts between physicists in Britain and Germany which pre-dated the Nazi regime. In the field of low temperature physics, German science had much to offer, and several senior and more junior researchers in this field were able to continue their careers in the UK. Oxford University's Clarendon laboratory became the new home of a group of refugee physicists, recruited through the efforts of Professor Frederick Lindemann, later Lord Cherwell, with financial backing in the form of a number of short-term scholarships provided by Imperial Chemical Industries (ICI). Professor Franz Simon arrived from Germany in April 1933, and helped several of his former students, including this author's father, to come to Oxford with ICI scholarships where they enhanced the reputation of the university's Clarendon Laboratory, especially in the low temperature field. Lindemann already had links with Simon's research group: a few years previously he had bought a hydrogen liquefier from Simon, and later arranged for a miniature helium liquefier designed by Simon in collaboration with Kurt Mendelssohn to be brought over from Breslau and

installed at Oxford by Mendelssohn. A few months later both Simon and Mendelssohn arrived in Oxford as refugees.

The sample includes two cases of low temperature physicists who came from Germany to the UK and remained permanently. The case of Nicholas Kurti, a Jew of Hungarian nationality, who arrived in September 1933, was considered by Cooper to merit an exception to Home Office policy of not usually granting "refugee favours" to persons who did not have German nationality. Kurti, a former student of Simon's, was coming to take up an ICI research scholarship at the Clarendon Laboratory, and later received a second ICI scholarship. In 1939 he was granted British nationality; he later became Professor at Oxford and a Fellow of the Royal Society. The other low temperature physicist, a German of half-Jewish descent also entered Britain in 1933, and, once his ICI scholarship expired, received financial help which included a grant from Queens College, Oxford, and support from a wealthy British colleague. He had remained in the UK on a temporary basis, declining suggestions that he pursue jobs in Burma, China and Ecuador, was naturalised in the

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114 Lindemann reported this advance in an article with TC Keeley in the 11 Feb 1933 issue of Nature, 'Helium Liquefaction Plant at the Clarendon Laboratory'. The author is indebted for this information to a talk by David Shoenberg, 'Early Low Temperature Physics in Cambridge', given at seminar, 'Chapters in the History of Low Temperature Research in Great Britain', organised by the History of Physics group of the Institute of Physics, at the Royal Institution, 26 Oct 1988. Unpublished manuscript in possession of Dr Shoenberg: copy in this author's possession.

115 Cooper to Gent, 5 Jan 1934, SPSL 333/5, f.144.

116 File of Nicholas Kurti, SPSL 333/5, ff.136-163.
first half of 1939 and worked for the government during the Second World War on secret atomic weapons research.\footnote{117}

The majority of the cases are very slender, and concern people whose cases the AAC did not take up and who never succeeded in coming to Britain. A German physicist, described in AAC records as an Aryan engaged to a Jewess, who wished to leave Germany for this reason, but was still working in Germany in 1935 when his case was drawn to the attention of the AAC: it was considered dangerous even to write to him. In the post-war follow-up of AAC cases it was learned that he had left Germany in 1937, worked in Japan for five years, and then moved to a post in Taiwan. By 1948 he was lecturing and doing research at the Taiwan National University in Formosa, with no plans to return to Germany.\footnote{118} There was no information on the fate of a German Jewish theoretical physicist aged 23, who had obtained the AAC's address from the eminent physicist Max Born, and wrote from Berlin in late 1934, seeking help in obtaining a position abroad.\footnote{119} Another physicist who never came to the UK was Wladimir Lasareff, a stateless Jew born in St Petersburg before the Russian revolution, who had lost his post in Berlin and in July 1933 obtained a two-year job in Liège, Belgium. He enclosed a letter of recommendation from Albert Einstein, but the AAC was unable to help him. In 1946, in the course of the AAC's post-war follow-up, Lasareff reported that, after five months' imprisonment in Breindonck concentration camp, he had left Liège in 1942, joined a resistance force

\footnote{117}{File of Heinrich Kuhn, SPSL 333/3, ff.45-102.}
\footnote{118}{File of Wolfgang Kroll, SPSL 333/1, ff.1-16.}
\footnote{119}{File of Rolf Landshoff, SPSL 333/8, ff.220-245.}
until the Liberation, then served voluntarily with US forces in Belgium and Germany, and had since resumed his scientific activities at the University of Liège. The USA was the most common final destination for those who succeeded in leaving continental Europe, as was the case of a German citizen of Greek Orthodox religion and Greek/British origin, dismissed from the University of Göttingen in 1936, who eventually obtained a post at the California Institute of Technology. Another German citizen, also found work in the USA, in Pennsylvania. The USA was also the eventual destination of one of the two women in the sample, an Austrian Jewish schoolteacher of physics and mathematics in her mid-thirties named Herta Leng. The AAC forwarded Leng's details to a university in South Africa, with no apparent result. Another source shows that Leng entered the UK in January 1939 on a children's transport sponsored by American Quakers - a cousin helped her obtain a British visa, and she remained for several months, employed as a cook, before re-emigrating in November 1939 to the USA, escorting 16 refugee children. She was assisted by both the British and American Associations of University Women, obtaining a teaching post at Rensselaer Polytechnic Institute, Troy, New York, and eventually became a professor.

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120 File of Wladimir Lasareff, SPSL 333/9, ff.246-278.
121 File of Spiro Kyropoulos, SPSL 333/6, ff.103-135.
123 File of Herta Leng, SPSL 333/7, ff.279-307.
The other woman in the sample, a German-Jewish physicist, sought the AAC's help in 1934, and was advised to remain in Germany, but went to Copenhagen to work with the eminent physicist Niels Bohr. After the German occupation of Denmark she moved to a less conspicuous place of work; by 1944 she was said to be safe in Sweden where she had gone with Bohr. Another German Jew whom the AAC did not encourage to come to the UK had previously gone abroad, after completing his studies in Germany, to take up a post as head of the Department of Mathematics at the Muslim University of Aligarh in India. He asked the AAC for help in 1935 because he, along with other Europeans and Hindus, was losing his post for political reasons, and could no longer get work in Germany. The AAC gave him advice about getting another job in India, but discouraged him from seeking work in Europe: the file does not record the final outcome.

For those refugee physicists who did arrive, the UK functioned largely as a country of transit. Many re-emigrated, most ending in the USA, including the majority of the most eminent, who were not allowed to take permanent posts. Physicists not among the elite of researchers, such as schoolteachers, were regarded by the AAC as being outside the scope of its work, and as having no prospects of employment in the UK. One Austrian Jew who had lost his

125 File of Hilde Levi, SPSL 333/12, ff.366-93.
126 File of Hans Lessheim, SPSL 333/11, ff.308-65.
127 See Paul K Hoch, 'Some Contributions to Physics by German-Jewish Emigrés in Britain and Elsewhere', in ed. Mosse, Second Chance, op. cit., pp. 229-41; case files in the archives of the Emergency Committee for Aid to Displaced Foreign Scholars, now in the manuscript collection of the New York Public Library, often contain duplicates of AAC questionnaires completed by refugees.
secondary school teaching post in March 1938 after the occupation of Austria, who had maintained active involvement in radiological research in Vienna, succeeded in August 1938 in gaining short-term permission to enter the UK, where he had relatives and contacts. Several eminent and well-connected people made efforts to assist him, and a scientist subscriber to the AAC gave him hospitality, but the AAC was unable to help him on a formal basis, and seeing no chance of finding an occupation in Britain in the short period for which he was permitted to remain, he acted on the AAC’s advice to take up a visa for the USA. He soon obtained a research grant at an American university, and by 1947 was an assistant professor at Harvard University.\(^{128}\)

The Ministry of Labour, like the Home Office, combined severe restrictions and a stern public stance with considerable readiness to make exceptions to the letter of the regulations in practice. The divergence between official policy and practice reflected an ambivalence at the heart of the government’s thinking. Ministers and officials were convinced that they had to be seen to be taking a firm line, but officials were nevertheless often generous to individual refugees. Because the details of day-today decision-making were concealed under the cloak of ministerial discretion, these conflicting pressures could co-exist, but at the price of vagueness and hypocrisy in the government’s public stance. The more generous aspects of government practice were largely unacknowledged, which undoubtedly acted as a brake on generosity in practice.

\(^{128}\) File of Gustav Kürti, SPSL 333/4, ff.103-135.
Official Ministry of Labour policy dictated that refugees, like other aliens, must not cause unemployment among British workers. Strictly, this meant refugees should be refused permission to take a job unless no suitable British person could be found. The application of these regulations to refugee academics was selective, but, as a rule, academics could obtain only temporary posts, and, like other refugees, were expected to re-emigrate. A Ministry official told an AAC representative in May 1933 that the privilege of automatic permission to remain permanently was only for "persons of unquestioned repute e.g. Professor Einstein" (who chose to take up residence in the USA); it would be hard to defend flexibility towards the "rank and file" of refugee academics, who represented "a greater threat to British labour", and the Ministry needed to show that it was conscientiously protecting British jobs. By July 1935, 148 of the refugee academics had found temporary posts; only 60 had permanent academic positions. The AAC focussed increasingly on transmigration, and it funded refugees' job-hunting trips to the USA. Yet in December 1935 the Home Office made the concession of giving 31 selected protegés of the AAC and their families permission to settle in the UK, although they had been in Britain for less than three years, well below the standard minimum four-year period of residence for work-permit holders. The cases had been carefully chosen by the AAC, and a reasoned argument for

129 Gent, memorandum of interview with RE Gomme, Aliens Restriction Branch, 26 May 1933, SPSL 113/5, ff. 731-732.


131 Esther Simpson, (secretary of the AAC), IWM Refugees, tape 4469.
each put to the Home Office. Sir John Simon, sympathetic to academic refugees from the outset, now Home Secretary, gave his personal approval; to avoid possible embarrassment for the Home Office and the AAC, the lucky 31 were to be asked to keep their privilege secret\textsuperscript{132}.

After 1935 especially, the UK functioned mainly as a country of transit for refugee scholars. The majority went on to the USA, which had by 1940 become "the real host country for German academics"\textsuperscript{133}. By 1946, only 400 from German-speaking areas remained in the UK, plus another 200 from other areas\textsuperscript{134}. The government, by allowing a select few to remain, but pressing the majority to re-emigrate, showed that although it perceived academics as an elite whose entry was advantageous, it was generally not committed to following through such perceived advantages. Instead it subjected academics to the restrictive policies on alien immigration and employment, and to departments' need to be seen to uphold them. In late 1933 the AAC agreed to Ministry of Labour urgings that it undertake greater responsibility for individual refugees - the arrangement echoed the authorities' previous acceptance of the Jewish guarantee\textsuperscript{135}. The government thus obtained the benefits offered by refugee academics, without incurring either expense or risk, both of which were borne by the refugee organisations. The apparently "liberal" and exceptional policy of admitting a

\textsuperscript{132} Correspondence between AAC and Home Office, Nov-Dec 1935, SPSL 111/6, ff.370-406.

\textsuperscript{133} Hirschfeld, "A High Tradition", \textit{op. cit.}, p. 605.

\textsuperscript{134} \textit{Ibid}.

\textsuperscript{135} Gomme to Adams, 22 Sept 1933, Adams to Gomme, 27 Nov 1933, SPSL 113/5, f.741.
large number of refugee academics to the UK was, as Hirschfeld observes, an expression of self interest, which "amounted to nothing more than deriving the benefit without running any risks"\textsuperscript{136}.

The JRC training scheme

Both the government's general reluctance to take substantial risks, and its readiness to make minor exceptions, was shown in other arrangements for refugee employment. The JRC training scheme was one of these. In the period 1933-1937, requests for permission for refugees to take employment largely concerned refugees already admitted as visitors, but subject to conditions against employment. The JRC training scheme attempted to create acceptable employment opportunities for such persons, and the Home Office and Ministry of Labour readily agreed that a limited number of young refugees admitted as visitors could accept trainee jobs. Later, however, Cooper found it necessary to intervene to counter JRC statements suggesting that permission given to refugees to take jobs as trainees had made it a condition of their remaining in the UK that they stay in these jobs.

JRC policy in 1933 did not encourage refugees to come to the UK for work or settlement, but aimed to enable refugees already present in the country to maintain themselves, and, if possible, improve their qualifications, so that they would soon be able to re-emigrate overseas: the training scheme reflected these aims. It was designed to benefit men who had entered the UK, but were subject to entry conditions which did not permit them to earn their living. Such

\textsuperscript{136} Hirschfeld, "A High Tradition", \textit{op. cit.}, p. 604.
individuals might well become the financial responsibility of the Jewish community before long. The scheme was aimed at young people aged 18-25 who had previously had professional training and been employed, mostly as clerks or in the legal profession, but had been forced to leave their posts and were unlikely to return to Germany. Negotiations in May 1933 with Home Office and Ministry of Labour officials, in which the JRC was represented by Schiff and Bernard Davidson, soon resulted in the approval of a scheme, whereby firms in Britain might provide industrial training facilities for up to 100 refugees at any one time. The scheme was designed not to offend against existing employment policy by making inroads into the home labour market. Trainees would be taken on for a minimum of 12 months, but told that they could not stay in Britain in the long term, and would be required to confirm in writing that they understood this. The JRC would select trainees carefully, provide financial assistance and assist with emigration at the end of the training period. Officials later agreed to a proposal of Schiff's that trainees might be placed in posts pending approval of their applications; Cooper subsequently agreed that firms might take on trainees for a one month trial period. The dealings between Home

137 Gomme, memorandum, 'Jewish Refugees from Germany', 20 May 1933, PRO HO 45/21609/675231/1; Wolfe to Schiff, 16 Jun 1933, Gomme to Cooper, 17 Jun 1933, PRO HO 45/21609/675231/2; Schiff emphasised the severe restrictions of the scheme and the JRC's insistence on the lack of employment prospects for refugees in a letter to the proprietor of the Daily Express newspaper, in which an article calculated to heighten anxiety about refugees from Germany taking British jobs had appeared on 21 Sept 1933. Schiff to Beaverbrook, 25 Sept 1933, Schiff to Cooper, 25 Sept 1933, PRO HO 45/15882/666764/25.

138 S Hoare to Schiff, 1 Aug 1933, PRO HO 45/21069/675231/3; Davidson to Cooper, 13 Oct 1933, Cooper to Davidson, 24 Oct 1933, Davidson to Cooper, 25 Oct 1933, PRO HO 45/21069/675231/4.
Office officials and JRC representatives show the high degree of mutual trust between them, which enabled the authorities to feel able to bend regulations and short-circuit procedures holding up the scheme's implementation.

Cooper later found it necessary to underline the voluntary nature of the trainees' obligation to stay in jobs arranged through the scheme, and to criticise unjustified JRC pressure on refugees to stop them giving up trainee jobs. He had learned that Davidson of the JRC, who ran the scheme, in his efforts to reinforce pressure on unhappy trainees to continue in their placements, had persuaded RE Gomme of the Ministry of Labour to write a letter threatening that trainees who left their posts would face cancellation of their permission to stay in Britain. But, as Cooper insisted, the refugees had not been admitted on any condition that they enter training, and could not therefore be ejected merely because they had chosen to give up a trainee post. He said that where a trainee proved unsatisfactory there would ordinarily be no objection to the JRC putting forward an alternative proposal or suggesting that he might resume his interrupted studies in the UK until other arrangements could be made. He confirmed that Home Office policy was

not to raise objection to the prolongation of stay of German Jewish refugees so long as they have means to support themselves without employment, unless, of course, in particular cases, you [the Ministry of Labour] are able to recommend to us that employment should be permitted.

139 Gomme to Cooper, 13 Dec 1933, enclosing copy letter to Davidson of 12 Dec 1933, Cooper to Gomme 21 Dec 1933, Cooper, minute, 30 Dec 1933, Gomme to Cooper, 3 Jan 1934, PRO HO 45/21069/675231/5.

140 Ibid.
The differences of approach just described show that Home Office and JRC attitudes to controlling the activities of refugees were far from identical; on this occasion a Home Office official tried to correct a move by a JRC representative to put refugees under unfair pressure.

Refugee dentists and the British professional lobby

Doctors and dentists constituted the largest occupational group among German-Jewish emigrants to Britain registered in 1933\textsuperscript{141}. However, the grant of permission to refugee medical and dental practitioners to practice in the UK was greatly restricted, as a result of pressure from professional lobbies\textsuperscript{142}. Policy towards refugee dentists who wished to work in the UK illustrates the degree to which policy-makers responded to pressure from the UK's dental professional lobby. The British Dental Association (BDA) adopted a restrictionist policy which did not appear to ministers and officials to be either in the interests of the quality of the dental profession or of the nation's teeth. The Home Office, however, felt unable to oppose BDA restrictionism, which was supported by the General Medical Council (GMC).

After Germany passed the Nuremberg laws in September 1935, requests to the GMC for the registration of German dentists


on the Dental Register of the UK suddenly increased\textsuperscript{143}. Senior representatives of the medical and dental professions met Home Office officials in November 1935 to consider 125 refugee applications. They were conscious that the UK needed more and better-qualified dentists. Insufficient students were entering the dental profession, the UK had a relatively low number of dentists per head of population compared with Germany and the USA, about half the 15,000 dentists on the UK's register lacked recognised qualifications and the majority of these were "thoroughly bad dentists"\textsuperscript{144}. Unqualified practitioners were represented by a separate body regarded as more vocal than the BDA. Dentists in the UK were not expected to welcome the strengthening of the profession by means of the addition of large numbers of refugees, although, as Michael Heseltine, Registrar of the General Medical Council (GMC) said, "on their individual merits there might be a case for the establishment in the UK of these German dentists, whose qualifications would be superior to at last 40\% of our own practitioners", but expected opposition from the professional dental organisations to the influx of such a large number\textsuperscript{145}. The BDA already had a policy of resisting less qualified competitors at home, and now opposed the

\textsuperscript{143} Applications for registration were made under the Dentists Act, 1878.

\textsuperscript{144} S Hoare, memorandum, 'German Jewish Dentists', 8 Nov 1935, PRO HO 213/264. Those present at the meeting were Hoare and Holderness from the Home Office, Sir Norman Walker, President of the GMC, Michael Heseltine, Registrar of the GMC and a Mr Barry, Secretary of the Dental Board of the UK.

\textsuperscript{145} Ibid.
entry into the profession of refugees, whose qualifications were often superior\textsuperscript{146}.

German dental qualifications were recognised in the UK, unlike those of doctors. Successful German applicants for registration were warned that this was a separate issue from permission to enter or practice in the UK, and to contact the Home Office before taking steps to come to the UK\textsuperscript{147}. A separate worry was that the entitlement of a German national to obtain registration in the UK rested in part on evidence of entitlement to practice in Germany, and it seemed that under the Nuremberg laws Jews were being refused entitlement to practice medicine in Germany. Sir John Simon, the Home Secretary, assumed that the British authorities would find a way round such a law, rather than refusing registration on grounds unconnected with qualifications, saying:

\begin{quote}
The truth is that what this country wants is better dentists: when you have the toothache, it is extraordinary how little you care whether you are relieved by Jew or Gentile\textsuperscript{148}.
\end{quote}

Any perceptions within the Home Office that the national interest would be best served by admitting numerous refugee dentists were, however, subordinated to unwillingness to provoke a confrontation with the British dental lobby. The Home Office decided to consult representatives of both the UK's dental associations before deciding its policy towards

\begin{footnotes}
\item[146] Weindling, \textit{op. cit.}, p. 249.
\item[148] Simon, minute, 21 Nov 1935, PRO HO 213/264.
\end{footnotes}
persons whom the GMC decided to register\textsuperscript{149}. Of applications received prior to 18 March 1936, 58 had been turned down and 61 recommended for admission to the register. The Home Office decided to admit any of the 61 who might apply, but to close the door on further applicants; the decision was fairly widely known, and appeared in print in the BDA's journal. In June 1936, Home Office officials considered what policy they should adopt towards a further 90 successful applicants (out of a total of 321 applicants), 15 of whom had been unsuccessful in the previous round, so should have been let in then\textsuperscript{150}. It was decided that, having announced a ban, the Home Office could not lift it, even in the cases of the unlucky 15 who had failed first time round. TB Williamson of Home Office placed particular emphasis on an undertaking his department had "virtually given" to the BDA to admit no further dentists beyond the original 61 without prior consultation. It was agreed however that one or two exceptions might be made, for example in the case of someone outstandingly eminent who could find a ranking colleague in Britain to support his admission as being in the national interest\textsuperscript{151}. The episode illustrates that the Home Office, although prepared to make rare exceptions, felt hamstrung by its own past commitment to limit refugee admissions. Such difficulties provided some justification for the Home Office's reluctance to make commitments to quotas or to promise to admit specific numbers of any class of refugee.

\textsuperscript{149} S Hoare, minute, 8 Nov 1935, PRO HO 213/264.

\textsuperscript{150} TB Williamson, memorandum, 12 Jun 1936, PRO HO 213/265.

\textsuperscript{151} Ibid.; McAlpine, minute, 16 Jun 1936, Holderness and Scott, minutes, 19 Jun 1936, PRO HO 213/265.
Refugee dentists admitted to practice also faced objections to their being granted permission to change their names, required by aliens under the 1919 Act. The Home Office had decided in 1931 not to enforce these discredited and ineffective provisions against aliens of good character in future, "unless the change tends to camouflage the fact that the person concerned is not a British subject". In September 1937 the BDA objected on behalf of its members in Glasgow to the grant of permission to a refugee dentist to use a shortened version of his name, claiming that this would tend to obscure in the eyes of possible patients the fact of his alien origin. This was regarded as an additional hardship to his competitors, on top of the admission of foreign dentists without the necessity of taking an English qualification. The BDA's particular concern was that the grantee, in advertising the change of name in a Glasgow daily paper, as he was required to do under the Act, had included reference to his profession and qualifications, although he had now promised the BDA not to refer to them again in the press. It was too late to reverse the decision to let the dentist shorten his name from Gummersheimer to Gummers, a name which an Assistant Secretary in the Home Office considered did not suggest anything very foreign, but had "a Dickensian flavour", concluding that it would have been better not to allow it. Permission for dentists to change their names had been very rare in the past and

152 Aliens Restriction (Amendment) Act 1919, s. 7.
153 Memorandum, 'Change of Name', Jun 1931, PRO HO 347/26, p. 733.
154 WC Senior(BDA) to TB Williamson(HO), 21 Sept 1937, CG PRO HO 213/210. Permission had been granted on 14 Jul 1937 for the standard fee of five guineas.
Home Office officials decided that it would rarely be given in future.\(^{156}\)

The dental lobby's influence on government policy strictly limited the admission of refugee dentists. By May 1937 only 78 dentists (the great majority admitted before February 1936) and 183 doctors (the great majority admitted before March 1935) had been permitted to practice in the UK.\(^{157}\) After the Anschluss, a professional advisory committee restricted admissions from Austria to 40 dentists and 50 doctors who would be allowed to re-qualify.\(^{158}\) Only during the Second World War did pressure on medical services lead to regulations facilitating the temporary employment of refugee doctors and dentists in British hospitals and clinics.\(^{159}\)

Employment policies on academics, trainees and dentists show the important role played by bodies outside government in shaping official policy. The AAC and the JRC facilitated refugee employment, within strict limits; the British dental lobby, on the other hand, made the government less generous than it would otherwise have been. The crucial contribution

\(^{156}\) Miss JI Wall to Senior, 2 Dec 1937, \textit{ibid}; see also Markbreiter, remark quoted in summary of cases, 'Applications from Refugees for permission to change their names under Section 7 of the Aliens Restriction (Amendment) Act 1919', (n.d., after June 1937), PRO HO 213/210.

\(^{157}\) Weindling, \textit{op. cit.}, p. 248; see correspondence and memoranda, Sept 1936 to Feb 1937, PRO MH 58/332, for Home office referral to the Ministry of Health of applications by refugee doctors and nurses.

\(^{158}\) Weindling, \textit{op. cit.}, p. 249;

\(^{159}\) For temporary employment of alien doctors and medical students in the UK, including specially recruited doctors from the USA, see PRO MH 76/236.
made by voluntary organisations to managing the refugee influx will now be examined in more detail.

**Immigration control, manpower limitations and the role of the voluntary organisations**

**Manpower shortages**

Home Office manpower shortages meant detailed casework could only be done on a fraction of aliens' cases. The volume of work increased during the 1930s, but there was no corresponding increase of staff either at the ports or within the Aliens Department. Thus, at Harwich, a port by which many refugees entered, there was a great increase in traffic and casework between 1932 and 1937, while levels of staff remained unchanged. In 1937, 96,171 aliens landed at Harwich, over a third more than in 1932, and the number of conditional landings, which now stood at 24,867, had more than doubled, but only 15 immigration officers were stationed there - only one more than in 1932. Home Office administrators used these figures to obtain Treasury permission for small increases in staff in 1938, but these did not correspond to the growth in refugee cases. Complaints about the disproportionate pressure of work caused in B Division by refugee cases recurred throughout the 1930s. In July 1938, Maxwell, seeking Treasury agreement

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160 In 1934, B Division, responsible for the administration of the aliens legislation, consisted of six administrative class officers, and 33 clerical staff shared with A Division (which covered nationality matters among several other topics). The Aliens Branch, whose work B Division controlled, was concerned with enforcement at the ports, and consisted of ten Inspectors, 13 Chief Immigration Officers, 149 Immigration Officers, and four interpreters. Clerical staff at headquarters totalled 33; clerical provincial staff consisted of one shorthand typist. Home Office memorandum, 21 Dec 1934, PRO T 162/847/E20500/2.
to the secondment to the Home Office of one Assistant Principal from the Department of Agriculture for Scotland, complained that "the necessity of finding a Private Secretary for Winterton [Lord Winterton, the UK delegate to the Evian refugee conference] is the last straw". Such manpower shortages suggest the degree to which the Home Office had come to rely on the resources of the voluntary organisations.

The role of voluntary organisations
Most of the day-to-day management of the refugee influx was carried out through voluntary organisations. Prominent among these were the JRC, the Germany Emergency Committee of the Society of Friends, and the AAC, all of which were set up in March-May 1933. The refugee committees worked in close cooperation with the immigration authorities, making the Home Office's task of control much easier and saving the Aliens Department an enormous amount of administrative effort. The authorities relied on the voluntary organisations to manage casework, and drew on them for information and statistics about refugees. Government departments placed increasing reliance on refugee committees to take responsibility for individual refugees, to ensure their compliance with immigration controls and to act as intermediaries. The voluntary organisations performed much of the work of sifting refugees, assessing which of them were desirable immigrants. The major organisations attained a quasi-official status, which reflected the sheer scale of their

161 Maxwell to Rae, 2 Jul 1938, PRO T 162/582/E4080/2; In Nov 1938 the Home Office's Principal Finance and Establishment officer blamed the need to obtain the short loan of a Principal from another division on the increase in aliens work resulting from the general European situation. HR Hancock to Secretary, 15 Nov 1938, ibid.
operations, their close links with the authorities, and their undoubted ability to influence an individual's immigration prospects. Home Office policy was to foster the growth of the voluntary organisations, and avoid moves which might threaten friendly relations with them. As numbers of would-be-refugees - and of refugee organisations - grew with the Austrian crisis of 1938, the major organisations, encouraged by the Home Office, formed a Co-ordinating Committee to act as a channel for communications and representations on policy matters, and to reduce overlap.\textsuperscript{162}

The authorities placed particular reliance on the Jewish guarantee. When Neville Laski, President of the Board of Deputies, hinted in July 1933 to Sir Robert Vansittart, Permanent Under Secretary at the Foreign Office, that the growth of the refugee problem might result in the inability of the Jewish community to expand its liability under the guarantee, Foreign Office officials affirmed their determination that the promise should be kept.\textsuperscript{163} The Home Office regarded the guarantee as a crucial element in its policy on refugees: officials dealing with aliens matters regularly cited the guarantee as evidence that the situation was well under control. London, home of the majority of Britain's Jews, also had by far the largest concentration of refugees: it was therefore important for the government to deal with municipal anxieties regarding possible claims for

\textsuperscript{162} For the formation of the Co-ordinating Committee, see: minutes, 1 Apr 1938, PRO HO 213/42, p. 3; memorandum from refugee organisations, 'The Treatment of Refugees in the United Kingdom', 3 May 1938, PRO HO 213/43, para. 10; Sherman, \textit{op. cit.} pp. 99-100.

\textsuperscript{163} See Laski to Vansittart, 27 Jul 1933, PRO FO 371/16756, C6860/6839/18, f. 171; JFW Perowne, memorandum, 9 Aug 1933, PRO FO 371/16756, C7633/6839/18, f. 284.
public assistance by refugees in the capital. In October 1933, Sir Ernest Holderness of the Aliens Department reassured an official in the Public Assistance Department of the London County Council (LCC) that refugees would not become a burden:

I do not think that there is any reason for apprehension that any considerable number of the refugees who have been admitted to this country will become destitute. All those who have been admitted or granted extensions of stay have satisfied us either that they have themselves sufficient means or that their friends and relatives in this country are prepared to accept sufficient responsibility for their maintenance or that their maintenance is guaranteed by the Jewish Refugees Committee. Any who cannot satisfy us in regard to their maintenance are refused admission... The bulk of those who have been admitted so far belong to the professional class, - doctors, lawyers, students etc., and in a large number of cases they continue to receive remittances from their relatives in Germany for their support.

Incidents of friction did occur between the immigration authorities and Jewish bodies. In November 1933, there was, for example, a controversy, reported in the pages of the Manchester Guardian, over allegations that officials were asking refugees at the ports if they were Jewish. Refugees had stated that the question was put in such a way as to sound unsympathetic. The allegations were confirmed by Helen Bentwich of the JRC, and a complaint had been made to the Home Office, which stated that any immigration officer who demanded to know whether a refugee from Germany was a Jew would be exceeding official instructions.


165 Holderness to Blight (LCC), 19 Oct 1933, PRO HO 45/15882/666764/46.

166 See newspaper cuttings from Manchester Guardian, 17 and 18 Nov 1933, PRO HO 45/15882/666764/67; conceivably, officials asking such questions were seeking to establish if passengers were refugees and thus covered by the guarantee.
The results of control
The numbers of cases in which Germans were refused admission were small. Refusal figures were very low compared with landings, a gap which became increasingly marked, since the figure for refusals remained fairly constant, while landings increased. A total of 435 Germans were refused leave to land in 1933, compared with 243 in 1932. The level of refusals of Germans remained constant, at slightly under one per day in the years from 1934 to 1937. There had meanwhile been a steady increase in the numbers of Germans entering, from over 41,000 in 1932, to over 51,000 in 1933 and over 80,000 in 1937. The increase in Germans remaining in Britain may be roughly estimated by the annual increase of landings over embarkations:

Annual increase of landings over embarkations.

<table>
<thead>
<tr>
<th>Year</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>1932</td>
<td>1,262</td>
</tr>
<tr>
<td>1933</td>
<td>3,263</td>
</tr>
<tr>
<td>1934</td>
<td>955,</td>
</tr>
<tr>
<td>1935</td>
<td>1,976,</td>
</tr>
<tr>
<td>1936</td>
<td>3,136</td>
</tr>
<tr>
<td>1937</td>
<td>1,975</td>
</tr>
<tr>
<td>Total</td>
<td>11,305</td>
</tr>
</tbody>
</table>

If the figures had represented refugees exclusively (which they did not) and included 85-90% Jewish refugees, they would more or less have produced the working figure of 10,000 Jewish refugees being used in the Home Office in

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167 Home Office, Reports Under the Aliens Order 1920, Statistics in regard to alien passengers who entered and left the United Kingdom, 1932-1939, in House of Commons Papers.
The figures above exclude non-Germans, such as Austrians, some of whom sought refuge in the UK prior to the *Anschluss*. The excess of landings of Austrians over embarkations was below 900 up to the end of 1934, over 1,000 in 1935, 3,000 in 1936, and over 5,000 in 1937. The figure was lower again in 1938 at just over 2,500, but by this time Austrians were largely recorded as Germans. The figures for 1938 showed refusals of leave to land of 274 Germans and 215 Austrians. In the first two quarters of 1939, a total of 186 Germans and 5 Austrians were refused leave to land.

Such statistics took no account of persons who entered clandestinely and escaped detection. A small number of individuals who entered or attempted to do so in breach of the law were caught by the authorities, and several persons deported. Other unlawful entrants, who were stateless, could not be dealt with by deportation, and they therefore remained in the UK.

At the end of 1933, a confidential letter containing the government's view of the current state of refugee admissions was sent to the British Embassy in Paris, after approval by Home Office officials.

*For your private information*, the Home Office are not at all dissatisfied with the present position as regards the numbers and quality of refugees from Germany over here (which compares very favourably with that of some other countries including France). But we most certainly don't

168 The low 1934 figure partly reflected the re-emigration of refugees who had arrived in the previous year; see CB McAlpine, memorandum, 1 Mar 1938. PRO HO 213/94.

want present numbers increased and it is our policy therefore to do nothing to encourage further immigration.\textsuperscript{170}

Refugee admissions, backed by the Jewish guarantee, created a steady but unsatisfied demand for absorption of those who remained in the UK. Yet in May 1935 the Home Office was apparently confident that the situation was still well under control. A Home Office official stated,

With the assistance of the Jewish Refugees Committee we expect to be able, within a reasonable time, to absorb the greater number of the refugees who have now been here for one year and upwards into the economic life of the country.\textsuperscript{171}

This comment was made in the course of providing the Home Office view on whether current refugee problems should become the responsibility of a new organisation under the League of Nations. The official voiced Home Office opposition to the setting up of such a body, which might prove a source of embarrassment "if it pressed us to admit more refugees to this country". Three years later, when numbers stood at approximately 10,000, the Home Office still claimed that the number of Germans seeking entrance to Britain had not previously been such "as to occasion any real anxiety either as regards number or quality.\textsuperscript{172}

These assurances need to be seen in the context in which they were made. On such occasions the Home Office was

\textsuperscript{170} Perowne to Cooper, 24 Nov 1933, PRO FO 371/16740, C10229/1621/18, f.404; Perowne to Peake, 4 Dec 1933, PRO FO 371/16740, C10426/1621/18, f.412; Cooper to Perowne, 5 Dec 1933, PRO FO 371/16740, C10770/1621/18, f.428; see Sherman, op. cit., p. 42.


\textsuperscript{172} Home Office memorandum, (n.d.), sent by JRD Pimlott to OC Harvey, 15 Mar 1938, PRO FO 372/3282, T3517/3272/378, f.18; for the Home Office view in Sept 1936, see Sherman, op. cit., pp 72-3.
opposing pressure for further admissions by reference to past success in control. Yet independent confirmation that the Home Office was satisfied with the result of voluntary regulation to date is given by the low rate of port refusals, the rarity of deportation and the grant of permission to a proportion of refugees to remain permanently. The fact that naturalisation, normally based on five years' residence, was not granted to refugees generally before 1938, meant that the authorities retained the ultimate sanction of deportation. In early 1945 Sir John Simon told Hoare, who had succeeded him as Home Secretary, that he had "long resisted official advice at the Home Office just before your time as to the naturalisation of Germans and Italians", because he saw no sense in depriving the Home Office of "the possibility of expulsion if the need arose". 173

Home Office statements on the success of the department's refugee policies should also be placed within the broader policy objective of ensuring the maintenance of British sovereignty over whom to admit. British representatives vigilantly opposed any development in international instruments protecting refugees which might result in increased pressure for further admissions. Thus, a 1935 memorandum on government policy explained that the British government had made no decision the year before regarding accession to the 1933 League Convention concerning the International Status of Refugees, largely owing to the fear that the convention, though itself covering only the categories of refugee dealt with by the

Nansen Office, might form a precedent for some similar instrument in respect of other categories of refugees. It was felt it might be difficult, under the growing pressure from societies interested in the German refugee problem, to resist a demand for the extension of the terms of the convention to all refugees and Stateless persons, and the Home Office was particularly anxious to avoid any such commitment, which would appear to perpetuate the problem of German and other refugees.¹⁷⁴

British officials dealing with these questions also stressed that sovereignty was vital to secure the continued selectiveness of refugee admissions, which ensured that Jewish refugee admissions did not impose an undue burden. In January 1938 Cooper emphasised that any agreement detracting from this sovereignty and producing pressure to absorb temporary cases would make the UK less willing to receive further groups of refugees.¹⁷⁵ However, without any alteration in international instruments, changes in the refugee problem after the Anschluss produced new pressures both to absorb refugees and to admit them. The Home Office responded with new restrictions, as the next chapter shows.


¹⁷⁵ Cooper, Home Office draft statement at opening of conference on German refugees, 21 Jan 1938, PRO FO 371/22525, W985/104/98, f.64.
CHAPTER 3:
NEW RESTRICTIONS AFTER THE ANSCHLUSS: MARCH TO OCTOBER 1938

Policy

The Home Office decides to reintroduce visas

The case for visas

Visas had not been required by German or Austrian passport holders coming to the UK since 1927, when Britain and two ex-enemy countries had concluded visa abolition agreements, which provided corresponding benefits for British travellers. The start of the refugee crisis had not led to a decision to raise visa barriers once more. In April 1933 the Permanent Under Secretary at the Home Office, Sir Russell Scott, had advised the Committee on Aliens Restrictions that if the government wished to stop or restrict the immigration of Jews of German nationality in future, this would have to be achieved by means of re-introducing the visa system for all German entrants. At that time the Home Office did not consider such a drastic measure necessary. The position remained therefore that the bulk of refugees holding German passports were processed on arrival at the ports.

The low rate of port refusals of German passport-holders in the years 1933-1937 indicates that the absence of compulsory pre-selection did not pose a significant problem. In some cases refugees might have had prior contact with the British authorities, through making enquiries at consular offices abroad and even obtaining visas on a voluntary basis. Meanwhile, the Home Secretary still held in reserve the option of bringing back compulsory visas for Germans. If

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1 Conclusions, Committee on Aliens Restrictions AR(33) 1st mtg, 6 Apr 1933, PRO CAB 27/549.
circumstances changed, they could be reintroduced by terminating the recent agreement with Germany. The Germans would undoubtedly retaliate by re-imposing a visa requirement on British travellers. Visas, as well as being inconvenient, also had to be paid for by the applicant, although this was not a rich source of government revenue.

At the beginning of March 1938 the need to bring back visas for Germans was under discussion within the Home Office. One strong proponent of the reintroduction of visas was CB McAlpine, a Principal in the Aliens Department. On 1 March, as the prospect for an exodus from Austria drew nearer, McAlpine summarised the case for visas. The numbers of refugees in the country were growing, while getting rid of refugees would become increasingly difficult. Germans, admitted as visitors, but subsequently applying to remain as refugees, were adding to the refugee statistics. Austrian Jews were making preliminary enquiries about refuge in the UK and an influx from Austria was to be expected.

It would become harder to ensure that German and Austrian refugees left the UK, whether by compulsion or through voluntary departure. People who became stateless became undeportable, and statelessness was on the increase. The operation of a new German decree of 3 February, which imposed the penalty of deprivation of German citizenship on exiles who failed to register at a German consulate within three months, would soon add to the numbers of stateless ex-German refugees. Austrians might become stateless in several ways. If Jews fled persecution in Austria after a German

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2 CB McAlpine, memorandum, 1 Mar 1938, PRO HO 213/94.
takeover, they would not be accepted as German citizens. Alternatively, Austrian exiles, even if they acquired German citizenship before fleeing abroad, would soon lose it under the new decree.

The prospect of voluntary departures was decreasing. Increasing statelessness among refugees, combined with their growing impoverishment, made it harder for them than in the past to gain admission abroad, whether on a permanent or temporary basis. Deportation was not a practical alternative. The stateless were undeportable; other refugees, if they still held a nationality, were technically deportable, but, if it became known that the government was deporting refugees to Germany, an outcry could be expected in the UK, where forcible return to Nazi persecution was seen as inhuman. Exclusion at the ports was not a desirable solution: the Home Office did not relish the extra work and public criticism which numerous port refusals would entail.

An estimated 10,000 Jewish refugees were present in the UK, mostly concentrated in certain parts of London. McAlpine accepted that refugees had brought benefits to the UK, but these benefits, he argued, had to be weighed against the danger of a spread of anti-Jewish feeling. He concluded that the present system of control was not adequate. The way to stop or at least check the flood was "to prevent potential refugees from getting here at all", which would have to be done by means of visas, making it possible to select immigrants "at leisure and in advance". This was the proper course "if the restriction of Jewish immigration was deemed
to be a national necessity"\(^3\). However, no decision in favour of visas had yet been made in early March 1938, when Home Office officials claimed at a meeting at the Foreign Office that the introduction of visas would not really help, and that the answer was to strengthen control at the ports\(^4\).

**The Anschluss and the decision to bring back visas**

The course of events led to a speedy decision. The leisurely period of deliberation envisaged by McAlpine before a final decision on visas could be made, was cut short on 11 March 1938 by the German takeover of Austria. Immediately, there was a perceptible increase in the numbers of Jews with Austrian passports arriving at British ports, a number of whom were refused entry\(^5\). The numbers would increase when the borders of Austria, closed at present, re-opened. On the morning after the demise of the Austrian state, Holderness asked the Foreign Office to keep the Home Office informed of any signs that refugees could once again leave Austria. Within the few hours that had elapsed since Austria was occupied, one of the leaders of the Jewish organisation had already found time to upset the Home Office's equilibrium, with the news that the Jewish guarantee no longer held good for new admissions\(^6\). The bearer of this bad news may have been Schiff; it was he who signed the formal letter which

\(^3\) *Ibid.*


followed two days later. This promised that the CGJ would honour its commitments to refugees who had already entered the UK, but regretfully explained that the guarantee would only extend to new admissions in cases where the Jewish organisation had given its prior approval.7

Any remaining hesitation about visas within the Home Office now evaporated. In less than a week, a changeover to visas became government policy8. The Home Secretary, Sir Samuel Hoare, raised the issue in the Cabinet on 16 March, reporting that "many persons were expected to seek refuge from Austria". He was recorded as having said that he "felt great reluctance in putting another obstacle in the way of these unfortunate people" - an undoubted reference to visas. He also mentioned a "curious" MI 5 report "suggesting that the Germans were anxious to inundate this country with Jews, with a view to creating a Jewish problem in the United Kingdom". The Cabinet agreed that the question be dealt with by the Home Secretary, the Foreign Secretary or a representative, the President of the Board of Trade and the Minister of Labour, whose brief was both to adopt "as humane an attitude as possible", and avoid "creating a Jewish problem in this country". Since the start of the week Home Office officials had been airing the visa issue with their Foreign Office counterparts. In interdepartmental discussions Home Office representatives placed more emphasis

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7 Schiff to Under Secretary (Home Office), 14 Mar 1938, PRO T 161/997/S45629; Robinson to Bland, 14 Mar 1938, PRO FO 372/3282, T3398/3272/378, f.8.

8 An announcement of the decision was cut out of the Home Secretary's statement on refugee policy in the House of Commons on 22 Mar 1938. See minutes and correspondence, 21 Mar 1938, PRO FO 372/3282, T3807/3272/378, f.56.

9 Cab. 14(38)6, 16 Mar 1938, PRO CAB 23/93.
on needing stricter immigration control than on fears of growth in antisemitism. Yet the aim of the changeover to visas was clear: to prevent the unplanned accumulation of many more Jewish refugees in the UK. The Home Office did not seek blanket exclusion of all refugees. Its position was rather that the new policy was needed because it had become necessary to address questions of quantity and quality, although neither had posed a problem so far.

On 1 April 1938, a Jewish deputation, which was allowed advance notice of the imminent changeover to visas, heard the Home Secretary speak of his department's concern over the type of refugee who might now come to the UK:

It would be necessary for the Home Office to discriminate very carefully as to the type of refugee who could be admitted to this country. If a flood of the wrong type of immigrants were allowed in there might be serious danger of anti-semitic feeling being aroused in this country. The last thing which we wanted here was the creation of a Jewish problem. The Deputation said they entirely agreed with this point of view.

Schiff had on this occasion endorsed the need for visas for Austrians in particular, on the grounds that their occupational structure would pose problems when it came to re-emigration:

It was very difficult to get rid of a refugee...once he had entered and spent a few months in this country. The imposition of a visa was especially necessary in the case of Austrians who were largely of the shopkeeper and small trader class and would therefore prove much more difficult to emigrate than the average German who had come to the United Kingdom.

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11 Home Office minutes of meeting with deputation, 1 Apr 1938, PRO HO 213/42.
12 Ibid.
Once the reintroduction of visas became public in late April, ministers used the refugee organisations' support for the change to deal with critics in the House of Commons\textsuperscript{13}.

**Adjustments prior to the reintroduction of visas**

The influx of refugees from Austria led the Aliens Department at any early date to introduce new procedures for handling Austrian refugee cases. In addition to the requirement to register immediately with the police and not to accept employment, refugees would be admitted on three month time limits. The Home Secretary had stated in Parliament on 22 March that sympathy would be shown to refugees, but that a policy of indiscriminate admissions was not possible. However, no guidance had yet been given on which applications were to be dealt with favourably. It was decided that, for the time being, all cases of Austrian refugees should be referred to a principal. This ensured that cases would be looked at by a relatively senior official before refusal\textsuperscript{14}.

The Home Office had put up new barriers to control the flow of further admissions, but accepted that refugees within the country should not be forced to leave. Holderness, combining sympathy for refugees in the UK with the aim of producing a saving of time spent on casework, argued for a policy of sparing them unnecessary controls. Holderness took the position that it was necessary to grant refugees from


Austria and Germany asylum in the UK, both in internal discussions and with the Ministry of Labour. In a letter of late August he explained the Home Office position to the Ministry of Labour, asserting that refugees could not be made to return to their native country, and that, with the exception of young people being retrained for emigration, they were unable to find openings overseas. The Home Office view was that in such cases permission to work would have to be given freely. No useful purpose was served by the current practice of keeping such persons on time conditions which required continual review: continual interdepartmental consultations created a great deal of unnecessary work and interfered with aliens' securing employment, which led to complaints. Officials had therefore reached a preliminary agreement on changing procedures for such cases. The plan was largely to phase out time conditions, and replace them by employment conditions, which would be administered by the Ministry of Labour. Holderness emphasised, however, the understanding that, even if a refugee took unauthorised employment, "there could be no question of making the man leave the country". He envisaged that the voluntary organisations would assist in ensuring that refugees complied with employment restrictions.

Within the Aliens Department, Holderness went further in search of ways to eliminate work on individual cases. He argued that it was necessary "to face up to the position that once we have allowed a refugee to stay here we must expect to have him as a permanent resident". Periodic reviews and probationary periods therefore served no

15 Holderness to Secretary, Ministry of Labour, 1 Apr 1938, PRO HO 213/3.
purpose, and a system was needed which would largely dispense with the use of time conditions. He hoped that an employment condition would give adequate control in employment cases. A procedure on similar lines could be adopted for business cases. Businessmen, rather than being restricted by means of time conditions, could be prohibited from engaging in any occupation without the consent of the Home Office; the terms of the condition could be modified when some specific proposal was approved. He also hoped that the number of cases in which visitors would be admitted without any conditions would diminish, and that occupational conditions would be imposed instead. Such measures, he argued, were "long overdue and the only way to reduce the turnover of work without sacrificing control completely." In the event, the Ministry of Labour did not take on the extra burden. The reductions in the use of time conditions were not instituted immediately but in the autumn. Meanwhile in the Aliens Department problems of overwork were mounting.

In the course of his review of procedures on 6 April, Holderness revealed some methods the Aliens Department had been using to get rid of refugees. In the past the Home Office had been able to turn out a few refugees who had shown themselves to be undesirable, but only after "innumerable appeals, which mean much laborious work". However, enforcing departure had grown increasingly difficult. Many refugees found that they could not get their passports renewed. Often the only way in which the Home

16 Holderness, memorandum, 6 Apr 1938, PRO HO 213/3.

17 Holderness, minute, 7 Apr 1938, PRO HO 213/3; Holderness's views were endorsed by his superior, CDC Robinson. Robinson, minute, 27 Apr 1938, ibid.
Office was able to enforce departure of such virtually stateless persons, was "to give a man a travel document and threaten him that if he comes back he will be deported to Germany"; however, the travel document had to be made valid for re-entry, as, without this, the person would not get a visa to go to another country. Moreover, it was in reality unlikely that any threat to deport a refugee to Germany would be carried out. The position of Jews in Germany was worsening: accordingly, the Home Office felt more obliged than before to give asylum to persons once admitted to this country who cannot go elsewhere, and would be sent to a concentration camp or otherwise ill-treated if they went back to Germany.

He looked forward to the imminent re-introduction of visas to provide "a more effective control over the traffic and to exclude a number of persons who obtain entry under the guise of visitors".

Home Office policy-makers, as the views of Holderness illustrate, made a distinction between refugees admitted to the UK, to whom they felt humanitarian obligations and whom it would be politically and practically difficult to remove, and persons facing persecution abroad, who could easily be prevented from entering. The Home Office did not wish to return refugees to face Nazi persecution. This humanitarian principle, however, was not accompanied by a sense of obligation to rescue more than a limited number of additional persecuted Jews from the Continent.

Within Whitehall, Holderness acknowledged that refugees who entered the UK were likely to remain permanently, but his

18 Holderness, memorandum, 6 Apr 1938, PRO HO 213/3.
realistic conclusion was not made public. The degree to which absorption of refugees was Home Office policy remained a controversial matter, and it was prudent for spokesmen to avoid spelling out publicly the extent to which absorption was being contemplated. Home Office views on the degree to which refugees should be regarded as permanent rather than transitory residents underwent important changes in the course of 1938. In this context, it must be emphasised that in March 1938 the number of Jewish refugees in the country was not thought to be greatly in excess of 10,000 and that at that date Holderness was confident that the Home Office would be able to keep any future influx within strict limits. Different views developed within the Home Office as refugee numbers in the UK expanded six or seven-fold during the remaining pre-war months.

German proposals to avoid visas
Holders of passports of the defunct Austrian state were notified of the changeover to visas by a simple announcement that, if landing in the UK after 2 May 1938, they would require visas. For German passport holders the effective date had to be slightly later, because protocol and the existing visa abolition agreement required that the German government receive reasonable notice of the change. The Foreign Office decided that one month would suffice, and formal notice of termination of the agreement was given on 21 April, to come into effect exactly one month later, on 21 May. In the intervening month, German embassy officials in London made strenuous efforts to avoid the imposition of visas on all German nationals, trying to persuade British

representatives that their objective of selecting refugees in advance could be achieved by other means. In the final week before the new system was due to become operational, the Germans produced a new counter-proposal, offering that the German government would prevent unwanted entrants from coming to the UK by obstructing their departure from Germany. The aspiring emigrant would not get a passport valid for the UK without the production of written evidence that the British government had authorised admission. This proposal did not seem objectionable to Sir Nevile Bland, head of the Foreign Office Treaty Department, where the disadvantages of visas were strongly felt. Bland seized on the proposed collusion with the German authorities as a "perfectly reasonable" alternative to visas. On 19 May he commented approvingly, "under their proposals it is we who pass the refugee & the Germans only let him go when we have chosen him" 20.

However, Treaty Department pleas for the change to be suspended pending consideration of this suggestion fell on deaf ears at the Home Office. Confident in the knowledge that on this issue their department had the final say, Home Office officials ruled out further discussion with representatives of the German government. They explained that the Home Office regarded as unacceptable in principle the suggested collusion with the Germans to detain people in Germany. The Home Office also had practical objections to the scheme, which failed to offer a means of pre-selecting the numerous persons with valid German passports already

20 See minutes and correspondence, Apr-May 1938, PRO FO 372/3283, T5565/6053/6353/6620/6639/3272/378, f.192; for the Home Office side of these discussions, see PRO HO 213/95.
beyond the borders of Germany, who would still be able to travel to the UK\textsuperscript{21}. The short shrift the Home Office gave to the German proposals showed a fixed determination to hold on to the additional means of control so recently secured\textsuperscript{22}.

Shortly after the outbreak of war, Herbert von Dirksen, in a survey of his term as German Ambassador in London from April 1938 to August 1939, interpreted British insistence on terminating the visa agreement, notwithstanding the German counter-proposal - which he claimed had met British technical objections - as a sign of British anxiety to exclude persons suspected of Nazi leanings\textsuperscript{23}. Deep distaste and distrust for the German regime was felt within the Aliens Department. However, Cooper and other members of the Aliens Department appear to have co-operated on a confidential basis over refugee matters with non-Nazi elements within the German Embassy in London. Baron Wolfgang zu Putlitz, who was in charge of the Consular Department of the Embassy from June 1934 to May 1938, claimed in his memoirs that he and certain colleagues found ways to help refugees. In this context he singled out Cooper for particular praise:

\begin{itemize}
\item \textsuperscript{21} Ibid.
\item \textsuperscript{22} In March Bland concluded that the Home Office had short-circuited agreed procedures by pushing through the decision. Bland, minute, 21 Mar 1938, PRO FO 372/3282, T3807/3272/378, f.56;
\end{itemize}
Luckily for us, the Chief of the Aliens Department at the British Home Office, a Mr H[sic] N Cooper, was a man with his heart in the right place, and as I was in constant touch with him we soon became friends. Officially it was my duty to see that life in England should be made as difficult as possible for these wretched refugees, while the Nazis who wanted to work there should be given every assistance. "Party Comrade" Bene, a former agent for the hair tonic "Trylisin", who had risen to the rank of Group Leader, was often in my office dictating harsh instructions or listening to my protests to Cooper which I made sound convincingly Nazi. But since Bene was not particularly bright, he never realised that I was acting, or that Cooper never took any of my protests seriously. We had come to an agreement that I should give him the full details of the various cases privately, and then he could decide what action to take.\(^24\)

No hint of such complicity with British officials over aid to refugees is apparent from Putlitz's negative reaction on learning of the decision to reintroduce visas: his main concern seemed to be the extra clerical work involved in having to issue large numbers of German visas for holders of British passports.\(^25\)

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activities. The Foreign Office did not welcome the American suggestion in March 1938 that a separate Intergovernmental Committee (IGC) on the refugee problem be set up. However, once it became clear at the Evian conference in July 1938 that the establishment of the IGC was unavoidable, the Foreign Office tried to curtail the scope of the new organisation and to minimise its interference with British sovereignty and foreign policy.

The defensive British stance towards both the High Commissioner and the IGC resulted from the government's reluctance to become involved in solving refugee problems in Europe. The reluctance stemmed largely from fears of encouraging extensions of the refugee problem, and of their consequent impact on the UK. It was expressed in unwillingness to develop a refugee policy at all, and in vigilance lest international agencies should impose obligations which encroached on British sovereignty. Another major preoccupation of the Foreign Office was that the evolution of international agencies should not worsen relations with Germany. On the other hand, the desire to foster Anglo-American relations exerted pressure in a contrary direction, dictating a greater British involvement in international co-operation on refugee matters than might otherwise have been acceptable.

26 Sherman, *op. cit.*, pp. 35-84.

27 Ibid., pp. 95-97.

28 See Foreign Office minute, 'Final memorandum of instructions for the United Kingdom Delegation to the meeting of an Inter-governmental conference at Evian on July 6th to discuss the question of emigration from Germany and Austria', PRO FO 371/22529, W8885/104/98, f.65, esp. para. 7.

The result of balancing the arguments for and against British participation in international action led the UK government to adopt a policy of limited involvement. The Foreign Office aimed for a level of British commitment which was enough to satisfy the Americans, but was not anxious to exceed this minimum. Yet if the UK government wished to exert a restraining influence on the scope of any internationally agreed action, it would be obliged to play an active role in discussions on the subject. British policy also aimed to foster, both by example and by diplomacy, greater commitment to aiding refugees on the part of other nations, the US government in particular.

British policy towards international agencies was thus ruled by considerations formulated in terms of the national interest. Several of these considerations entailed hostility to the development of the capacity of international agencies to engage effectively in humanitarian work. The British government, on the occasions when it acted to aid refugees, displayed a preference for unilateral action over action dictated by international bodies. On the other hand, the Foreign Office was less suspicious of bilateral arrangements, and tried to draw both the US government and western European nations into agreements in which a pledge of aid from one nation was conditional on similar commitments from other governments. Thus, in June 1939, the UK agreed to accept refugee passengers from the St Louis on the basis that Belgium, France and Holland were each taking a share; in July 1939, reversing previous policy, the UK offered to help finance refugee settlement overseas,
provided that a contribution was also made by the US government, and preferably other nations too\textsuperscript{30}.

The nationalistic concerns outlined above shaped British policies on how international organisations might aid refugees. The possibilities of practical assistance fell into three major categories: admissions to the countries of refuge; permanent settlement prospects, both overseas and in the countries of first refuge; and the provision of government finance to aid emigration. The British position on each of these aspects of the problem will be summarised in turn.

On admissions, the British position - a position which remained consistent and was successfully maintained - was that no external agency or international agreement could be permitted to fetter the government's sovereign right to choose how many refugees to admit to the UK and to decide cases individually. This had been Home Office position since before 1933. It was supported by the Foreign Office, both on the general grounds of defending British sovereignty, and because control over admissions was part of the policy of containment of the refugee problem.

The question of permanent settlement involved consideration of possibilities in the UK, within the overseas Empire and in foreign countries. The British government assumed that countries of first refuge in Europe, such as the UK, could be expected to act primarily as places of first refuge and transit, and could not provide many opportunities for

\textsuperscript{30} See chapter four.
refugees to settle permanently. Spokesmen claimed that only a very limited number of refugees could be absorbed in the UK, which, the Home Office repeatedly asserted, was "not an immigration country"\textsuperscript{31}. Nevertheless, awareness existed even within the Home Office that if the UK's population continued to show a tendency to decrease, the desire to attract migrants from abroad was likely\textsuperscript{32}.

The British government never discerned real prospects of mass settlement within the Empire. The dominions' reluctance to admit Jewish refugees, as the previous chapter has shown, was hardly challenged\textsuperscript{33}. In late 1938 and 1939 settlement possibilities in the colonies, especially in British Guiana, Kenya and Northern Rhodesia, were milked by Chamberlain and his colleagues for their political potential, but were privately acknowledged by Foreign Office officials to be largely illusory in terms of offering actual refuge on more than a miniscule scale\textsuperscript{34}. Palestine was permitted to receive Jewish refugees on a permanent basis - one estimate claimed that some 32,754 German Jews had been admitted to Palestine.


\textsuperscript{32}Ibid., p. 3.

\textsuperscript{33}See Dominions Office. 'Memorandum as to the attitudes of the Dominions towards the proposals to be discussed at the International Conference at Evian', Jun 1938, Wiseman to Makins, 20 Jun 1938, PRO FO 371/22527, W8012/104/98, f.136.

\textsuperscript{34}"In all fairness it has to be admitted that the offer of British Guiana and Tanganyika is largely an illusory one, and this must inevitably become apparent in due course." Makins, minute, 1 Dec 1938, PRO FO 371/22538, W15621/104/98, f.249. Makins was concerned that any offer made by the UK should be a genuine one; at this juncture he viewed Northern Rhodesia as the best possibility.
in the years 1933-1936\textsuperscript{35}. Subsequently, however, in response to Arab opposition, increasing restrictions on numbers were imposed. The British government established a quota for Jewish immigration to Palestine with the controversial White Paper of May 1939\textsuperscript{36}. However, it rejected the notion that the IGC could require the UK to commit itself to absorbing specific numbers of refugees anywhere within the Empire.

British policy-makers combined hopes that the IGC's work might expand settlement prospects in other countries, with fears that if Jewish emigration was made too easy, this would magnify the refugee problem, and encourage Poland and Romania in particular to expel or force the emigration of destitute Jews. The latter concern led to an ambivalent attitude towards the success of privately organised and financed refugee emigration - the only method which produced actual openings for refugees. The main use to which the UK put the IGC on settlement questions was negative, invoking the primacy of the IGC's programme as a means to deflect pressure in support of emigration arrangements falling outside the narrow scope of the terms laid down by the IGC. For British purposes, an important function of the IGC therefore turned out to be as a means of containing both the size of the refugee problem and the demand for emigration prospects.

On public spending on refugees, British policy was that refugee relief, emigration and settlement should not be

\textsuperscript{35} Shuckburgh to Makins, 30 Jun 1938, PRO FO 371/22538, W8786/104/98, f.6.

\textsuperscript{36} Palestine: A Statement of Policy, Cmd. 6019, May 1939.
financed through governmental contributions to international agencies, but paid for by refugees themselves and private organisations. It was believed that any departure from this policy carried the risk of increasing and perpetuating the refugee problem, both by encouraging refugees to leave, and by encouraging governments to expel them in a state of destitution. This policy was broadly supported by the Treasury, but was subjected to questioning, by Treasury officials and others, as the crisis deepened. The government eventually departed on several occasions from the principle that it would not contribute funds to benefit refugees\(^\text{37}\).

A fourth possibility for potential action by international agencies was to try to influence the policies of the German government. The Foreign Office, however, preferred to restrict their role so that they did not interfere with conventional diplomacy. British fears that diplomatic relations with Germany relations might suffer produced, for example, anxiety over repercussions if Nazi anti-Jewish policies were criticised at Evian. The British Ambassador in Berlin also argued that such criticism might also produce a worsening of the treatment of the Jews\(^\text{38}\).

The British government's reluctance to undertake commitments to international action to help refugees was partly counterbalanced by its limited readiness to take unilateral action. Thus, in the fields of admissions, absorption, commitment of public funds and in efforts to obtain some moderation of the extremes of German anti-Jewish policies, \(^{37}\)These are described in chapters four, five and six. \(^{38}\)Henderson to FO, 4 July 1938, PRO FO 371/22529, W8887/104/98, f.73.
the British government took a series of initiatives in which it acted alone. The possibility of international action was nevertheless invoked repeatedly by British government spokesmen in order to deflect demands for more extensive unilateral action than the government was prepared to undertake.

The diplomatic history of the period before Evian and afterwards has been documented by other authors, and the same ground will not be traversed in detail here. This section is concerned to highlight the implications for British policy of the government's concern with sovereignty and with containing the size of the refugee problem. It will examine in particular how these goals affected British attitudes towards the possible impact of international agencies on refugee admissions to the UK, a theme which will be followed up in subsequent chapters. The presentation at Evian of Home Office policy on refugee admissions is dealt with later in this chapter, in the context of immigration. The present section also includes a discussion of the part played by the Treasury in the pre-war period on the question of British aid to refugees.

Three phases of policy: 1933-1939

British policy on the role of international bodies may be divided into three phases. In the first phase, from 1933 to 1938, the British government worked to contain the role...
played by the League of Nations on refugee matters. The decision to establish a High Commissioner for Refugees coming from Germany under the League was acceptable to the UK on the basis that the High Commissioner was separate from the League itself, financed by private organisations, and did not have power to negotiate with Germany. The UK limited its ratification of the 1933 and 1938 League Conventions on refugees, largely in order to protect British sovereignty over admissions. The High Commissioner was effectively confined to providing juridical protection for refugees. In late 1935 the first High Commissioner, James McDonald, an American, gave up his post, itemising, in a much publicised resignation letter, his frustration at the limitations of what he was able to achieve. McDonald was replaced by Sir Neill Malcolm, a British candidate, who was thought to be more sympathetic to the UK government's priorities. The policy of not granting government funds to the High Commissioner, except for administrative expenses, greatly limited what Malcolm could achieve. By June 1938 his performance of his duties to support the development of settlement opportunities abroad was confined to small-scale successes in Australia and South America.

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40 A League Provisional Arrangement of July 1936 made provision for a uniform legal status for refugees from Germany, on the pattern of that provided for "Nansen" refugees by the Convention relating to the International Status of Refugees of October 1933. The UK ratified the 1933 Convention in October 1936, with reservations, Sherman, op. cit., pp. 70-71; in February 1938, the League adopted a new Convention designed to give a more permanent form to the Provisional Arrangement. Ibid., pp. 80-83.

41 Sherman, op. cit., pp. 35-84.

42 For Malcolm's activities, see Lord Duncannon, 'A Summary of the Activities of the High Commissioner for Refugees coming from Germany in Questions of Emigration', 14 Jun 1938, Duncannon to Makins, 14 Jun 1938, PRO FO 371/22527, W7706/104/98, f.93.
The question of the future of the League's work for refugees led to a recommendation by the Council of the League in May 1938, that a single organisation be set up to replace the Nansen International Office and the High Commissioner for Refugees coming from Germany, both of which were due to be wound up at the end of the year. This plan was accepted by the League Assembly in September 1938, which established from the beginning of January 1939 a newly appointed High Commissioner of the League of Nations to deal with the refugees hitherto coming under both agencies. One of the duties given to the new High Commissioner was to maintain relations with the newly established IGC.

The second phase of policy was short-lived. It began in March 1938, soon after the Anschluss, when President Roosevelt called for an intergovernmental conference on the refugee problem, placing on the international agenda the suggestion of setting up an intergovernmental committee on refugees outside the League. In this phase the British government made efforts to prevent any such organisation from coming into existence, because it was seen as a source of potential problems and unwelcome pressures. The second phase ended with the UK's acquiescence in the formation of the IGC at the Evian conference in July 1938.

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The shift to a policy of containing the impact of the IGC marked the start of the third phase. Once British policymakers realised that, although such an agency would be of little use, it would be difficult to prevent its formation, they re-directed their effort into trying to keep the IGC's activities within what they regarded as proper bounds.

British policy aimed to limit the scope of the IGC, for example, by linking its officers closely to the work of the League High Commissioner for Refugees, and by treating the IGC more as a series of infrequent meetings than as an ongoing body with a permanent secretariat. British energies were also expended on placing sympathetic individuals in key posts in the organisation; one such success was the replacement at the start of 1939 of the American George Rublee, the IGC's first Director, who had resigned, by the more amenable Sir Herbert Emerson. In general, the British approach to the work of the IGC was governed by the goal of ensuring that the IGC did not interfere with sovereignty over admissions to territory under British control. The IGC was treated as an instrument of national policy, to be deflected, possibly even dismantled, if it threatened to interfere with British interests, but meanwhile to be utilised for whatever diplomatic gains it might offer.

British policy on refugees and the League of Nations in early 1938

The potential role of the League in mitigating refugee problems involved questions concerning both the scope of League conventions on refugees, and the possible creation of new agencies under the League. League discussions of refugee problems also raised questions of domestic policy concerning
the machinery adopted by individual countries of refuge to deal with refugee immigration to their territories.

In early 1938 the terms of a new League Convention on refugees were being finalised. In addition, shortly before the appearance of the American plan for an IGC independent of the League, a proposal to set a new International Commission under the League was made. Both the Convention and the proposed new agencies had implications for individual countries' immigration policies. The Home Office wished to limit new obligations under the Convention, expressing fears of excessive flows of German refugees to the UK. In February 1938, at the League conference at Geneva for conclusion of the new Convention, UK representatives opposed any modification of the Convention which would oblige the UK to agree to refugees temporarily in the country remaining and establishing themselves. The British statement, which Cooper, who was the UK delegate, had drafted, insisted on the UK's right to decide to whom it would allow such facilities, and from whom it felt it necessary to withhold them, and stressed that the government's generosity to refugees might diminish if it was obliged to absorb temporary residents as a result of the new Convention, so that obligatory concessions for one group might lead to the withdrawal of concessions for others.

45 See Cooper to William Hayter, 12 Jan 1938, Hayter, minute, 14 Jan 1938, Hayter to Cooper, 22 Jan 1938, PRO FO 371/22525, W511/104/98, f.19. Hayter criticised Home Office opposition to modification of the Convention to include within its protection persons who left Germany after the date of ratification.

46 Holderness to Under Secretary, 14 Jan 1938, PRO FO 371/22525, W637/104/98, f. 42; Cooper, draft of statement, 21 Jan 1938, PRO FO 371/22525, W985/104/98, f.64.

47 Ibid.
Cooper told a private conference session that the UK government had been able "in quite a large number of cases to agree to refugees remaining and establishing themselves", despite the difficulty of absorbing foreigners in a highly industrialised and thickly populated country. When the UK signed the 1938 Convention it entered reservations which nullified the effect of the provisions benefiting persons admitted on a temporary basis.

The Home Office, like the Foreign Office, preferred that work for refugees should be continued by a body deriving authority under the League, rather than a new autonomous body, which, Cooper feared, might pursue "an idealistic or adventurous policy which would not recommend itself to the countries of temporary refuge". He suggested that a more fruitful approach would be to explore settlement possibilities overseas, but he did not address the question of the machinery which this would require. When a League Council Committee of Three (with representatives from Bolivia, the UK and France), meeting in Paris in mid-February 1938, recommended a policy of absorption of refugees in the countries of refuge, and suggested setting up an intergovernmental body for this purpose, the initial British response was negative. In May 1938 Holderness informed Makins that the Home Office was worried about the

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48 League of Nations. Conference for the Conclusion of a Convention, Provisional Minutes of First Meeting (private), 7 Feb 1938, PRO FO 371/22525, W2318/104/98, f.27.

49 Sherman, op. cit., pp. 80-83.

50 Cooper to Hayter, 11 Jan 1938, Hayter, min, 15 Jan 1938, PRO FO 371/22525, W527/104/98, f.38; Sherman, op. cit., pp. 81-82.

51 Skrine Stevenson, minute, 16 Feb 1938, PRO FO 371/20528, W2314/104/98, f.101; Sherman, op. cit., pp. 82-4
proposal and would not accept it "unless we are satisfied that it will serve a useful purpose and will not concern itself in the internal affairs of other countries".

The Home Office's defensiveness towards proposals to extend the existing international machinery to take in more aspects of the refugee problem, was matched by its spirited defence, at home and abroad, of the existing domestic machinery for dealing with refugees. Thus, at the February 1938 conference on the Convention, Cooper put forward the relationship between the Home Office and the voluntary organisations as an acceptable alternative to other countries' solutions, such as that of Belgium, which had set up an Advisory Commission to pronounce on individual cases and express opinions on asylum decisions. He argued that, in view of the close collaboration between the government and charitable organisations, "it might be said that an advisory commission exists in the United Kingdom in fact, if not in name", and he supported a Swiss proposal that such arrangements be treated as an acceptable alternative to an advisory commission. Cooper's approach to the question illustrates the British government's view that the voluntary organisations performed a representative role which rendered direct representation unnecessary; the fact that voluntary agencies in the UK did not represent individual refugees was not addressed. Similarly, demands from Eleanor Rathbone in May 1938 for creation of more formal policy-making machinery

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52 Holderness to Makins, 4 May 1938, PRO FO 371/22526, W5829/104/98, f.300.

53 League of Nations. Conference for the Conclusion of a Convention etc, Provisional Minutes of Sixth Meeting (private), 7 Feb 1938, PRO FO 371/22526, W2318/104/98, f.27, pp. 9-12.
were met by the Prime Minister, Chamberlain, with a Home Office-drafted parliamentary reply claiming that the government's close collaboration with the voluntary bodies was adequate for this purpose, and that it was relying on the recently-formed Co-ordinating Committee to produce constructive policy proposals.54

**British preparations for the Evian Conference**

In late March 1938 international pressure on the refugee problem heightened as a result of the initiative of President Roosevelt. The USA had not been particularly welcoming to refugees, but, following the Anschluss, Roosevelt had made certain concessions to refugees in the USA. He now issued a summons to an international meeting on the refugee problem, which was intended to launch a new committee of government representatives, "for the purpose of facilitating the emigration from Austria, and presumably from Germany, of political refugees".55 Nations where refugees had found, or hoped to find, a haven agreed to gather at Evian in France in early July 1938 to discuss collective action on the refugee problem.56

As the threat of war in Europe came closer, the Foreign Office was alert for signs that the isolationism of the Americans, who remained outside the League of Nations, might be giving way to a readiness to become involved in European problems. Thus, when Roosevelt suggested the idea of the

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56 Sherman, *op. cit.*, pp. 95-97, 100-123.
conference, it was agreed that "on political grounds alone" it was desirable to accept the American proposals in principle. As Makins has recalled, "We grabbed it." When Anglo-American co-operation received a boost as a result of the Evian meeting, the principal British objective in becoming involved in the conference had been realised.

The impending conference required participating governments to consider what international action on the refugee problem was desirable and how this should be balanced against action by individual governments. British reactions to these questions, which raised both political and financial considerations, involving the Foreign Office and the Treasury in particular, will now be considered. Individual governments were also under pressure to state how they were prepared to contribute to the admission and settlement of refugees, and the Home Office's main contribution to the Evian preparations was to provide a statement of policy on refugee admissions to the UK, which will be dealt with separately.

The apparently contradictory and ambivalent postures which British government representatives adopted towards the IGC are more comprehensible if viewed as a reflection of their commitment to British sovereignty over refugee policy. The Foreign Office aimed to maintain British sovereignty generally, and had the specific aim of restricting the size of the refugee problem in Europe and its impact on the UK.

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57 See minutes of interdepartmental meeting, 28 March 1938, PRO T 160/842/F13577/01/1.

58 Lord Sherfield (Roger Makins), interview with this author, 13 Dec 1990.
It was therefore determined to show the German government, and other interested governments which were known to be watching - Poland and Romania in particular - that the UK would not be blackmailed into taking destitute Jewish refugees off the hands of other nations. The priority therefore for British policy was not to rescue refugees, but to force Germany - and other governments who sought to get rid of their Jewish populations - to play according to internationally agreed rules. Officials and ministers were united in the determination that Britain would not be dictated to by any external force - be it a foreign government, an international organisation, or the sheer pressure of the refugee exodus - as to the numbers of refugees it would admit, the terms on which it would accept them, or the funds it might spend on them.

The Treasury and the question of public funds for refugees

In the intensive interdepartmental discussions in Whitehall which preceded the conference, Treasury officials were detailed to draft the financial section of the instructions to the UK delegation at Evian. This task was carried out against the background of policy to date, which was that public funds would not be spent on refugees. The funds of the High Commissioner for Refugees had come from Jewish organisations, not the League. In previous years, the Foreign Office and the Treasury had been in agreement that to spend money or establish machinery for dealing with the refugee problem would risk perpetuating it, and that such activities should be left to the private organisations. British government spokesmen still insisted that public

59 See e.g Herbert Brittain (Treasury) to Strang, 31 Jul 1935, PRO FO 371/19677, W7002/356/98, f.172
money should not be spent on relief and settlement abroad. The recent US proposals also envisaged that financing of emergency emigration would be by private organisations\(^{60}\).

It was nevertheless realised that little could be done if the problem, especially raising funds to help refugees, was to remain in private hands\(^{61}\). Private organisations could find jobs for refugees, but not organise their admission abroad, while the head of any new body set up by the Evian meeting might be able to do something to help people who were still in Germany, but wished to leave. Nevertheless, the consideration that help to refugees in the Reich would provoke additional problems for Jews in Poland, Romania and elsewhere, including Hungary, carried great weight with both the Foreign Office and the Treasury. Poland and Romania had, for example, raised their desire for aid to help reduce their Jewish populations at the 101st session of the Council of the League in May 1938\(^{62}\). Anxious to nip such hopes in the bud, RC Skrine Stevenson of the Foreign Office advised on the first day of the Evian conference that Poland and Romania should not be refused entry to the meeting as observers, as "they might learn from listening that the German method of trying to get rid of minorities by bullying them is not looked upon with any favour by the rest of the world"\(^{63}\). British representatives planned to make the Americans shoulder any blame for excluding Polish and

\[^{60}\text{Sherman, op. cit., p. 95.}\]

\[^{61}\text{See minutes of 28 Mar meeting, n. 57 above.}\]

\[^{62}\text{Makins, minute, 'Consideration of the Refugee Question at the 101st Session of the Council', 14 May 1938, PRO FO 371/22527, W6714/104/98, f.47.}\]

\[^{63}\text{RC Skrine Stevenson, minute, 6 Jul 1938, PRO FO 371/22528, W8851/104/98, f.31.}\]
Romanian observers, who did ultimately attend the public sessions. Makins afterwards reported trying to discourage the Polish observer from nursing expectations that the IGC could assist his government\textsuperscript{64}. An interpretation diametrically opposite to the British government's line on Poland and Romania was put forward by Sir John Hope Simpson, director of the Royal Institute of International Affairs' Refugee Survey, who argued that, if the proposed IGC failed to act on the acute position of the Jewish populations in these countries, then they would persecute their Jews. He expressed this view in early June, when sending the galley proofs of his \textit{Preliminary Report} to Makins, in advance of the Evian conference, and said that in his opinion the problem of the Jewish populations in those countries outweighed in importance the problem of German and Austrian refugees\textsuperscript{65}.

The anxieties outlined above were taken into account when the Treasury considered the question. In this instance, as in other matters concerning refugees, Treasury involvement in refugee matters had arisen in a casual and ad hoc way, when a question of finance arose. The Treasury's finance division was accustomed to dealing with the UK's contributions to the League of Nations, which included questions of expenditure on refugees. In mid-June 1938 Edward Playfair, then a Principal within the finance division, produced first draft of the Treasury response, on the UK's line at Evian on the financing of any new agency.

\textsuperscript{64} See Makins, minute, \textit{ibid.}, quoted Sherman, \textit{op. cit.} p. 116.

\textsuperscript{65} Hope Simpson to Makins, 8 Jun 1938, PRO FO 371/22527, W7399/104/98, f.64.
Playfair followed precedent, advising that it would be unwise to depart from the previous policy of opposing expenditure on refugees from Germany. British money had in fact been spent very recently on assistance to Assyrian refugees, but it could be argued that the Assyrians were a special case. Playfair advised that if the principle of spending League of Nations funds on refugees was conceded, this would extend to refugees under the League’s Nansen Office, widening the scope of demands on the League and its contributing governments, including the UK. He emphasised the potential for further claims on British funds, if the countries represented at Evian showed readiness to make financial contributions toward the emigration of Jews expelled from Germany; he reiterated the familiar anxieties over the response of such countries as Poland and Romania, warning that:

other countries which are pursuing an anti-semitic policy will take further measures to expel Jews, once they know that someone else is prepared to come to their aid. Poland and Roumania in particular have a Jewish population far larger than that of Germany and Austria, and are known to be anxious to take all steps to get rid of them as far as possible; and it is significant that both countries are interested in international efforts to promote emigration. In the interests of the Jewish population of those countries, it seems that too open a hand is inadvisable.

He concluded that policy on funds should remain unchanged66.

Nevertheless, support for spending public funds on refugees came from other, higher ranking Treasury officials.

Playfair’s senior, SD Waley, Principal Assistant Secretary concerned with finance, who was a Jew, argued that the UK

66 Playfair, memorandum, ‘Attitude of HM Government in the United Kingdom’, Playfair to IF, Inch to Playfair, Playfair to Waley, 15 Jun 1938, PRO T 160/842/F13577/01/1. Playfair set out practical problems attached to making financial contributions in the form of loans; see also Playfair to IF, memorandum, 7 Jun 1938, ibid.
should not take a position which implied that there were no circumstances under which the government would consider making a grant or offering a guarantee. He linked this approach to an expectation that the conference itself would achieve little:

I am afraid that the Evian Conference is bound to be somewhat of a fiasco. Few governments seem likely to promise to take more refugees than they are doing at present, or to commit themselves to any definite number. The Conference seems, therefore, likely to do no more than express platonic sympathies and to set up an Intergovernmental Committee, which does not seem likely to serve any useful purpose, and may do actual harm by hampering the activities of the new High Commissioner.... It seems to me that we ought not to rule out of court the possibility of later on giving some financial assistance in order to obtain such constructive results as are possible.

He suggested that some understanding might be reached with Jewish leaders over stopping, or at least limiting Jewish immigration to Palestine, perhaps making feasible a real settlement of Arab/Jewish conflict in Palestine. He also proposed that limited financial help might make possible an arrangement with Germany "to contribute to an orderly solution of the problem, at any rate, to the extent of allowing refugees to export sufficient capital in the form of goods and capital equipment", enabling refugees to make a new start abroad, rather than arriving destitute. He was more hopeful that such arrangements could be made with Hungary, Romania and Poland, who might agree to co-operate over arrangements for the purchase of travel tickets on terms which would not worsen their foreign exchange position, and might also agree that Jewish inhabitants should not be deprived of their livelihood faster than they were able to emigrate. Such assistance as Britain and other

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67 Waley to Phillips, memorandum. 'Evian Conference', 17 Jun 1938, ibid., with title, 'Political refugees from Germany and Austria' added in Warren Fisher's hand.
states could give, would put them in a stronger position to urge "that the problem of reducing Jewish populations should be undertaken in a gradual and orderly way and not by brutal methods and wholesale expulsions". Waley concluded with the following disclaimer: "Frankly, I cannot pretend to be objective on this topic and am rather apologetic for expressing any views at all\textsuperscript{68}.

Sir Frederick Phillips, Treasury Under-Secretary, like Playfair, expressed concern about the impact on Poland and Romania. He said he expected that these countries would use the conference to press for help. He was convinced that Britain should therefore strive to confine the conference agenda to refugees from Germany and Austria. If not, the problem would grow even more unmanageable: "the more facilities are provided the more refugees there will be to provide for". Phillips dismissed the League as a potential source of funds, but was, however, prepared to follow Waley's suggestion of a flexible approach. He suggested that the UK should be prepared to match any contribution the US prepared to make, but that the British delegation should refuse to enter into discussion of governmental contributions until the US government, which had convened the conference, had decided on such action. He warned: "the Americans are past masters at pushing other people into obligations and then backing out themselves". He concluded, "We are not in the long run likely to escape some governmental assistance either by grant or guarantee but we

\textsuperscript{68} \textit{Ibid.}
had better safeguard our position very carefully at this stage.  

The notes made by Waley and Phillips were sent to the Permanent Secretary of the Treasury, Sir Warren Fisher, and afterwards to the Chancellor of the Exchequer, Sir John Simon. Fisher echoed Waley's concerns, but in far broader terms, putting forward the refugees' humanitarian claims and the UK's tradition of asylum as a reason for the British government to keep an open mind (without revealing it) on the possibility of financial help to refugees:

The principal element is of course the Jews who are exposed to unspeakable horrors. It is clear that, however much we sympathise, we cannot provide a solution to this terrible problem (which is not confined to Germany). But our historic role of an asylum for political outcasts and our position as the mandatory power for Palestine shd make us ready to do what we can consistently with the legitimate interests of our people at home and of the Arabs in Palestine. (On a wholly lower plane of thought I may mention that this country has frequently been the gainer by providing refuge to foreigners highly qualified in various walks of life).

While therefore I wd start at the conference apparently square-toed about the American exclusion of Government Finance from any scheme of help, I think we shd be well advised from every point of view - if not from reasons of humanity - to keep open minds (without avowing it) & be on the look out for any opportunity of intelligent assistance (this of course won't help the majority of these poor people).

Simon initialled Fisher's note making no comment.

The final statement of the Treasury position for the brief of the UK delegation contained the reservation, advocated by Phillips, that the UK should not pursue the issue of governmental finance unless and until the US had decided to

70 Fisher to Chancellor, 21 Jun 1938, ibid.
proceed on this line\textsuperscript{71}. Makins observed that "the hand will not be an easy one to play", but assumed that the Treasury brief meant that some form of UK government assistance would ultimately be available, should this be the approach favoured by the US government\textsuperscript{72}. He sought further guidance from the Treasury, emphasising "the overriding importance of co-operating with the United States Government in this matter to the fullest extent", and asked for authority to agree to a commitment by the UK\textsuperscript{73}. In reply, PG Inch of the Treasury said that if the US could not be moved to abandon the idea of setting up an intergovernmental committee, the UK government should "in the last resort" give discretion to agree to the proposal, presuming that any contribution to the agency's expenses and staff would involve a relatively small amount\textsuperscript{74}. No sign should however be given that the UK envisaged any further financial obligation. If this was raised, the delegation should seek instructions\textsuperscript{75}. The Treasury thus opposed any UK government initiative to offer finance. The crucial importance of government finance was nonetheless apparent to British ministers and officials, even though they agreed that the UK should not be prepared to take a lead on this issue. For example, RA Butler, Parliamentary Under Secretary at the Foreign Office said on 30 June at an inter-departmental meeting shortly before the

\textsuperscript{71} Playfair to Makins, 27 Jun 1938, \textit{ibid.}

\textsuperscript{72} Makins, minute, 28 Jun 1938, PRO FO 371/22528, W8388/104/98, f.207.

\textsuperscript{73} Makins to Inch, 2 Jul 1938, PRO FO 371/22529, W8851/104/98, f.31.

\textsuperscript{74} Inch to Makins, 4 Jul 1938, PRO FO 371/22529, W8886/104/98, f.71; Foreign Office, 5 Jul 1938, PRO FO 371/22529, W8885/104/98, f.65.

\textsuperscript{75} \textit{Ibid.}
conference, that since the private organisations were not in a position to finance emigration on a large scale, if no finance was available from governments, "the whole scheme would fall through" 76.

Treasury officials' discussion of these matters show that, notwithstanding the concern to limit public expenditure, humanitarian concern for refugees was felt at the highest levels within the Treasury, and included support for the expenditure of public money on refugees. Waley and Playfair in particular both played a part in supporting expenditure on refugees during the next few years. The approach of Treasury officials to refugee questions was neither hamstrung by the Home Office's departmental pre-occupation with firm immigration control nor by the Foreign Office's concern to take a firm line with other governments. Their own departmental pre-occupation with preserving and controlling public funds did not necessarily prevent them from encouraging public expenditure on refugees, although the sums whose expenditure they were contemplating at this stage were relatively small. A factor contributing to their cautious response to the Evian proposal was the Treasury concern about value for money. While the Foreign Office was ready, for political reasons, to become involved in a body which was not expected to accomplish its stated objectives, this was alien to a Treasury sense of priorities. Waley was especially concerned about UK involvement in a new body, whose effectiveness was not only in doubt but whose existence might damage other efforts to help refugees. Treasury officials seemed less nervous than many others of

76 'Record of interdepartmental meeting on 30th June 1938', PRO FO 371/22538, W8713/104/98, f.281.
the humanitarian issues raised by the refugee problem. They often found fault with the contradictions and limitations of the approach of civil servants in other departments. Much of the readiness to criticise was derived from the lofty traditions of Treasury officials, highly conscious of being an elite and used to maintaining a critical perspective on departments for whose expenditure they were responsible. In the period between the Anschluss and the war, Treasury officials also provided hard-headed assessments of the prospects for negotiation with Germany over refugees.

The Evian Conference and the Intergovermental Committee on Refugees
At Evian, UK representatives reluctantly acceded to the American plan to set up the IGC. The IGC's brief was to use diplomatic means to persuade the German government to contribute to the cost of expelling its Jews, by allowing refugees to keep some of their capital when they emigrated. This, it was hoped, would produce the possibility of orderly emigration from Greater Germany.

Makins has recalled that he was reasonably satisfied with the outcome of the Evian conference. He was able to exercise considerable influence over its proceedings and he drafted the conference report. He felt responsible for ensuring that the conference produced some result, and felt burdened by having the unimpressive Winterton (whom he has called a "shell-back") as the British delegate77. At Evian, he therefore worked with other countries' officials to salvage something positive from the gathering.

77 Makins, interview with this author, already cited.
Waley's expectation that the conference would produce little of value for refugees was borne out. His prediction that the IGC might have a negative practical effect also proved correct. This was not for the reason Waley envisaged, (that it would hamper the High Commissioner for Refugees), as the High Commissioner's activities were not in competition with the IGC. It was rather because the IGC and the prospects of an IGC-negotiated agreement on the export of refugee capital from the German Reich were invoked to deflect other proposals for action, whether they were proposals for governmental funding for refugees or proposals for the provision of refuge by governments. The IGC's prospects were also invoked against private fund-raising, the source of the only practical help available.

Waley had suggested that the likely failure of the proposed IGC to achieve anything was a reason for not excluding alternatives, including perhaps contributions from governmental sources. In the months after the conference, this argument was more often than not turned on its head by Foreign Office officials. They claimed that to make sources of funds available from countries other than Germany, would be to play into the hands of the Germans and of those European governments who sought to unload unwanted Jews on the charity of other countries. Foreign Office officials raised the same objections to highly successful private fund-raising for refugees, and therefore made efforts to curtail the impact of appeals to the public, in case this should cast the prospects of the IGC into the shade. From

78 See chapter four for efforts to curtail the success of the Baldwin Appeal.
a humanitarian perspective, the flaw in the logic which produced such moves by the Foreign Office was that private fund-raising was the one means which actually enabled refugees to escape, and government funds, had they been made available, would have expanded these possibilities. The IGC, on the other hand, failed to bring about any increase in the prospects for refugees. Nevertheless, British officials consistently discouraged refugee emigration outside IGC auspices.

Treasury doubts as to the prospects of the IGC continued. Sir Frederick Leith-Ross of the Treasury, who was experienced in international negotiation, tried to help the IGC in its first months, when its officers were trying to set up negotiations with the German government, but was not optimistic of success. After meeting George Rublee, the elderly American lawyer who had been appointed the IGC's first director, Leith-Ross expressed his reservations to both Dean Acheson of the US and Lord Winterton, the IGC's British chairman, commenting that, while glad to assist, he feared "that the problem of getting butter out of a dog's mouth is a comparatively simple one as compared with getting foreign exchange out of Germany at the present time".

Waley, who worked closely with Leith-Ross in this period, spelt out Treasury doubts about the IGC's prospects to the

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79 See e.g. Randall, minute, 7 Nov 1938, PRO FO 371/22536, W14468/104/98, f.58, responding to a letter from a man who had proposed ways of facilitating the immigration to the UK of boys and girls from Germany.

80 Leith-Ross to Acheson and Winterton, 10 Sept 1938, PRO T 188/225.
first meeting of the new Cabinet Committee on the Refugee Problem in January 1939.81.

Waley and the Foreign Office became involved in October 1938 in negotiations to overcome Board of Trade objections to schemes designed to facilitate the transfer to the UK of refugee capital, which entailed conceding a reduction in UK export earnings.82 By late October AWG Randall of the Foreign Office thought the Board of Trade should relax "their present rigid attitude" and drop their objections. He claimed that this was desirable on political grounds, because it would help Anglo-American relations if HMG could make a substantial contribution...having welcomed the American initiative at Evian and given the IGC hospitality in London, we have accepted a certain responsibility for seeing that their work does not come to a complete deadlock.83

He argued that, although it had been accepted at Evian that governments should not make a financial contribution, the concessions currently in question could not strictly be called financial. He concluded that "overriding consideration" was Britain's "moral responsibility" to try to find a solution of the refugee problem.

While Foreign Office officials expressed support for the IGC, they do not seem to have had much faith in its

81 Cabinet Committee on the Refugee Problem, 24 Jan 1939, Conclusions, CRP(39) 1st Meeting, PRO CAB 98/1.


83 Randall, minute, 25 Oct 1938, PRO FO 371/22535, W13673/104/98, f.315; see also Halifax to Stanley, 3 Nov 1938, ibid.; a few days earlier Randall wrote: "HMG have accepted a certain measure of responsibility for the refugees", Randall, minute, 19 Oct 1938, ibid.
prospects. Indeed, certain steps taken by the Foreign Office were calculated to undermine the new body in its early stages. The relatively low level at which the IGC proposed to conduct negotiations seemed unpromising, in view of the difficulties of dealing with the Germans at anything below the level of the meeting between heads of state which had produced the Munich Agreement. Rublee himself suggested that Chamberlain might raise the matter with Hitler, a suggestion which found favour with the British Chairman of the IGC, Lord Winterton.\(^{84}\) Foreign Office officials were concerned to minimise the damage to international relations which would result from German refusal to co-operate with the IGC.\(^{85}\) The concern that IGC initiatives might interfere with the delicate state of Anglo-German relations without achieving anything, led to British moves to delay and to undermine Rublee's proposed mission to Berlin. It was suggested that Rublee should not go until he had details of the numbers of refugees countries would accept.\(^{86}\) Rublee, following up earlier American suggestions, then proposed that the British Empire match the US contribution of 27,000 admissions annually, by accepting 15,000 in the UK, colonies and Indian Empire for temporary and permanent settlement, excluding Palestine, and a further 12,000 in the dominions. The British reaction, led by Winterton, was annoyance, rejection.

\(^{84}\) TB Williamson, 'Note of Discussion at the Home office on 5/10/38: Lord Winterton, Mr Rublee, Mr Pell, Mr Cotton and Mr Williamson', 5 Oct 1938, PRO FO 371/22535, W13305/104/98, f.206.


\(^{86}\) For Foreign Office views see TB Williamson, 'Note of Conversation at Home Office on 4 October 1938: Lord Winterton, Mr Hayter, Mr Riley[correct spelling Reilly], Mr Williamson', 4 Oct 1938. PRO FO 371/22535, W13304/104/98, f.202.
in principle of the notion that the UK being asked to state specific numbers, and insistence that Rublee accept this refusal: he was confidentially provided with some figures for past admissions\(^87\). In late October Rublee also criticised Winterton for undermining the IGC's work for refugees from Germany and Austria, through his readiness to discriminate in favour of Sudetenland refugees from Czechoslovakia, by promoting their efforts to emigrate abroad on the basis that, as they were mostly non-Jews, countries would be readier to accept them\(^88\).

The Foreign Office went so far as to suggest to the Americans that the IGC be effectively closed down as a separate body, and its responsibilities passed to the British Foreign Office\(^89\). The Foreign Office official who had been most active in work on refugees, Roger Makins, now Lord Sherfield, has recalled how un-impressed he had been by Rublee\(^90\). After six months Rublee, frustrated by lack of support, both from the British and from Roosevelt, carried out his threat to resign. His successor, whom Makins found much more effective, was an Englishman, Sir Herbert Emerson,


\(^89\) See chapter four.

\(^90\) Lord Sherfield, interview with this author, already cited.
formerly governor of the Punjab, who had already been chosen in September as League High Commissioner for Refugees.\textsuperscript{91}

The positions adopted by Lord Winterton and by Foreign Office officials shifted uneasily and often illogically between contradictory stances on the issue of the role of privately funded aid for refugees. On the one hand they relied on private funds to achieve a solution of the refugee problem; on the other, they opposed the expansion of private fund-raising, as a threat to the IGC's work. Meanwhile Sir John Hope Simpson, the first of whose studies on the refugee problem appeared in the summer of 1938, and who spoke frequently on the issue, was persistently and publicly underlining the need for governments to recognise that the response of private charity was providing the only means of escape. He was equally emphatic that private efforts could only deal with the fringe of the problem, and called for action by governments before it was too late. Hope Simpson had been considered and rejected as a candidate for the post of Director of the IGC, as he was seen as too critical, but his analysis of the IGC's limitations for practical purposes remained unanswerable.\textsuperscript{92}

The practical limitations of the IGC as an instrument for achieving humanitarian ends were, for the reasons outlined above, not a particular worry for the Foreign Office, whose

\textsuperscript{91} For Emerson's appointment as High Commissioner for refugees, see correspondence between Emerson and Makins, 22-29 Sept 1938, PRO FO 371/22535, W13160/104/98, f.151 and PRO FO 371/22535, W13699/104/98, f.342.

primary objective in relation to the Evian proposal - to maximise its potential for developing closer Anglo-American relations - was being amply realised. Yet the difficulty, mentioned by Phillips, of getting the Americans to commit themselves to doing anything concrete on the refugee problem, remained to haunt British policy makers. During the next few years, British policy makers made several initiatives in the hope of giving the Americans a lead which they might follow or preferably surpass. Disappointingly, the US government repeatedly failed to follow British leads, whether in expanding refugee admissions, in agreeing to commit government funds to refugee settlement or in offering to make territory available for settlement.

The Evian conference could be viewed as a success for British policy for other reasons. The UK had not been forced into any new commitments. The question of Palestine had been kept off the conference agenda. The demands of Poland and Romania for help in getting rid of their Jews had also been consigned to the sidelines. The creation of the IGC, accepted reluctantly by Britain, had its compensations. The new body could be used to develop relations with the Americans and might even produce improvements in the situation of refugees. If IGC activities threatened to muddy diplomatic relations with Germany, they could be undermined. The main thrust of Foreign Office policy in relation to the IGC, however, was to ensure that it neither interfered with British sovereignty nor increased the size of the refugee problem. When Emerson took over as director, Foreign Office hopes of harmonious co-operation with the IGC increased\textsuperscript{93}.

\textsuperscript{93} Lord Sherfield, interview with this author, already cited.
The administration of admissions

The impact of visas

The Home Office now attempted to make its policy of careful selection work. The first problem in the selection process was to distinguish the potential refugee from the ordinary visitor. Port controls were not adequate to identify or exclude all visitors who were potential refugees. The Home Office's CDC Robinson explained that at the ports there were problems in refusing leave to land to "persons who are apparently respectable and state that they are coming for a short visit to see friends, relatives or business acquaintances", because the opportunities for making enquiries were too limited.\(^{94}\)

The introduction of obligatory visas would make it possible to investigate applicants thoroughly prior to arrival in the UK. New instructions giving guidance to passport control officers (PCOs) in deciding visa applications emphasised that the new visa procedure had been brought in to regulate the flow of refugees.\(^{95}\) The PCO's task was to distinguish bona fide applicants for visitors' visas from persons who claimed that they were going to Britain for some temporary purpose "but whose real object is to apply, after arrival, to be

\(^{94}\) Robinson to Bland, 14 Mar 1938, PRO FO 372/3282, T3398/3272/378, f.8

\(^{95}\) Passport Control Department, circular, 'Visas for Holders of German and Austrian Passports entering the United Kingdom', 27 Apr 1938, PRO FO 372/3283, T6705/3272/378, f.326., para. 1.
allowed to remain indefinitely"\textsuperscript{96}. It was especially necessary to investigate the circumstances of applicants for visitors' visas "who appear to be of Jewish or partly Jewish origin, or have non-Aryan affiliations". If a suspected emigrant persisted in claiming to be a visitor, he should be warned that he would be expected to leave at the termination of his visit, required to sign an undertaking to do so, and warned that, if he overstayed, steps would be taken to compel his return, "notwithstanding any plea to the contrary"\textsuperscript{97}. If the PCO believed he was dealing with a refugee case he then had to decide whether the applicant seemed to fit into any of the categories which the Home Office would consider for refugee entry to the United Kingdom. The regulations reflected the government's continuing interest in recruiting persons of international repute in science, medicine research or art, or successful industrialists who wished to make preliminary visits in connection with transferring their businesses to Britain. The applications of this elite were to be granted on the spot, or not refused without sanction from London. Other persons of standing in these fields were also not to be refused without reference\textsuperscript{98}.

At the other end of the scale were the rank and file of people in commerce and the professions. Such persons, if declared or suspected refugees, were, as a rule, to be excluded\textsuperscript{99}. The policy of restricting access to the UK for

\textsuperscript{96} Ibid., para 2.
\textsuperscript{97} Ibid., para 4.
\textsuperscript{98} Ibid., paras 8 and 9.
\textsuperscript{99} Ibid., para 6.
people in business or in professions, such as medicine and law, reflected not only the assumption that such persons had no prospects in the UK, but also fears about their prospects of re-emigration, which, as has been shown, Schiff not only shared, but regarded as an argument for the reintroduction of visas. The instruction to refuse visas to such persons was mitigated by the creation of a new category of exceptions. These were cases which should be investigated and referred, if the applicant was otherwise liable to be refused, but was "in special danger because of his political views or activities and there is on this account a special cases for offering him asylum in the United Kingdom". A similar exception was possible for people with friends or relatives in the United Kingdom who could offer them hospitality, or who had other means of temporary support in the UK.\(^{100}\)

The regulations also made special provision for students and schoolchildren: "Students (non-refugee class)", defined as persons "known not to have any Jewish or non-Aryan affiliations", could be given visas on production of evidence that they were to pursue an arranged course of study and would have adequate funds while so engaged. Boy students in the "refugee class", would be dealt with in the same way, however, older students in the refugee class had to prove acceptance on a course at a university or technical college for a period of not less than two years, as well as adequate funds\(^{101}\). The terminology used in the regulations reflected the pervasive assumption that an applicant with

\(^{100}\) Ibid., para 7.

\(^{101}\) Ibid., para 9.
Jewish affiliations was a potential refugee. The numerous exceptions and cases which required referral show the extent to which the authorities wished to maintain sufficient flexibility to grant applications in cases where refusal might be embarrassing or inappropriate, especially where applicants might have connections in the UK to provide some safeguard against their becoming a public charge after entry.

Before a visa could be authorised it was necessary to establish whether the individual in question fulfilled the conditions for the category or categories of admission for which he or she might be eligible. This involved much time-consuming correspondence with guarantors and educational institutions, the provision of references and qualifications, and the production of evidence of means. A great deal of extra casework for the authorities, including many references back London, was thus generated by the new regulations, although much of the groundwork could be done by the voluntary organisations.

In defence of the new system, the Home Office emphasised that it would save refugees the disappointment of fruitless journeys to British ports. Jews in Germany who wished to come to the UK now experienced frustrations of a different sort. They were obliged to join crowds of visa applicants waiting, sometimes for days, outside British consulates, where they were an easy target for local Nazis, whose methods of harassment included forcing Jews outside the
Vienna consulate to wash cars. In April 1938 a band of Nazi stormtroopers belonging to the SA (Sturm-Abteilung) announced a plan to enter the building and arrest all the Jews applying for immigration papers within, but the Consul-General forbade it. During the Kristallnacht violence Jews queueing outside the building were arrested.

Vienna became a notorious bottleneck. Complaints about delays, discouragement and discourtesy at British consulates, especially Vienna, poured into the Foreign Office, forwarded by refugee organisations, outraged British and non-refugee travellers, and public figures who included Sir Walter Citrine, of the Trades Union Congress. The Vienna Legation was closed after the Anschluss, leaving only a Consulate-General, run from early April by Donald St Clair Gainer, who had been transferred from Munich. Gainer pointed to the pressure under which his staff were operating, but conceded that there was some foundation in accusations of favouritism. All his staff had some "pet Jew" whom they made extra efforts to help.

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102 Jewish Chronicle, 29 Apr 1938, p. 18; Such an incident took place on 25 April: Donald St Clair Gainer, (Consul-General, Vienna) to Under Secretary, 26 Apr 1938, PRO FO 371/21635, C3944/1667/62, f.170.

103 Ibid.


105 Sherman, op. cit., pp. 133-134.

Administrative problems

The addition of visas to the system created new problems for the Home Office as well as new frustrations for refugees. The problem of marshalling adequate manpower to deal with aliens work worsened. It was undoubtedly true that the changeover to visas had succeeded in preventing a large-scale problem at the ports. Immigration officers had been spared the pressurised duty of conducting many lengthy quayside investigations in refugee cases. Nor would they be obliged to perform the unpleasant task of issuing refusals of leave to land to large numbers of refugees, and then forcing them to return to the Continent. The new policy had shifted the burden of initial face-to-face contact with applicants from immigration officers, who were a Home Office responsibility, to passport control and consular officials, who came under the Foreign Office. Consular posts throughout Germany and Austria were confronted by a deluge of visa applications and by crowds of worried people seeking advice and information.

Nevertheless, the visa system generated new work for the Home Office. The task of making decisions on the numerous visa applications referred from Vienna, Berlin and elsewhere back to London under the new regulations was added to the burdens of the handful of Aliens Department officials, who already had their hands full. With files on some 10,000 refugees in the UK, the Home Office had not only to deal with all these cases but with queries in connection with persons still abroad. The Home Office's A Division was snowed under and badly behind with naturalisation applications, which now included refugee applicants with
five years residence in the UK\(^{107}\). The Home Office was also in receipt of queries on refugee cases from other Whitehall departments, as refugees and their friends scoured their connections in search of someone to intercede with the immigration authorities. Foreign Office files alone show how many officials received letters from half-remembered acquaintances, drawing attention to the plight of some would-be emigrant or refugee.

The case of German architect Peter Moro, for example, was brought to the attention of a Foreign Office contact by fellow-architect Denys Lasdun in December 1938. Moro had been admitted to the UK in 1936 and had worked for the architectural partnership, Tecton, his permit being renewed at six-monthly intervals. He had intended to go to the US, but when this proved difficult he left Tecton, and, without obtaining Home office approval, accepted a partnership in the UK. He was currently working on a job of considerable size and his financial position was good. The Home Office objected to Moro's unauthorised step and ordered him to leave the UK by 31 December. Lasdun's letter on Moro's behalf was passed to the Treaty Department, where an official contacted the Home Office, which agreed to reconsider the case on the basis that Moro had found a new sponsor\(^{108}\). In later years Moro became known for buildings which included the Royal Festival Hall on London's South Bank; Lasdun's National Theatre stands nearby. The Foreign

\(^{107}\) For references to understaffing and arrears in naturalisation applications, see Home Office establishment correspondence, Aug 1937 - Nov 1938. PRO T 162/582/E4080/2.

\(^{108}\) See Foreign Office correspondence and minutes, December 1938, PRO FO 372/3286, T16178/3272/378, f.628.
Office acted as a channel for many other representations which ultimately required a Home Office decision.

The Aliens Department could not make inroads into its casework burden, which had assumed unmanageable proportions, without enlisting help from outside. The Home Office turned to the refugee organisations, conveniently brought together under the umbrella of the recently-formed Co-ordinating Committee. The voluntary organisations agreed to help, both by dealing with incoming correspondence and by investigating visa applications. If persons wrote in to the Foreign Office appealing for assistance or advice on entry to Britain, they were generally sent answers referring them to the German Jewish Aid Committee (GJAC), as the JRC was now known; in other cases the correspondence itself was forwarded to the GJAC. One consequence of getting the voluntary organisations to deal with letters was that the government itself had no systematic record of individuals who approached one of its departments for help. Government departments were thus partly insulated from the impact of the plight of Jews seeking escape from Nazi Europe.

The Co-ordinating Committee provided a new vehicle for the articulation by the refugee committees of grievances and the airing of suggestions for more generosity and imagination in the treatment of refugees. Activists emerged who were

109 See Hope Simpson, The Refugee Problem, London 1939, pp. 338-9; for Home Office liaison with the Co-ordinating Committee, see PRO HO 213/288. Minutes of Co-ordinating Committee meetings on 1 May and 6 June 1939 show that Cooper attended both, and spoke at the earlier meeting, ibid.

prepared to adopt a more forceful tone in dealing with the authorities than the soft-spoken Schiff. One abrasive representative was Mary Ormerod, a Quaker, secretary of the Co-ordinating Committee. One of Ormerod's interventions was a complaint about the conduct of a clerk engaged on passport control work in Vienna. Among the allegations made against this woman, a certain Miss Stamper, were that she had been rude, had told applicants that no more Jews were wanted in England, had voiced antisemitic views, and had torn up the Ministry of Labour permit authorising a visa for a young Jewish woman in front of her face: the applicant in question was refused a visa. Stamper defended her conduct, and claimed to have helped Jews as much as possible, but resigned soon after the complaint. The Consul-General concluded that many of the acts complained of arose from Stamper's conscientious performance of her job. Thus, it was appropriate to ask if applicants were Jewish, as different considerations applied to such cases. He said that Stamper had been very overworked, and all staff were operating under great strain. He added that the majority of Jewish applicants left the consulate disappointed in their hopes of leaving the country, which produced a sense of grievance which was "inclined to vent itself upon persons rather than upon the regulations".

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111 See Ormerod to Makins, 10 Jun 1938, PRO FO 371/22527, W7582/104/98, f.82, explaining the Co-ordinating Committee's aims.

112 Ormerod to Under Secretary, 13 May 1938, PRO FO 372/3283, T6515/3272/378, f.287.

113 Gainer to Under Secretary, 31 May 1938, PRO FO 372/3284, T7657/3272/378, f.61.
Ormerod also raised questions about the antiquated communications between London and Vienna. Communications with Vienna were much slower since the Anschluss, because Vienna, downgraded from a Legation to a Consulate, was now reduced to a fortnightly bag via Berlin, of which it was now an outpost. Although slow, the diplomatic bag was secure, and Ormerod asked for it to be made available for urgent and confidential communications about refugee matters, as a more reliable channel than the ordinary post. She emphasised that delays in conveying the results of cases were leading to great distress, citing a case which had ended in suicide. Her suggestion was rejected by the Foreign Office.4

The voluntary organisations expanded to meet the pressure of this demanding casework, but their funds were running short. The government upheld its principle of not providing financial help for refugees of refugee organisations. These voluntary committees, for all their virtues of experience, commitment and patience, suffered from not only from under-funding, but from amateurism and a lack of systematic administration or effective financial controls. The weaknesses which resulted from relying mainly on volunteers were referred to in May 1939 by Sir Henry Bunbury, (a retired senior civil servant and authority on public expenditure), who had been enlisted by the GJAC a few months previously to provide desperately needed administrative expertise. Bunbury, now advising on the future organisation of the Czech Refugee Trust Fund in the capacity of its Director-designate, insisted that experience had shown the unavoidable need in such work for "the type of trained

114 See correspondence, June-July 1938, PRO FO 371/21751, C5809/2311/18, f.190.
ability which can usually only be obtained on a salaried basis, and for an office-trained and disciplined clerical staff"\textsuperscript{115}. Qualified staff were particularly necessary in key management posts, he stressed: "Mediocrity, however well meaning, is always costly in the long run, and especially so when it is organising and directing the work of others". Bunbury conceded that there was room for sensible and experienced voluntary workers in welfare, training and employment matters: he was not prepared to extend this to matters involving immigration and emigration.

The inadequate arrangements within both the private and public sectors for coping with casework meant that the process of making decisions and notifying the results to refugees was plagued by long delays. A casework backlog developed and grew steadily. The entry even of the restricted categories of refugee for whom the Home Office was now prepared to authorise visas was now limited by a \textit{de facto} quota, determined by the practical restrictions on accepting new applications, and the slow and meandering passage of individual cases through the system\textsuperscript{116}.

Much of the argument for reintroducing visas had been that they would provide a reliable method of identifying potential refugees and selecting those who might be admitted. Yet many undetected refugees were still getting through. The problem of distinguishing between the genuine visitor and intending emigrant claiming to be a visitor had

\textsuperscript{115} Bunbury, memorandum, 'Liabilities in respect of refugees from Czechoslovakia', 15 May 1939, PRO HO 294/39.

not been solved. Desperate for any document which would enable them to escape to the safety of British soil, many people applied for visitors' visas, signing the requisite form of undertaking that they would not seek to extend their stay in Britain. The immigration authorities soon became aware that once the object of gaining admission to the United Kingdom had been achieved, many of these people would plead that they could not go back to Germany or Austria. In the hope of making it easier to catch such persons, preferably before they were given leave to land, PCOs issuing visas were told in June 1938 to mark the passports of persons who signed these undertakings with a secret signal which would be picked up by officials in the United Kingdom. However, the futility of demanding such undertakings, in the absence of the will to enforce them subsequently, was finally acknowledged in August, when the Home Office decided to abandon the utilisation of this type of undertaking in refugee cases.\textsuperscript{117}

The scale of the unsatisfied demand for admission to the UK may be conveyed by the statement of the Director of Passport Control in early July that a "very large number of unclassified persons" had applied in Austria since the Anschluss for advice and taken away forms, but had not so far put in applications; 2,740 visas had been granted to Austrian subjects, approximately 420 refused, and 545 cases, including some of those already disposed of, had been

\textsuperscript{117} See correspondence about signals, May-June 1938, PRO HO 213/96; Passport Control Department circulars, 'Visas for Holders of German and Austrian Passports entering the UK', 10 Jun and 30 Aug 1938, PRO FO 372/3284, T7056/3272/378, f.1; Holderness to Jeffes, 19 Jul 1938, Parkin to PCOs Berlin and Vienna, 20 Jul 1938, PRO HO 213/98.
referred for decision in London. By July 1938 the number of staff dealing with visas in Vienna, had been increased from four to fifteen. By September 1938 staff at the Passport Control Office in Vienna were dealing with 200 enquiries a day about emigration to various parts of the British Empire, plus a little over 100 applications for visas daily. These were being dealt with by the Assistant Passport Control Officer and six examiners, two of whom had been appointed in May and June after visas had been introduced. Locally engaged staff were engaged as reception clerks to manage the crowd. During the past four months they had also given information and forms in connection with possible emigration to Australia to in excess of 16,000 enquirers.

The Home Office response to international pressure in the summer of 1938

The Home Office came under increasing pressure to re-examine its admissions policy. Activists in the domestic lobby for more generous admissions pressed the government privately and in Parliament. It also became necessary to provide a British contribution to discussions at Evian in July regarding the admission policies of countries of refuge and settlement. In the month before the conference the Home Office responded with what was in essence a restatement of

120 Paymaster-Commander P Stanley Sykes to Rance, 5 Oct 1938, attaching memorandum by Berry, Asst PCO Vienna to Inspector General of Passport Control, London, 26 Sept 1938, PRO FO 366/1036, X9278/84/50, f.52.
existing policy. There were nevertheless signs of movement towards a more enthusiastic approach towards refugee admissions. The Home Office stated that numbers "depended largely on the opportunities and rate of absorption, and, as regards artisans, on the attitude of the Trade Unions", but that it was prepared to admit several classes of refugee: those prepared to start businesses; young people for training or education; professional persons; those with academic qualifications, and between 2,000 and 3,000 artisans per year.\textsuperscript{121}

The fact that the Home Office was making any detailed statement of the scope for admissions was in itself a new departure, in view of the previous reluctance to spell out policy in detail. The British position was presented at the Evian conference, in the form of a written submission to a Technical Sub-committee. The existing categories for admission were reiterated, but with greater emphasis on training for re-emigration. A specific reference was made to extending arrangements with the voluntary organisations for the admission of a pool of refugees to be trained in the UK with a view to emigration. It was asserted that the numbers who could be admitted would be subject to no absolute limitation, other than the amount of hospitality, maintenance and employment the voluntary organisations could arrange. However, it was stressed that there would have to be strict limitations on the numbers of doctors and dentists who could be admitted. In line with previous statements, no

\textsuperscript{121} Record of inter-departmental meeting, 'Intergovernmental meeting at Evian', 8 Jun 1938, PRO FO 371/22527, W8127/104/98, f.150; the final draft of the Home Office position was sent by Cooper to Makins, 2 Jul 1938, PRO FO 371/22528, W8853/104/98, f.60.
commitment was made to the admission of specific numbers. Nor was there any direct allusion to the extent to which discretionary powers were in practice being utilised to make exceptions for meritorious cases.

What was novel about this statement was that it adopted an expansive tone. It referred to adopting "a liberal attitude in the matter of admissions", and it offered greater flexibility and generosity in the interpretation of employment regulations. It also gave encouragement to the voluntary organisations to seek out suitable jobs for refugees and to make an initial selection of suitable individuals to fill them. In addition, it contained a hint that selected refugees would be allowed to settle in Britain, because it said that, although refugees were admitted for education or training on conditions requiring them to re-emigrate eventually, prospects of ultimate absorption in Britain nevertheless existed for a certain proportion of the refugees, especially younger people.

In reality, no substantial change had taken place in admissions policy, but the pressure to appear more liberal was being felt within British government. The statement was prefaced by some high-sounding words, claiming that, Britain

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122 'Contribution which His Majesty's Government in the United Kingdom is able to make to the Problem of Emigration from Germany and Austria', 11 Jul 1938, 'Intergovernmental Committee, Evian - July 1938, Technical Sub-Committee, CIE/CT/15', PRO FO 919/9; an expanded version of this statement of policy was subsequently circulated by the Home Office. 'Memorandum', Cooper to Under Secretary, PRO FO 371/22534, W12713/104/98, 9 Sept 1938, f.1; a separate statement on UK immigration procedures was given to the Technical Subcommittee: 'Memorandum on UK Immigration Law and Practices and the Present Policy of His Majesty's Government regarding the Reception of Immigrants', 8 Jul 1938, 'Intergovernmental Committee, Evian - July 1938, Technical Sub-Committee, CIE/CT/15', PRO FO 919/9.
was now prepared "on the ground of humanity to adopt an even more liberal policy in the matter of admission and employment", but always within the narrow limits occasioned by the UK's domestic, demographic and economic problems, and the fact that it was "not a country of immigration". These vague words had a largely exhortatory function and were aimed at stimulating the assembled representatives of other nations to greater generosity. They did not reflect any significantly increased liberality in the substance of admissions policy. The statement made by Lord Winterton at the opening of the Conference had also emphasised the UK's continuing readiness to absorb a certain proportion of the refugees, and urged other countries of refuge to follow this example.

The failure of restriction

Introductory

Pre-selection remained a principle of Home Office policy. Yet, while the Home Office's commitment to maintaining control over refugee admissions through pre-selection was stronger than ever in the summer and autumn of 1938, control over the administration of the immigration system itself was slipping, while pressures for change were building up. These tendencies will be illustrated by examples of the management of refugee immigration in this period. Intense anxiety within the Home Office over the short-term admission of persons who might seek permanent settlement, is shown in the Aliens Department's insistence on thorough investigation by

passport control officers. This was considered essential even before such desired immigrants as refugee industrialists could be allowed on brief visits to discuss investing in the UK. From the end of September new pressure for refugee admissions came from Czechoslovakia after the Munich crisis, and led to new visa restrictions, and a new crop of port refusals. The Home Office policy of admitting large numbers of refugee domestics produced voluminous casework: here the Home Office delegated pre-selection to refugee organisations and reduced UK controls in order to save administrative effort; however, there was no question of surrendering the principle of pre-selection itself, and in certain respects it was intensified. The stringently-maintained policy of pre-selection also gave refugees a motive to try to evade immigration controls: if caught, they were sent back to the Continent. By October 1938 it was apparent that restriction could only be said to be working, in the sense that it was keeping out the majority of refugees who wished to enter the UK. Admissions were running at the rate of something between 75 and 100 a day. Neither the Home Office nor the refugee organisations could cope with the ever-increasing pressure of casework, despite efforts to spread the burden to other departments, such as the police. The system had become a vast bottleneck, holding up all the cases that passed through it and excluding many persons the Home Office was prepared to admit.\footnote{See Sherman, op. cit., pp. 124-5, 131-2, 155-8.}

Pre-selection and refugee industrialists.
The policy of limited absorption was being implemented, and a minority of refugees had been permitted to settle in
Britain. For example, out of 142 refugee medical practitioners who had been allowed to work in private practice, 66 had their conditions revoked by September 1937. As the pressure for more generous refugee admissions intensified in the course of 1938 the Home Office insisted that the cases of persons who might seek permission to remain permanently must be scrutinised with the utmost care before they were permitted to set foot in Britain. Thus, pre-selection was linked to absorption.

The policy of elaborate prior scrutiny was applied to the immigration of refugee industrialists in the summer of 1938. Government policy of encouraging investment and job-creation in the depressed areas of the UK, had led to a policy of fostering the immigration of refugee industrialists. This topic has been the subject of extensive research by Herbert Loebl, himself a refugee industrialist from Germany. The background to the episode under consideration here will be outlined in this and the following paragraphs by summarising relevant points in Loebl’s recent article on the subject.

Analysis of statistics collected by Aliens Tribunals in 1939-1940 shows that one third of adult male refugees from Germany and Austria, perhaps 4,000 persons, had been manufacturers prior to emigration. Although by no means all continued as manufacturers in the UK, nevertheless, by 1947 refugees were recorded as having established 1,000 firms.

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125 TB Williamson (Home Office) to R Derenburg (JRC) 2 Sept 1937, PRO HO 213/255.

the majority of which are thought to have been started by emigrants from the Reich\textsuperscript{127}. Refugee manufacturers entered the UK from the early days of the exodus from Germany and 111 persons described as manufacturers were recorded as having arrived in 1933\textsuperscript{128}. From 1935 they received official encouragement. The Ministry of Labour claimed in September 1936 that refugees had established industries which had given employment to more British subjects than the total number of refugees from Germany then living in the UK\textsuperscript{129}. Loebi dates the first invitation from the government to refugee manufacturers to a statement made by a minister in the House of Lords in March 1935, that no obstacles would be placed in the way of individuals who might wish to set up factories in areas of high unemployment\textsuperscript{130}.

At the end of the previous year, the first Special Areas Act had been passed, setting up Commissioners for the Special Areas of England and Wales and for Scotland, to attract new industries to designated parts of depressed areas, where unemployment figures compared even more unfavourably with the national average than before 1929. Domestic manufacturers were slow to respond. In October 1935 the government agreed, for electoral reasons, that the Special Areas Fund could be used for factory construction in three specified industrial estates, and in March 1936 the

\begin{itemize}
  \item \textsuperscript{127} Ibid., pp. 379-80, (citing figures collected by Austin Stevens, in The Dispossessed. German Refugees in Britain, London 1975).
  \item \textsuperscript{128} Neiderland, op. cit., p. 59.
  \item \textsuperscript{129} Sherman, op. cit., p. 73.
  \item \textsuperscript{130} Loebi, 'Refugees from the Third Reich', op. cit. p. 381; Lord Londonderry (Lord Privy Seal), Hansard, House of Lords, vol. 98, col. 999, 31 Mar 1935.
\end{itemize}
government agreed to encourage new industries to locate in the Special Areas. In the same month, Cooper not only accepted a Ministry of Labour suggestion that prospective foreign investors should be led to believe that their applications might be refused unless they agreed to go to the Special Areas, but went further, and planned to bring pressure to bear in some cases. Board of Trade representatives, however, argued for caution, and it was decided merely to inform applicants that location was a factor taken into consideration. The Home Office nevertheless contrived to let it be known in Germany, and later in Austria, that delays could be minimised for applicants willing to go to areas of high unemployment. Cooper also told the Commissioners that permission would be granted more readily in such cases, thereby becoming, as Loebi points out "the first government department to attempt to implement a location of industry policy". In February 1937 the Home Office decided to put foreign manufacturers in direct contact with the Commissioners, who could offer them advice and assistance, and encouraged the Commissioners to provide finance in cases where the applicant's capital was inadequate. An official recruitment drive among refugees developed, conducted in conditions of extreme confidentiality which were designed to deceive the German authorities, who wished to prevent industry going abroad. Jews in central Europe who had not thought of becoming manufacturers previously began to work up such applications in their search for refuge. By February 1939 the Home Secretary reported that 200 out of 300 firms established by refugee manufacturers were located in the depressed areas.

Correspondence in the papers of Anthony de Rothschild shows that Jewish leaders expressed discreet support for the policy of encouraging refugees to go to the Special Areas, and agreed to provide financial assistance for individual cases on their merits. In late 1936, a confidential meeting took place at New Court, between Anthony de Rothschild, several of his friends, and a businessman called H Powys Greenwood. Greenwood had made an unofficial approach which led to this meeting, at the suggestion of Sir Frederick Leith-Ross of the Treasury, with the aim of exploring whether the participants would give encouragement, financially or otherwise, to the settlement of Jewish refugees in the depressed areas. De Rothschild and his friends not only promised financial support but endorsed a policy of discreetly publicising British liberality in the issue of permits for refugees going to the depressed areas, and planned to assist in furthering and disseminating information about the idea, taking care not to alert the German authorities. The meeting's outcome was subsequently reported by Greenwood to the Assistant Secretary at the Ministry of Labour dealing with the issue of permits. Greenwood had said that he would report back to Leith-Ross, but de Rothschild was embarrassed to learn that a report of the confidential meeting had circulated between several Whitehall departments, including the Home Office, one of

132 Greenwood to de Rothschild, 29 Nov 1936, Greenwood to RG Somervell (Ministry of Labour), 9 Dec 1936, RA XI/35/46. Also present were Stephany (non-Zionist co-secretary of the CBF), Paul Lindenberg, Lord Bearsted, Sir Robert Waley-Cohen, Max Warburg the Hamburg banker and Mr Lucas of The New Trading Co.
which was arranging a discussion about it\textsuperscript{133}. Schiff, who had not known about the meeting, sent a letter of reassurance to Cooper on de Rothschild's behalf, playing down the significance of the meeting, reassuring him that no challenge was intended to the policy of considering all cases on their merits, and telling him that de Rothschild had only agreed to talk to Greenwood at the suggestion of Sir Neill Malcolm, High Commissioner for Refugees\textsuperscript{134}. The Ministry of Labour official who had circulated Greenwood's report wrote reassuring de Rothschild that his purpose had been to obtain a decision on whether the meeting called for any alteration in government policy on the issue of permits\textsuperscript{135}. More research would be required to establish a causal link between this offer of Jewish support and the Home Office's sudden change to a policy of active recruitment of German manufacturers, but it seems highly probable. German restrictions and depredations greatly reduced the capital which emigrating Jews could take out, while financial support from Anglo-Jewish leaders for refugee manufacturers would appeal to the Home Office, even if expressed more informally than in the guarantee of 1933.

In the course of negotiations with numerous potential refugee investors, many of whom were still in Greater Germany, the Commissioners invited some of the more promising prospects to come over to the UK for exploratory interviews. In July 1938 the Home Office refused to grant a

\textsuperscript{133} De Rothschild to Greenwood, 6 Jan 1937, Greenwood to de Rothschild, 10 Jan 1937, \textit{ibid.}

\textsuperscript{134} Schiff to Cooper, 8 Jan 1937, \textit{ibid.}

\textsuperscript{135} Somervell to de Rothschild, 13 Jan 1937, \textit{ibid.} See also de Rothschild, note of telephone call from Greenwood, 18 Jan 1937, Greenwood to de Rothschild, 26 Jan 1937, \textit{ibid.}
visa to a refugee who had been invited over by the Commissioners for England and Wales with a view to setting up a factory on the Treforest Trading Estate in Wales. This rebuff was followed up in August by Cooper, who cited the case of another refugee who had been allowed to land for four weeks on the basis of such an invitation, and now wished to stay for at least another six months "which I am afraid means for keeps" 136. Cooper told the Commissioners that they would embarrass the Home Office if they invited foreign persons over for interviews without preliminary investigation of their cases abroad, and it subsequently turned out that either applicant or proposal were unsatisfactory. He asked for applications of this nature to be referred in the first instance to the Home Office.

Referring to unhappy experiences in a recent case, he warned that, having once gained entry, such persons were likely to claim that they were refugees:

These unfortunate German Jews get up to all sorts of dodges in order to gain a footing in this country, and as I have already said, once they are here they become refugees who cannot be got rid of." 137

The Commissioners had already altered their practice in response to Home Office pressure and were referring refugee applicants abroad to the PCO 138. Cooper's disillusioned reflections on the lengths to which Jews would go in the quest for refuge underline the desperation of Jews in the Reich: unsuitable candidates were bound to be attracted to the limited number of categories for entry which remained.

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136 Cooper to Roberts, 23 Aug 1938, PRO HO 213/270.
137 Ibid.
138 See correspondence between Home Office and Commissioners for the Special Areas (England and Wales), Jul-Aug 1938, PRO HO 213/270.
The Czech crisis

The Home Office remained fully committed to the visa system, notwithstanding the impossibility of handling visa applications expeditiously with the resources available. The Czech crisis of September 1938 produced a new crop of refugees, who had fled into what remained of Czechoslovakia after the Sudetenland was ceded to Germany under the Munich Agreement. People from Czechoslovakia started to seek refuge in the UK, but only a small number arrived at the ports, so demand for entry did not create a large-scale problem for port controls. The Home Office had been told that the GJAC was very hard pressed and could not accept responsibility for refugees from Czechoslovakia. Holderness considered it inevitable that visas would be reintroduced for holders of Czechoslovak passports. It was not, however, possible to bring this change into force immediately, as denunciation of the existing visa abolition agreement required three months' notice from a quarter day. Accordingly, on the first possible date, the Czech government was notified that visas would be required from 1 April 1939. In the interim, Holderness warned that Czech nationals risked being closely interrogated and quite likely refused admission at the ports.139

The plight of refugees from Czechoslovakia, for which British policy was acknowledged to be partly responsible, raised new issues. A burst of new voluntary initiatives to aid refugees in Czechoslovakia were launched in the UK. The

139 Holderness to Mallet, 2 Nov 1938, PRO FO 371/21586, C13325/11896/12, f.253.
Treasury and Foreign Office became embroiled in the provision of financial, political and logistical support for Czech government efforts to arrange refugee resettlement. This episode is dealt with in chapter five. Here, it should merely be emphasised that the new Czech refugee problem did not have an immediate impact on policy towards refugee admissions in general. The Home Office was not prepared to admit large numbers of refugees from Czechoslovakia. Makins agreed that no departure from "normal policy" on refugees should be made in the case of Czechs\(^{140}\).

**New procedures for domestics**

While the Home Office remained wedded to the visa system and the principle of pre-selection, it was prepared to ease procedures to allow large scale entry of refugees, in order to meet the apparently inexhaustible demand for women to work as resident domestics in private households. Tony Kushner, in an important recent article, has pointed out that in fostering the immigration of refugee domestics, the government was acceding to middle-class pressure for more domestic servants, and overriding trade union objections to foreign labour\(^{141}\). Domestic service became the main avenue for the admission of adult refugee women for employment. As Kushner has emphasised, over one third of all refugees who came to the UK in the 1930s came as domestic servants, the vast majority being women. Of an estimated total of 20,000 refugee domestic servants, 14,000 entered in the last year.

\(^{140}\) Makins, minute, 27 Oct 1938, PRO FO 371/21585, C12940/11896/12, f. 47.

\(^{141}\) Tony Kushner, 'An Alien Occupation - Jewish Refugees and Domestic Service in Britain, 1933-1948', Mosse *op. cit.*, pp. 553-577, esp. p. 561. The statistics in this paragraph are drawn from Kushner.
before the war. This category of immigration accounts for the fact that the majority of refugees who came to the UK from Germany and Austria - some 55% - were women. Most refugee women were admitted for basic domestic work; a small number had permission to work in private homes as housekeepers, companions, nursemaids and governesses.

In 1938 the Home Office decided that admissions of refugees for domestic service should be expanded, and that year the numbers increased dramatically. The expansion was linked to the development of special procedures. Changes were introduced to the conditions imposed on foreign domestics, both on entry and after entry. The essential alteration was that domestic servants would not in future be placed on time conditions, but on occupational conditions restricting them to domestic service, a change designed to reduce the administrative burden of casework, while maintaining sufficient control over refugees. Procedures for selection of refugee domestics abroad were also modified to give refugee organisations greater control over admissions.

Changes in entry conditions were discussed in April 1938, and detailed planning commenced in July. The alterations

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142 This author's mother and maternal grandmother entered the UK by the avenue of domestic service from Vienna in 1939.

143 For a statement of Home Office policy see Holderness to Reilly, 27 Oct 1938, PRO FO 371/22535, W14096/104/98, f.415; this was incorporated in the statement of British policy to the IGC. Winterton, 'Disposal of refugees coming from Germany and Austria. Statement by the United Kingdom representative', L.I.C.14., 1 Nov 1938, 'Intergovernmental Committee to develop and continue the work of the Evian meeting', PRO FO 371/22536, W15029/04/98, f.236, para. 4.
came into effect in two stages. September saw a change, aimed principally at refugees from Germany or Austria, but also covering non-refugees, including many domestics. It affected aliens already admitted for temporary purposes, who would originally have been admitted on time conditions and also possibly conditions against employment. In future, should they apply for permission to take paid employment or engage in business, if there was no objection to their remaining to work, the time limit would be cancelled. At the same time a new "occupational" condition would be imposed, restricting the taking of any employment or engaging in any business, profession or occupation without Home Office authorisation\(^{144}\). In mid-November the same underlying principle was extended to persons authorised to take paid domestic employment, both on entry and when applying for extensions. Passengers who established on arrival that they were authorised to take domestic employment, would in future not be subject to a time condition, but only the "occupational" condition not to enter any employment other than as a resident in service in a private household\(^{145}\). Similarly, foreign domestics who applied for prolongation of their stay, if they had been in the country less than three years, would have their time conditions cancelled and be

\(^{144}\) Home Office circular to Chief Constables, 21 Sept 1938, PRO HO 213/4.

\(^{145}\) They established authorisation by producing either Ministry of Labour permits or visas authorised for domestic employment and marked "Instructions R". They were also of course required to register with the police.
made subject to the identical occupational condition\textsuperscript{146}. The new procedures also achieved a saving of clerical labour, since immigration officers had to furnish reports when landing aliens on time conditions, but not in cases where only a "no employment" condition was imposed.

The legality of the practice of introducing conditions of a type not imposed on entry, in the process of variation of landing conditions, was queried in 1944 by the Home Office legal adviser, making specific reference to the pre-war modification of conditions applied to domestics. Officials concluded that the Home Secretary had purported to exercise powers beyond those contained in the Aliens Order, and that the imposition of new conditions had therefore in many cases been ultra vires, and was thus unenforceable. The weakness was not disclosed to refugees. A correcting amendment to the Aliens Order proposed by a Home Office official in October 1946 did not progress beyond a draft\textsuperscript{147}.

Domestics whose time limit was removed were told that their stay was conditional on good behaviour, and that the Secretary of State reserved the power to require them to

\textsuperscript{146} The form of words was as follows: "The condition attached to the grant of leave to land is hereby varied and in so far as it limits the holder's stay in the United Kingdom is cancelled. The holder is not permitted to enter any employment other than as a resident in a private household." Home Office circular to Chief Constables, 9 Nov 1938, W Jagelman to JE Duff, 11 Nov 1938, Ralfe (Chief Inspector of Immigration) to HM Ports, 15 Nov 1938. Passport Control Department, circular No S.5606, 'Domestic servants', 26 Nov 1938, PRO HO 213/4.

\textsuperscript{147} Parkinson, 'Memorandum on the subject of the variation by the Secretary of State of conditional landing, imposed by the Immigration Officer', 5 Oct 1946, PRO HO 213/601. A minute on the subject was produced by the Legal Adviser in Jul 1944; this issue is discussed at more length in this author's unpublished, 'British attitudes towards Jews in the Post-War Period', February 1988.
leave the country at any time if he thought fit. They were also warned against making unduly frequent changes of employment. The police were instructed to make regular checks, as opportunity presented itself, and, in any event, at least once a year, to ensure by discreet interrogation that employment conditions were being complied with148.

The Home Office planned that the police should reduce the pressure of refugee work on the Aliens Department by taking on the task of dealing with the cancellation of time conditions of refugee domestics. For reasons of speed, the Home Office asked the police not to wait for refugees to present themselves, but to write to all those registered in their districts. Chief Constables outside London agreed to co-operate, but opposition came from the Metropolitan Police Commissioner, Sir Philip Game, who objected to the scale of the work involved, and claimed that it risked "further slowing up a machine which already rivals the mills of God for slowness". Introduction of the proposed police involvement was held back, and the plan finally abandoned in August 1939149. Game had also raised political objections, warning of likely adverse publicity, if it became known that large numbers of refugees were having their time conditions cancelled, without the decision having gone through Parliament. The Home Office had no wish to draw public attention to the changes in conditions. Economic competition with Germany, over a scarce form of labour in this instance, provided an additional reason for avoiding publicity, since

148 Ibid.

149 Game to Maxwell, 6 Dec 1938, PRO HO 213/5; Home Office correspondence with chief constables and the Metropolitan Police, Nov 1938 to Aug 1939, ibid.
it was not thought desirable to draw the German government's attention to the easing of conditions for alien domestics generally, which would diminish the effectiveness of German steps to recall Reich nationals from domestic service abroad.\textsuperscript{150}

The underlying principle behind these changes, according to W Jagelman of the Home Office, was that

in the case of a foreigner to whose indefinite stay in this country there is no objection, there is no real purpose in reviewing his case at intervals as hitherto under a time condition, and all that is really necessary is to control his activity.\textsuperscript{151}

He added that in refugee cases, apart from persons in transit, the removal of time conditions would normally take place at a much earlier date than in other cases,

for once it is definitely established that the foreigner is in fact a refugee and that plans for his future have been made to which the Home Office can agree, it follows that there is no objection to his indefinite stay.

If the foreigner had already been in the UK more than four years, the time condition should simply be cancelled without imposing an occupational condition. However, as regards those who had been in the country less than three years, and who would now be subject to an occupational condition, cancellation would not be granted in future.\textsuperscript{152} The changes meant that more recent refugees would gain exemption from time conditions earlier than most aliens who had permission to work, who had to wait four years; however, their prospects of being granted unconditional leave would be

\textsuperscript{150} Ibid.; Holderness to Maxwell, 16 Dec 1938, PRO HO 213/5.

\textsuperscript{151} Jagelman to JE Duff, 11 Nov 1938, PRO HO 213/4.

\textsuperscript{152} Ibid.
postponed indefinitely. They were thus chained to domestic service by the occupational condition. Few women remained in domestic service if they had an alternative: most refugees entered it only to escape from the Nazis. Home Office officials were aware that it would not be possible to keep refugees indefinitely in such posts, but they hoped to tie them to such work for a few years at least.\footnote{See Holderness to Martelli, (Governor of Jersey) 4 Jul 1938, PRO HO 213/281.}

The reasoning behind the changes shows that the Home Office was planning absorption of refugee domestics into the labour force, and expected that many refugees would remain permanently. By moving to imposition of occupational conditions only, while not removing time limits in future, they were, however, treating more recent arrivals as migrant labour, rather than as prospective permanent residents who would become free of all conditions after four years. The contradictions in the Home Office approach flowed from simultaneously aiming to expand sources of domestic labour and to avoid public admission that refugee domestics would constitute a permanent addition to the population. Thus the largest single category of Jewish refugees admitted to the UK were made subject to conditions which were not expected to last, in an occupation in which they were not expected to remain; further, the conditions themselves were in some cases probably invalid.

The exodus from domestic labour was rapid. It was greatly accelerated by job losses at the outbreak of war, internment and new war-time employment opportunities. By the war's end few refugees remained in domestic service; it became one of
the rare avenues by which Jewish survivors in Europe might enter the UK. As Kushner points out, British enthusiasm for this form of immigration did not prevent a significant rate of pre-war refusals, estimated at 15%, partly accounted for by applicants who fell outside the age limits. The story of the admission of refugee domestics, as Kushner also emphasises, strikingly embodies both the humanitarian elements and the deeply self-interested side of British policy.

The role of refugee committees in selecting domestics

The refugee organisations became heavily involved in investigating applicants for domestic service at the request of the Home Office. It was agreed in principle in August 1938 that the Co-ordinating Committee should establish an office in Vienna to investigate visa applications from refugees, including domestic servants. The decision followed complaints about the entry of unsuitable refugee domestics, whom refugee committees were having to maintain if their employment arrangements failed for any reason. The change was designed to give refugee committees control over the suitability of entrants: there had been continuing pressure from the refugee organisations for such powers. The problem was reflected in complaints from the Co-ordinating Committee in October that the Home Office was admitting refugees without the approval of its constituent members.

When the new arrangements for domestic service cases were finalised in October 1938, it was decided to move processing

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of all applications from refugees to be admitted for employment from the Ministry of Labour to the Home Office. The Ministry would refer prospective employers of refugee domestic servants to the Co-ordinating Committee, whose Domestic Bureau would make recommendations. Approvals from the Domestic Bureau would now be the basis for Home Office visa authorisations. The projected Vienna office of the Co-ordinating Committee had not been set up (it never was set up), and so the suitability of domestic applicants in Austria would be investigated either by the Kultusgemeinde (the Jewish communal organisation in Vienna) or by the Society of Friends. If they reported favourably, a visa would be authorised, subject to the usual requirements. Married women might be allowed in if the Co-ordinating Committee in London accepted responsibility for making suitable arrangements for the future needs of their families. If the refugee organisations refused to support a case, the application would be referred. In addition, the issue of visas to applicants whose employment had already been approved by the Ministry of Labour under the old system, and a permit granted, would be subject to another level of checks. Such applicants should be "closely interrogated" by the PCO to ascertain whether or not they were potential refugees. If there was "any ground whatsoever for believing that the person was a potential refugee", the case would be held up until investigated and approved by the Domestic Bureau. The new system gave the refugee bodies

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156 Jagelman to Ormerod, Neden and Jeffes, 21 Oct 1938, PRO HO 213/99; for the Ministry of Labour side of these arrangements see PRO LAB 8/82 and LAB 8/83; for Co-ordinating Committee policy on the selection of domestics in 1939, see, 'Report by Mrs Beer on her recent visit to Germany', Minutes of Co-Ordinating Committee meeting, 1 May 1939, PRO 213/268.
more control over admissions. The Home Office thought the Domestic Bureau did a better job of investigating refugee applications than the Ministry of Labour. Home Office officials took a tolerant view of the evident unsuitability and lack of enthusiasm for domestic work demonstrated by many entrants. The quality of domestic applicants was, however, a source of controversy. Jeffes, returning from a tour of European passport control offices, complained to Cooper in June 1939 about the "bad type of refugee" he had met in Vienna, in possession of authorisations from refugee committees and of Ministry of Labour permits (which had still not been entirely phased out). He had interviewed several women with domestic service permits "who were so filthily dirty both in their person and their clothing that they were utterly unfit to go inside a decent British home". Jeffes also passed on a query from Berry, the PCO in Vienna, asking how to deal with applicants who clearly had no intention of remaining in domestic work. The Home Office was, however, well aware that the refugees were "not domestic types"157.

Advisory committees

Several expert advisory committees were set up to advise the Home Office on the admission of refugees in professional occupations. The admission of refugee doctors from Austria produced a difference of opinion: a Medical Advisory Committee, composed of British doctors and representatives of refugee organisations, insisted that the numbers allowed in

157 Jeffes to Cooper, 5 Jun 1939, with marginal notes by Home Office official, Cooper to Jeffes, 15 Aug 1939, PRO HO 213/107; See also Parkin, memorandum, 'Visas for United Kingdom granted to refugees', 8 May 1939, PRO FO 371/24100, W7740/3231/48, f.63; for admission of refugee domestics in 1939 see Kushner, 'An Alien Occupation', pp. 563-565.
should not exceed 50 (selected from about a thousand applicants), who would be admitted for two years' study and subsequent admission to practice; Hoare, the Home Secretary, wished to admit 500\textsuperscript{158}. Hoare did not feel able to override the opposition, but retained enough of a sense of grievance to refer to the dispute in his memoirs\textsuperscript{159}. From August 1939 advice about the admission of foreign psychoanalysts and other practitioners of psychological medicine, was obtained through informal arrangements with the Tavistock Clinic in London\textsuperscript{160}.

An objection was received from a Jewish professional organisation in early 1939, when the Jewish Medical and Dental Association opposed the training of refugee doctors at the British School of Osteopathy, which, they claimed had been the subject of adverse criticism by a House of Lords select committee; they said they feared losing the sympathy of official medical opinion. Existing Home Office policy was to allow in small numbers of practitioners from America, to raise the low standard of osteopathy in the UK, and although a few refugee applicants were refused, the policy was modified in principle in August 1939, to allow a maximum of 20 refugee students to train at the school, with a view to establishing themselves in the UK when qualified\textsuperscript{161}.

\textsuperscript{158} MG Russell, memorandum, 15 Mar 1939, PRO HO 213/261.

\textsuperscript{159} Hoare, \textit{Nine Troubled Years}, London 1954, p 240.

\textsuperscript{160} See Dr HV Dicks, (Assistant Medical Director, Tavistock Clinic) to Jagelman, 9 Aug 1938, MG Russell, memorandum, 6 Nov 1938, PRO HO 213/342.

\textsuperscript{161} Russell, minute, 10 Mar 1939, "SB", minute, PRO HO 213/260.
Illegal entry and pressure for change

The vast majority of refugees felt they had no alternative but to pursue efforts to emigrate through the normal channels. Nevertheless, a few attempted to evade immigration controls. If caught, they were dealt with sternly. Three Austrian Jewish refugees who had fled in March 1938, and reached Bristol as stowaways in July, were sent back to France, despite support from Members of Parliament and offers by a Bristol Jewish congregation to pay their passage to South America. In August 1938, three refugees who had entered without were imprisoned by a London magistrate who also recommended them for deportation. In August 1939 five Jewish stowaways off a ship from Antwerp were prosecuted, remanded in custody, recommended for deportation and deported; a German and an Austrian refugee, having crossed the channel in a ten-foot dinghy which had capsized, were deported to Belgium following their rescue. Refugees also attempted to enter the UK with false documents, which were being manufactured in large quantities in Europe.

People who broke the law to help refugees included a British woman who, having come by air from Rotterdam in the summer of 1938 was arrested and prosecuted by Customs for attempted smuggling into Britain of jewellery belonging to Jewish friends in Vienna. The prosecution was intended to deter


163 Sherman, _op. cit._, pp. 125-127.


165 A German refugee was caught attempting to enter at Folkestone on a Czech passport. US Consul, Alexandria, to State Department, 8 Sept 1938, US National Archives, Washington, RG 59, 040.48 Refugees 830.
smuggling by and on behalf of refugees from Germany, which was said to be prevalent. Schiff, however, made representations on behalf of the woman, a worker with the GJAC, claiming that publication of her name would prejudice negotiations for the establishment of an emigration office in Vienna: he offered guaranteed payment of any compromise fine which might be imposed. Support for leniency came from both the Home Office and Foreign Office, and Customs agreed to have the prosecution withdrawn.\footnote{JS Sutton to Chancellor, 1 Sept 1938, Wardle to Makins, Hayter to Cooper, 2 Sept 1938, Cooper to Hayter, 3 Sept 1938, PRO FO 371/22573, W11929/11929/98, f.198.}

The demand for refuge in Britain was running at a very high level, increased by the refugee problem in Czechoslovakia. In mid-October 1938 representatives of the refugee organisations told the Home Office that the system was at breaking point. Although refugee organisations were acquiring a greater measure of control over admissions through such measures as processing would-be domestics, they still lacked the administrative capacity to cope with the caseload, nor would the government give them the extra funds they needed.\footnote{See \textit{Jewish Chronicle}, 9 Dec 1938, pp. 7, 21; Bentwich, \textit{They Found Refuge}, pp. 54–55.} The Co-ordinating Committee claimed, in a letter to the Home Office, that there was "a complete breakdown on the official side, of the policy of selected immigration through the voluntary organisations". When a complaint that the government was admitting persons not previously authorised by the voluntary committees was aired by a Co-ordinating Committee deputation on 20 October,
Winterton found himself defending the Home Office's right to admit aliens not approved by the refugee bodies.\textsuperscript{168}

The government's waning ability to deal with the volume of work since the Anschluss is indicated by figures of pending visa applications, which by the third week of November 1938 showed a backlog of 10,000 cases.\textsuperscript{169} The volume of admissions had increased from 200 per week in September to 100 per day in October.\textsuperscript{170} The Home Office tried to enlarge its staff in order to deal with the greatly expanded workload. The Home Office establishment officer requested Treasury sanction for additional staff in order to avoid delays, stating that in the second quarter of that year the work of B Division showed an increase of 25 per cent over the first quarter, and an even greater increase during the third quarter.\textsuperscript{171} The request - for the loan of a mere five experienced immigration officers from the ports for up to two years - was promptly granted, and further small-scale additions to the Home Office establishment were sanctioned, but the problems remained.\textsuperscript{172} In October Winterton told Malcolm MacDonald of the tremendous pressure at the Home Office: "hundreds and thousands of applications" had been received for entry, but it was "impossible to grant more than a proportion of them."\textsuperscript{173}

\textsuperscript{168} Sherman, \textit{op. cit.}, pp. 155-158.

\textsuperscript{169} \textit{Ibid.}, pp. 213-214.

\textsuperscript{170} Roche, \textit{op. cit.}, p. 27.

\textsuperscript{171} Whitley to Secretary, 1 Sept 1938, PRO T 162/847/E20500/3.

\textsuperscript{172} See correspondence between Home Office and Treasury, Sept 1938 - May 1939, \textit{ibid.}

\textsuperscript{173} Winterton to MacDonald, 18 Oct 1938, PRO FO 371/22535, W13882/104/98, f.366.
CHAPTER 4:
FROM KRISTALLNACHT TO THE OUTBREAK OF WAR, NOVEMBER 1938 TO SEPTEMBER 1939

Policy

It was only after Kristallnacht in November 1938 that means were found of making major inroads into the delays caused by selection of refugees abroad. The Cabinet had at last considered the question of entry to the UK and a decision was made to expand the UK's role as a temporary refuge. The Prime Minister, Neville Chamberlain, played a crucial part in bringing the Cabinet to recognise that this step should be taken, notwithstanding the various other initiatives which were being pursued on the refugee problem. Hitherto, Chamberlain has not received sufficient credit for his insistence that the search for long-term solutions should not preclude urgent relief to refugees.

Kristallnacht

These changes were preceded by a further expansion of the scale and urgency of the refugee problem. In late October the German government resorted to mass expulsions to the Polish border, as a means to get rid of resident Jews of Polish nationality who would shortly be rendered stateless, as a result of recent moves by the Polish government. In March, the Poles had brought in a new decree, aimed in particular at Jews of Polish nationality living in Germany, which it interpreted in such a way as to denaturalise Polish Jews who had lived abroad for more than five years with effect from the end of October 1938. On 28 October, the German government launched a counter-offensive, with a round-up of some 10,000 Polish Jews, who were transported to
the Polish border. They could not proceed into Poland and were obliged to stay, in inhuman conditions, in a no-man's land on Polish soil at a place called Zbonszyn, where Polish border guards barred the way forward and the Germans the way back. Some of the expellees died, others lost their reason, the fate of the rest remaining uncertain. Later, most were admitted to Poland.

This crisis remained unresolved when events in the second week of November provided a yet more dramatic illustration of the plight of Jews in Germany. On 7 November 1938, a caller at the German embassy in Paris had fired a pistol at Third Secretary, Ernst vom Rath. Vom Rath's assailant was Herschel Grynszpan, a Polish Jew living in France. At this time Grynszpan's own position in France was illegal, and an expulsion order had been issued against him. Grynszpan was aged 17. His parents, who had lived in Germany since 1914, had been caught up in the expulsions to the Polish border; he had known this information at the time of the shooting.

On 8 November, vom Rath died of his wounds. The assassination was denounced in Germany with torrents of menacing abuse against Jews, and wild allegations that British politicians were implicated in the attack. Fearful that a pogrom was about to start, Jewish leaders in Germany sent an eleventh-hour plea to the British government to try to prevent the impending violence, by selecting "some prominent non-Jewish Englishman to go to Berlin"

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1 See Dawidowicz, op. cit., pp. 135-136; Wilfred Israel had predicted some such action. See Makins, minute, 14 Oct 1938, PRO FO 371/22535, W3823/104/98, f.348.

immediately"³. The cry for help was delivered by no less a person than Weizmann, but officials in London and Berlin agreed that to attempt action on these lines would achieve nothing, that it would, if anything, make matters worse for Jews in Germany, and that to meddle in "a wasps nest" could only detract from British prestige⁴.

The murder of vom Rath provided the pretext for an outburst of violence against Jews in German territory on the night of 9 November. This date became known as Kristallnacht (night of broken glass), from the great quantities of glass broken in violent attacks on Jewish homes and businesses. These incidents, which erupted simultaneously throughout Germany and Austria, were orchestrated by the German authorities⁵. Thousands of male Jews were arrested and taken to concentration camps. A certain number had subsequently been released, so the British Chargé d'Affaires in Berlin, George Ogilvie-Forbes, reported, "if they can prove that they are in a position to leave the country forthwith"⁶. The Foreign Office received a stream of telegrams and reports from Ogilvie-Forbes and British consular officials with details

³ Strang to Ogilvie-Forbes, no. 521, 9 Nov 1938, PRO FO 371/21636, C13660/1667/62, f.234.
⁴ Ibid., Ogilvie-Forbes to Strang, no. 662, Cadogan, minute, 10 Nov 1938, PRO FO 371/21236, C13661/1667/62, f.236.
⁶ Ogilvie-Forbes to FO, no. 679, 12 Nov 1938, PRO FO 371/21637, C13815/1667/62, f.15.
of the way Jews had been ill-treated. From Vienna, Gainer reported three waves of arrests of Jews trying to visit the British consulate. The official instructions for action against the Jews issued by Reinhard Heydrich, head of the SS (Schutzstaffel - Defence Corps), shortly after 1 a.m. on 10 November, stated that Jews ordered to be arrested and taken to concentration camps should not be ill-treated. Subsequently the German government issued denials that Jews had been harmed: these were contradicted by reports of physical violence against thousands of Jews. Nearly 100 Jews were murdered, and many committed suicide. About 30,000 male Jews were taken to concentration camps.

The persecution in Germany, so Ogilvie-Forbes observed, was "on a scale and of a severity unprecedented in modern times". Within hours of the start of the violence, the head of the Foreign Office's Central Department, William Strang, was convinced that the pogrom in Berlin had been

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9 For Heydrich's instructions to the State Police and SD (Sicherheitsdienst - Security Service), under the heading 'Measures against the Jews tonight', issued at 1.20 am, on 10 Nov 1938, see ed. Y Arad et al., Documents on the Holocaust, Jerusalem 1981, pp. 102-4.


11 Ogilvie-Forbes to Halifax, 16 Nov 1938, PRO FO 371/21637, C14108/1667/62, f.144.
planned by the German authorities. The Foreign Office concluded that the violence was the work of the government, but uncertainty was felt about the distribution of culpability between different elements within the German leadership. Makins, for example, saw no reason to disbelieve a report that Goering and the Ministry of Economics wished for milder policies towards the Jews and wished to negotiate with Rublee, director of the IGC, but had decided to acquiesce in violence for which Goebbels was responsible.

By 13 November the British government was informed of several measures of official punishment faced by the Jews of Germany in the aftermath of the violence, including the imposition of a fine of 13 million marks for destruction and damage which they were alleged to have provoked. Ogilvie-Forbes considered that these events had "only accelerated the process of elimination of the Jews which has for long been planned". He was sure the pogrom had been "instigated and ordered" by the German government. He also suggested that the proceeds of the fine should be used to assist Jewish emigration.

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12 Strang, minute of telephone conversation with Kirkpatrick (Berlin) at 7 pm on Nov 10, PRO FO 371/21636, C13728/1667/62, f.257.

13 Makins, minute, 16 Nov 1938, PRO FO 371/21637, C13836/1667/62, f.18.


15 Ogilvie-Forbes to FO, no. 681, 13 Nov 1938, PRO FO 371/21637, C13833/1667/62, f.23.
Reports of the violence in Germany led to outraged protests in the UK. One example of the letters of protest received at the Foreign Office was a resolution passed on 11 November 1938 by the Board of Studies in History of the University of London, recording "shame and horror at the unexampled barbarity of the concerted attack upon the Jews within the German Empire", and expressing "profound sympathy" with the victims. On 14 November, the Prime Minister said in answer to a parliamentary question that the government would be "taking into consideration any possible way by which we can assist these people".

The British Cabinet's response

First reactions

In the course of the next week, Cabinet ministers decided on significant alterations in the approach to refugee admissions. The records of their discussions show the importance of the part played by Neville Chamberlain in these decisions. Chamberlain became convinced that some effective action should be taken to alleviate the fate of Jews in Germany, and he had the necessary authority and support to obtain the assent of his colleagues. The Home Secretary proved to be the main obstacle. Chamberlain had seen the warning in a memorandum by Makins on 10 November that "it is very doubtful whether an increase in the number of Jewish immigrants into the United Kingdom would be

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16 WP Morrell, Secretary, University of London, Board of Studies in History, to Secretary of State, 11 Nov 1938, PRO FO 371/21637, C13827/1667/62, f.21.

welcomed by the Home Office". Records of Hoare's contributions to meetings of a Cabinet committee on 14 November and of the full Cabinet on 16 November confirm that such doubts were justified. Hoare expressed opposition to a more generous admissions policy. Chamberlain, however, persisted in the claim that the country was demanding action. At the meeting of the full Cabinet he favoured the expansion of the UK's role as a temporary refuge, and this became government policy.

The question of providing short-term refuge in the UK was one of several issues discussed by Cabinet ministers as a result of intensified persecution of Jews in Germany. The possibility of settlement in the colonial Empire, especially British Guiana, was also debated. Chamberlain insisted on maintaining the distinction between the immediate need for temporary refuge and long-term colonial settlement projects, which might provide permanent refuge for limited numbers only at an uncertain future date. As for the prospect of a useful outcome to the work of the IGC, Chamberlain had read advice from Makins, the expert on the IGC, that this now looked more dubious than ever. Chamberlain recognised the shortcomings of the IGC in his remarks to a Jewish deputation on 15 November, and he did not treat the IGC's programme as a substitute for immediate action. He rejected demands for denunciation of German internal policies, but would sound a disapproving note when he spoke on the subject in public. He also rejected proposals by certain ministers

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18 Makins, copy memorandum, 'Anti-Semitic Measures in Germany', 10 Nov 1938, PRO PREM 1/326. This is marked "PM has seen"; see also minutes on this memorandum by Cadogan (10 Nov) and Sir Horace Wilson (14 Nov).

19 Ibid.
that Britain should treat the demand that Germany modify her harsh internal policies as a bargaining-counter for readiness to discuss Germany's claims to her former colonies.

The admissions question came up on 14 November at the first meeting since June of the Cabinet Committee on Foreign Policy. The meeting had been called to discuss Anglo-German relations. The Foreign Secretary, Halifax, had wanted an urgent meeting, to review the worsening relationship with Germany, and the possibility of war. Ministers debated the unhappy state of diplomatic relations with Germany since Munich, discussing prospects of improvement and how the moderate element in Germany might be encouraged.

The speaker who raised the question of whether the government contemplated any specific response to Germany's persecution of the Jews was the Home Secretary. Hoare said he did not know how the question could best be dealt with but "unless something was done there were signs that the House of Commons and the country might get out of hand". Hoare indicated that he did not place hopes on the post-Evian initiative, noting that Germany had responded to the suggestion that she allow Jews to emigrate "by confiscating

20 Ministers present were the Prime Minister (in the chair); Halifax, Simon, Chancellor of the Exchequer; the Home Secretary; Malcolm MacDonald, Colonial and Dominions Secretary; Viscount Runciman, Lord President of the Council; Sir Thomas Inskip, Minister for Co-Ordination of Defence, and Oliver Stanley, President of the Board of Trade. Conclusions, Cabinet Committee on Foreign Policy, FP(36)32nd Mtg, 14 Nov 1938, PRO CAB 27/624.

their money". A brief debate ensued on whether British protests over recent outrages in Germany would alleviate the situation there, or produce a favourable effect on American public opinion. Hoare turned to the question of refuge, and raised the issue of the contribution which the USA could make to providing homes for refugees. It was known that the Americans' German immigration quota was fully earmarked for the next five years and could not be increased without legislation. It might, however, be possible to arrange for a transfer of part of the undersubscribed quota of 60,000 a year for British immigrants to the USA, of which only about 15,000 was being used, in aid of German Jewish immigration. Later in the meeting, at Hoare's urging, it was agreed that the idea be raised in Washington. The British Ambassador to the United States, Sir Ronald Lindsay, as instructed, put the idea to an unreceptive State Department official, and relayed back a negative response he had clearly expected. By 18 November the proposal had been labelled "not feasible".

Settlement prospects in the colonies and in Australia were also canvassed at the Cabinet Committee meeting. Another idea - to put pressure on Germany by refusing to discuss her colonial claims - was rejected. Hoare thought that if any issue should be tied to British readiness to negotiate on the ex-colonies, "it should not be the Jewish question but the settlement of the armament question". There was general agreement that no purpose would be served by convoking the Evian conference again, but Hoare's contributions on this

22 FO to Lindsay, no. 823, 16 Nov 1938, PRO FO 371/21637, C13994/1667/62, f.82; Lindsay to FO, no. 423, 18 Nov 1938, PRO FO 371/21637, C14092/1667/62, f.112; the idea of the retrospective and anticipatory use of unused British quotas was suggested by Wilfrid Israel. Makins, minute, 14 Oct 1938, PRO FO 371/22535, W3823/104/98, f.348.
issue were inconsistent. Early in the meeting he said that he had been advised that reconvening the conference would serve "no useful purpose". Later, in the course of a discussion on imposing economic sanctions on Germany, he proposed a summoning of the Evian conference, "on the initiative of the United States". This found no support. Chamberlain said he saw no purpose in re-convening the conference, if the only substantial proposal was the surrender of part of Britain's immigration quota.

Chamberlain said he had been surprised by the mildness of domestic pressure for the government to make protests or threats. To make empty threats, he argued, was futile, and at present the UK was "not in a position to frighten Germany". He preferred to emphasise another aspect of public opinion:

On the other hand there was a very general and strong desire that something effective should be done to alleviate the terrible fate of the Jews in Germany. Some such action, taken in collaboration with America, would ease the public conscience.

As regards Germany's colonial claims, Chamberlain was against laying down conditions. The most he would say was that it might become necessary to state that, in view of what was happening in Germany, the UK could not contemplate entering upon the conversations as had been intended.

Hoare's response was to revert to his suggestion of the quota transfer and to deplore American claims that they were admitting many Jewish refugees while Britain was "doing nothing". This, he said, was very far from the truth. A powerful and responsible Jewish organisation in London was dealing with individual cases at a cost of £5,000 a week and about 75 refugees were being daily admitted to this country. The organisation was anxious
that these figures should not be disclosed as they would be criticised both by those who would think them inadequate and by those who would regard them as excessive.

Halifax agreed that anti-Jewish prejudice might be easily aroused, and pointed to signs of antisemitic feeling in France. Stanley said he thought it a mistake to press the USA for a quota transfer, "unless we could say that we were taking some comparable action to admit German Jews into the United Kingdom". He also reported a conversation with Winston Churchill, who thought British policy should not be one of threats towards Germany but of assistance to the Jews, and favoured Jewish settlement in some British colony such as British Guiana. Chamberlain said he agreed, but that the opening up of an undeveloped tropical country was "a long and very expensive business". The settlement of 250,000 Jews in British Guiana had been proposed, "but it was quite clear that under the most favourable conditions the settlement of anything like this number must take a very long time". He added that the most suitable places for settlement of European Jews within the Empire were in the dominions. The meeting then turned to other matters, after arranging to follow up Hoare's quota transfer proposal23.

The following day Chamberlain heard submissions from Anglo-Jewish leaders on several aspects of the refugee problem, including Jewish emigration from Germany to the British Empire, when he received a deputation led by Viscount

23 Conclusions, Cabinet Committee on Foreign Policy, FP(36)32nd Mtg, 14 Nov 1938, PRO CAB 27/624.
Samuel24. Samuel, who had written earlier that day to ask Chamberlain for the meeting, came accompanied by the Chief Rabbi Dr JH Hertz, Viscount Bearsted, Lionel de Rothschild, Neville Laski and Chaim Weizmann25. The deputation estimated that there were still 500,000 Jews left in Germany, of whom 300,000 might emigrate if given the opportunity. They made several suggestions for increasing the rate of entry of Jewish refugees to the UK. Chamberlain was asked to facilitate the urgent temporary admission of children and young people aged up to 17 years for education and training, with a view to ultimate re-emigration. Jewish organisations in the UK would give a new collective guarantee in support of the entry of these young people and would take full responsibility. The deputation announced that the CGJ had launched an immediate appeal for funds, which for the first time would also be directed to non-Jews. Samuel also pressed Chamberlain to authorise the deployment of extra staff to deal with the emergency and reduce the "extreme congestion" in administration of refugee casework at home and abroad. Chamberlain responded by expressing deep concern and sympathy. On the question of extra staff, he said he assumed

24 Samuel had recently rejected Chamberlain’s invitation to join his Cabinet. For Chamberlain’s offer, on 25 Oct 1938, see Chamberlain to Ida, 22 Oct 1938, Neville Chamberlain Papers (hereafter NC), 18/1/1074; Samuel refused the next day. Samuel, Memoirs, London 1945, pp. 276-9; for Samuel on his work for refugees, see ibid. pp. 254-256.

25 Samuel to Chamberlain, 15 Nov 1938, Record of meeting, 15 Nov 1938, PRO PREM 1/326; the deputation’s visit was reported in the Jewish Chronicle, 18 Nov 1939, p. 16; it was also discussed by the Executive Committee of the CGJ. Minutes of Executive Committee Meeting on 17 Nov 1938, Archives of the Central British Fund for World Jewish Relief, (henceforth CBF), Reel 1, file 20; on this date the CGJ appointed a sub-committee to promote the migration of children on a large scale: this became the Movement for the Care of Children from Germany Ltd. See Movement for the Care of Children from Germany, First Annual Report, 1938-1939, PRO HO 213/302, p. 3.
that Samuel would take this up with the departments concerned. He said he felt any necessary steps would have been considered already, but he would gladly give his "benevolent interest" to any request for consideration of the point. He made no firm promises, however, and gave no specific response on the issue of the admission of young people. Weizmann made a separate request for a promise of eventual admission to Palestine for 6,000 young men at present in concentration camps in Germany, who might go to refugee camps in Holland in the interim, and for the immediate evacuation to Palestine of 1,500 children. Chamberlain said he would consider this sympathetically if the Colonial Secretary raised it with him. The next day, the record of this meeting was circulated by Chamberlain's private secretary, asking departments whose responsibilities were principally affected to consider points coming within their province.

The policy of temporary refuge

On 16 November, a full Cabinet discussion of "The Jewish Problem" took place. Halifax opened with the claim that Britain's reputation was suffering, especially in the United States, because it was thought that the government was not taking sufficient action in response to Germany's persecution of the Jews. He thought that the position could be restored if this country would give a lead which would force the United States in turn to take some positive action. He hoped that it might be possible on the course of the next day or so for us to lend our support to fairly wide promises of help to the Jews.

26 Syers to Brooks, Creasy, Pimlott, Bridges, Makins, 16 Nov 1938, PRO PREM 1/326

27 Cab. 55(38)5, 16 Nov 1938, PRO CAB 23/96.
Halifax emphasised the political advantage Britain would gain by undertaking to make land in the Empire available for Jewish settlement. Malcolm MacDonald, the Colonial Secretary, agreed, but warned against exaggerating the possibilities of settlement in the mainly agricultural colonies, saying rapid absorption of immigrants required centres of industrial activity. During MacDonald's survey of possibilities in Northern Rhodesia, Chamberlain interrupted to underline the distinction between past estimates of the numbers who might be offered temporary refuge in the colony, and the smaller numbers who might be admitted for settlement. MacDonald appeared to place most hopes on British Guiana, despite the limited possibilities it offered. Those present agreed that it was desirable to make an offer of some territory. This need not be unconditional: Chamberlain suggested retaining a measure of control by means of a long lease at a nominal rent. The hoped-for political gains which would accrue from any such offer were clearly in the forefront of ministers' thoughts. Hoare, perhaps prompted by doubt as to how substantial such an offer might turn out to be, said that he thought it important to make it "as concrete as possible".

Chamberlain then said that the day before he had indicated to a deputation of Jews the possibility that the government would take some action on colonial settlement, on the lines now envisaged. They had, however, reacted by pointing out that time was the essence of the matter. It followed that anything which we could do in regard to a permanent settlement must also be accompanied by some effort to find a temporary resting-place for refugees while arrangements were made for their permanent reception.
This was the first mention of the issue of temporary refuge in the discussion. The minutes do not disclose whether Chamberlain was at this juncture stating the opinion that temporary refuge should be provided, or merely recording that this was the view of the Jewish deputation. The immediate reactions of the two ministers most concerned with refugee questions showed little enthusiasm for exploring the question of increased entry to Britain. Winterton spoke of the difficulties encountered by the IGC. He rejected American criticisms that Britain was not doing enough, and touched on the contributions of dominion governments. He expressed the view that certain countries in South America would act "if we could show them a good example", without saying of what such an example might consist. Yet, notwithstanding his recent admission that the IGC had made little headway to date, Winterton insisted that unless IGC efforts succeeded in enabling Jews to take money out of Germany, no large-scale emigration could be effected.

Hoare still saw the USA as "the key to the problem". On this occasion, he did not mention his quota transfer proposal, but said he thought that action in British colonies was the only way to open the door into the USA, as it would influence American opinion and be important "on the financial side". As regards entry to Britain, Hoare said that 1,000 letters a day were being received in the UK. The applications were sent to the Co-ordinating Committee: "Broadly speaking, only cases which were recommended by the Jewish representatives were admitted". He said that Jewish representatives opposed large scale admissions, or the entry of Jews they had not approved, "since they were afraid of an
anti-Jew agitation in this country". He then spoke, as he had done two days earlier, of Jewish fears of the consequences of publishing admission figures. Those present agreed on the danger of such a step, but the desire to get credit for what Britain was doing was also expressed: later, in reply to Halifax, Hoare agreed to consider communicating a figure privately to the Americans.

Regarding future admissions to the UK, Hoare said he thought that we were going as far at present as public opinion would allow, and it was important to retain a check on individual immigrants. He thought, however, that we might agree to admit a number of young Jews for the purpose of agricultural training, with a view to their ultimate settlement elsewhere. He was also in favour of admitting a number of Jewish maidservants. These girls might replace the German domestics who had left at the time of the [Munich] crisis.

Hoare was offering nothing new. He was merely setting out existing policy. The two categories of refugee whose admission Hoare supported were already being admitted. It had been Home Office policy since before the Evian conference to admit agricultural trainees and domestic servants. Since Evian, the availability of job opportunities had been stated to be the only brake on numbers. On the procedural side, Hoare merely re-affirmed the need for pre-selection, without offering any ideas on how this might be done more efficiently. Generally, he was opposing an extension of admissions, claiming that both public opinion generally and Jewish representatives were against it. While Hoare cited the fears of Jewish refugee organisations in support of his position, Chamberlain had evidence of Jewish pressure for more open admissions from representatives with impeccable credentials: the deputation of the previous day
was the most distinguished yet mobilised by Anglo-Jewry to approach the government on the refugee issue.

Chamberlain's final contribution to the discussion was to say he thought that "if, in addition to offering a territory overseas, we undertook to allow Jews to come here as a temporary refuge this would constitute a considerable contribution towards the problem". Hoare's reaction, according to the minutes, was that he "undertook to consider this point". Before the next item on the agenda came up, ministers gave signs of realising that the climate had changed and that the way was open for more generous admissions. Hoare spoke of "the older men and women who presented an almost insoluble problem". In contrast to his earlier endorsement of the policy of Jewish representatives, he referred to one of its limitations, saying, "The Jewish Committee was not attempting to deal with the older people. It was concentrating on the younger people." The plight of the elderly was taken up by Halifax, who proposed that people in the UK might be asked to sponsor "individual elderly Jews who would otherwise be left to an appalling fate in Germany". Chamberlain thought that this might be considered later. The meeting had already accepted his suggestion that a statement of what action was proposed should be drafted by the five ministers whose responsibilities were most affected, "for issue at the earliest opportunity".

A meeting of top civil servants took place immediately after the Cabinet meeting, to discuss the planned public
statement. The contributions of Sir Alexander Maxwell, Home Office Permanent Under Secretary, provided further evidence of his department's emphasis on admissions being linked to suitable jobs or re-emigration. Maxwell said nothing about relaxing pre-selection procedures or speeding up entry, and indeed there had been no time to react to the developments in Cabinet. On the next day, 17 November, in answer to a Commons question about the problem of delay, Hoare replied that additions had been made to staff, more additions had been decided upon, and that he and his department would do everything possible to eliminate delay, most of which he blamed on difficulties in obtaining the necessary information about applicants' cases. The announcement of a major effort to streamline admissions was not made until the next week, when Hoare spoke for the government in a debate on refugee policy.

On the second working day after the Cabinet meeting, Monday 21 November 1938, the announcement of British policy was presented in two stages in the House of Commons. During the afternoon, the Prime Minister made a statement largely devoted to itemising the government's steps to survey the possibilities of settlement in the colonial Empire, with particular emphasis on plans to lease large areas of British Guiana, subject to satisfactory surveys. He also mentioned the contribution of Palestine, saying 40 per cent of immigrants entering the country in the past year had come from Germany. On the question of further admissions to the

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28 Record of interdepartmental meeting, 16 Nov 1938, PRO FO 371/22537, W15119/104/98, f.295.

UK, Chamberlain confined himself to the general and far from novel point that numbers, whether for temporary or permanent stay, were "limited by the capacity of the voluntary organisations dealing with the refugee problem to undertake the responsibility for selecting, receiving and maintaining" refugees. He gave figures of past refugee admissions, saying that since 1933, the government had permitted about 11,000 to land, in addition to some 4,000 to 5,000 who had since emigrated. He described Eleanor Rathbone's suggestion of a loan for the maintenance of refugees as "a little premature at this stage". Other questioners were told to await the Home Secretary's speech in that evening's debate. Chamberlain's statement was given much attention by the North American press; Hoare's speech concerned domestic policy, and aroused much less interest abroad. It will be dealt with later in this chapter.

Chamberlain and Hoare

The record of the Cabinet meeting of 16 November shows that at at least one and possibly two points in the discussion Chamberlain expressed support for urgent action by the government to provide temporary refuge. He firmly underlined the distinction between the need for temporary refuge and any offers of permanent settlement overseas. The arguments Hoare put forward did not, it appears, alter Chamberlain's views. Such fixity is consistent with the findings of Ian Colvin, who could discover no example, in two and a half years of Cabinet meetings, in which Cabinet discussion had

altered Chamberlain's mind on a subject. Any explanation of the position which Chamberlain took on the refugee issue must take account of the fact that he was strongly affected both by the impact of the violence of the pogrom itself and by the shock it delivered to his Anglo-German policy. His references to his meeting with Jewish leaders the previous day show that this too may have influenced him. Colvin says that Chamberlain was known to alter his mind between Cabinets: perhaps in this case he did not so much change his mind on the question of Jewish refugee immigration to Britain - not an issue in which he had previously indicated interest - as show that he had, possibly for the first time, given it attention in the absence of his Cabinet colleagues.

Chamberlain was not unsympathetic to the plight of Jews in Germany. After the Anschluss, Fritz Kreisler, the celebrated violinist, who was an Austrian with a strain of Jewish blood in his veins, saw Chamberlain, who was an old personal friend, and obtained his support in dealing with the German authorities. Kreisler had been living in Germany, where he considered he had been well-treated, but feared that he might not obtain a German passport. He asked Chamberlain to write recommending him to Ribbentrop. As a result, Chamberlain's interest in the case and his request that it be dealt with sympathetically was made known to the German Chargé d'Affaires in London. Kreisler was returning to Germany, so no other action seemed necessary at that

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stage\textsuperscript{32}. This intervention was of course designed to prevent Kreisler from becoming a refugee.

The \textit{Kristallnacht} pogrom was a blow to Chamberlain's hopes of better relations with Germany. A letter to his sister Ida on the following day, shows how closely his genuine horror was tied to his concern about the political implications of the pogrom for Anglo-German relations. His prime concern was with the dilemma in which he found himself, obliged to ensure that his public statements on the latest developments neither put his policy in peril nor endangered the Jews still further. He wrote,

I am horrified by the German behaviour to the Jews. There does seem to be some fatality about Anglo-German relations which invariably blocks every effort to improve them. I suppose I shall have to say something on the subject tomorrow as there will certainly be a private notice question & it will be problem[?not legible] how to avoid condonation on the one side or on the other such criticism as may bring even worse things on the heads of those unhappy victims. It is clear that Nazi hatred will stick at nothing to find a pretext for their barbarities\textsuperscript{33}.

Chamberlain had been conscious before the pogrom of the difficulty of making progress with Hitler. He wrote to his sister Hilda on 6 November 1938 that he planned a trip to Rome, which he saw as "the end of the axis on which it is easiest to make an impression". Writing to Ida on 4 December, he referred to "the Jews in Germany" as an instance of the foolishness of dictators, presumably having in mind the effect of the pogrom on international attitudes

\textsuperscript{32} Syers to Chamberlain, memorandum, 28 Mar 1938, NC 7/11/31/160; Kreisler to Chamberlain, 28 Mar 1938, NC/7/11/31/161; Syers, note, 29 Mar 1938, NC 7/11/31/162.

\textsuperscript{33} NC to Ida, 10 Nov 1938, NC/18/1/1076; for Ida's reaction see Ida to NC, 11 Nov 1938, NC/18/2/1099.
to Germany\textsuperscript{34}. Shortly afterwards he deplored the "continued venomous attacks by the German press [which had attacked a nationwide broadcast appeal for refugees made by Earl Baldwin on 8 December], and the failure of Hitler to make the slightest gesture of friendliness". He felt, it appears, that recent events in Germany had made impossible discussions concerning colonies or anything else for the moment, but nonetheless maintained an interest in discreet informal contacts with various German intermediaries\textsuperscript{35}.

Chamberlain showed that he was still trying to make sense of the pogrom when he essayed an analysis of German anti-Jewish persecution, in a letter to Hilda at the end of July 1939 which expressed something of his own attitude to Jews. Hilda had sent him documents showing that in some cases Jews were still being given posts in Germany. Chamberlain replied,

Your enclosure from Mrs Sichel is very interesting. I had no idea that Jews were still allowed to work or join such organisations as the Hitler Youth in Germany. It shows, doesn't it, how much sincerity there is in the talk of racial purity. I believe that the persecution arose out of two motives, a desire to rob the Jews of their money and a jealousy of their superior cleverness. No doubt Jews arent a lovable people; I don't care about them myself; but that is not sufficient to explain the pogrom.

He then turned immediately to speculations about Hitler's health, wondering whether his moods were characteristic of a "paranoid", but aware that the moods were not proof of any organic disease\textsuperscript{36}.

\textsuperscript{34} NC to Ida, 4 Dec 1938, NC 18/1/1078.

\textsuperscript{35} NC to Hilda, Dec 11 1938, NC 18/1/1079; See e.g. NC to Ida, 23 Jul 1939, NC 18/1/1108; NC to Hilda 30 Jul 1939, NC 18/1/1110.

\textsuperscript{36} Ibid.
These reactions on Chamberlain's part underline his active and practical nature. He tended to respond to events by trying to decide on his next step. Thus he could not dwell on an issue for long, without turning to its implications for him, whether it involved action or trying to improve his understanding of something which concerned him\(^{37}\). His focus on Anglo-German relations was thus the filter through which he viewed the persecution of the Jews. He was not opposed to showing the Germans that their policies were isolating them, but he wished to maintain and develop appropriate relations with amenable elements in Germany. His dislike of anti-Jewish persecution existed alongside this policy, and he was prepared to express it from time to time. Keith Feiling records how, in the winter of 1938-9, Chamberlain told an intermediary from the Deutsche Shakespeare Genossenschaft that his real reason for refusing to accept an honorary presidency they wished to confer on him was that the society had expelled their Jewish members\(^{38}\).

After his fall in 1940, Chamberlain, then Lord President of the Council, expressed concern in Cabinet about the handling of internment. He was sensitive about the fact that a Committee which he chaired was responsible for the decision to deport alien internees to the dominions\(^{39}\). Following an approach from the Birmingham Council for Refugees, his intervention over the deportation of two sixteen year-old

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\(^{39}\) Correspondence with Osbert Peake, 22-24 Jul 1940, NC/ 8/34/36-37.
Jewish refugee boys to Canada apparently helped to keep one of them in the UK\(^{40}\). However, it is not possible to discover what Chamberlain thought about Jewish refugee immigration, because he said so little on the subject. Hoare, on the other hand, was obliged to speak on the subject frequently because he was Home Secretary, but his public utterances did not necessarily reveal his views. Decisions which were forced on him had to be carried out with as much enthusiasm as those which he favoured. Hoare has been accorded considerable credit for the generous aspects of British policy, but this is largely based on the fact that he presided over the admission of Jewish refugees, and did so sympathetically, rather than that there is evidence that he fought for it. Hoare's concern to find places outside the UK for Jewish refugees remained marked in the remainder of the pre-war period: it was in evidence, for example, at a meeting he had on 15 November with Winterton, at which Makins was present, when it was agreed to push for a policy of putting pressure on the Colonial Office to find room in the colonial Empire, especially British Guiana\(^{41}\).

The role of public opinion in the decision to alter British policy on refugee admissions is hard to establish. In the latter two-thirds of November intense public interest was shown in the British response to persecution of Jews in Germany. Cabinet ministers were conscious of this interest, but, as is shown by the diverse conclusions put forward by

\(^{40}\) See correspondence with Mrs Rogers, 16 Jul 1940 to 23 Aug 1940, NC 8/34/53-56.

\(^{41}\) Makins, minute, 15 Nov 1928, and memorandum of same date, (draft Cabinet paper) 'Emigration from Germany and other Central European Countries. Possible action by His Majesty's Government, PRO FO 371/22536, W15095/104/98, f.287.
Hoare and Chamberlain over whether or not public opinion favoured further admissions, its implications for policy could be interpreted in opposing ways. Home Office policy statements on admissions, on 21 November and subsequently, aimed to placate both ends of the spectrum of opinion, offering both concessions to the views of people who thought the government's policies should be more generous, and reassurance to those who feared a loss of control.

British policy and the Intergovernmental Committee

What had changed? Certain tendencies had been reinforced in the course of the past two weeks. Ministers were now more hopeful that offers of settlement in the colonies might be a means of obtaining political benefits. If the British government made at least one such offer, this would set an example which reflected well on the UK and which other countries, America in particular, might feel obliged to follow. Nevertheless, ministers knew the danger of sounding too optimistic about British Guiana, and Cadogan reminded an interdepartmental meeting on 16 November of the unfavourable report made by a League Committee on British Guiana as a place of settlement for the Assyrians. Makins and MacDonald now believed that the government should be prepared to make a loan to finance a colonial settlement scheme, but nothing was to be said to suggest that this was even contemplated.

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42 Record of interdepartmental meeting, 16 Nov 1938, PRO FO 371/22537, W15119/104/98, f.295.
43 Ibid.
In a memorandum of 15 November which discussed possible action by the UK government, Makins had raised pragmatic objections to aiding emigration through support for settlement projects. One objection was the expense; another was the opposition which could be expected from the dominions. Financial support would also tempt the Polish and other European governments to further persecution of Jews: the force of this objection was illustrated at a meeting between the Polish Ambassador and Winterton three days later, when Winterton faced Polish pressure for the IGC to deal both with Poland's Jews and the 10,000 Polish Jews recently expelled from Germany. Makins also raised objections of principle to the government's funding refugee settlement overseas. He argued that no advantage to the UK would follow, and little benefit for the UK would be derived from promoting such development, except perhaps in Australia, but he dismissed prospects in Australia as "probably chimerical"; he still regarded Northern Rhodesia as a possible place for large-scale settlement. Makins concluded that Evian and the subsequent discussions had shown that no country was at present prepared to consider proposals for group settlement and that emigration was only feasible by the process of "infiltration". He pointed out that this had been the policy of the Jewish organisations who had effected the largest quantity of emigration. Reviewing prospects around the world, he noted that South America and the dominions had a preference for agricultural workers, while South Africa was prejudiced against Jews.

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44 Makins, memorandum, 15 Nov, 'Emigration from Germany(already cited); Makins, minutes, 18 and 19 Nov 1938, PRO FO 371/22537, W15095/104/98, f.42; correspondence with Balinski, 19 Nov 1938, Randall, minute, 20 Nov 1938, ibid.
Little progress had been made within the colonial Empire, except for a small-scale experimental CGJ scheme in Kenya. Pessimism about the prospects of the IGC reached new depths, accompanied by renewed concern to prevent IGC initiatives from creating extra difficulties in relations with Germany. Makins, who knew most about the IGC, suggested in another memorandum of 15 November that the proposed visit to Germany by Rublee, the IGC's director, had been rendered both useless and undesirable by the recent actions of the German government. Destitute refugees were now unavoidable: the continuing burden of the fine imposed after Kristallnacht, plus the fall in the realisable value of their assets, had reduced Jews in Germany to a condition where they were no longer "desirable immigrants". In these circumstances, the work of the IGC must be reviewed. While he claimed that there was no question of dissolution of the IGC, Makins made proposals whose object was to suspend the work of the organisation indefinitely. He argued that, in view of the absence of co-operation from the German government, the Evian programme of schemes of orderly emigration was no longer practicable. He said that there was little object in having a full-time director, and suggested that Rublee return to the US, leaving the IGC in the charge of his deputy, Pell, (for whom Makins had much more respect), on "a care and maintenance basis". He advised that the British government should not itself put forward any proposal for

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45 Makins, memorandum, 15 Nov, 'Emigration from German (already cited); for the Colonial Office position see MacDonald to Winterton, 4 Nov 1938, PRO FO 371/22536, W14805/104/98, f.141.

46 Lord Sherfield, interview with this author, already cited.
partial suspension, but keep it in reserve, hoping that the US government, whose idea the IGC had been, would tire of it. Once the IGC had been put to one side, two alternative approaches to the problem remained, according to Makins: either to take no action, or to try to solve the problem on different lines, with or without German co-operation, bearing in mind "the dilemma that the more emigration is increased the greater is the temptation to increase pressure on Jews in Central Europe"47.

Makins also pointed out, after a conversation with Pell on 15 November, that the Americans were re-examining the role of the IGC, in view of the fact that the prospects of Rublee's visit to Berlin were gravely impaired48. The future of the IGC was thus in doubt, and Makins welcomed signs that the US government was considering alternative proposals. He warned, however, that if any failure of the IGC became public, although it could be blamed on Germany, the British government would not escape criticism. Randall agreed to explore the US government's views, and thought it fortunate that the German government had not yet invited Rublee to visit in the state of strained relations following the recent measures against the Jews49.

Nor was Makins, who was no supporter of the Munich Agreement, optimistic about prospects of reaching agreement.

47 Makins, memorandum, 'Effect on position of Intergovernmental Committee and its Director of Anti-Semitic measures in Germany', 15 Nov 1938, PRO FO 371/22536, W15069/104/98, f.269.

48 Makins, minute 'Inter-Governmental Committee', 15 Nov 1938, PRO FO 371/22536, W15056/104/98, f. 266.

49 Randall, minute, PRO FO 371/22536, W15069/104/98, f.269.
with Germany. Nevertheless, despite such well-founded pessimism on the part of senior civil servants, the work of the IGC dragged on. Makins remained a key adviser to Lord Winterton. In early December they worked together to try to curtail the effectiveness of former Prime Minister Lord Baldwin's forthcoming broadcast appeal for funds for refugees, lest it cloud the prospects of the IGC.

Anglo-German relations and the refugee question

The decision to admit large numbers of destitute Jewish refugees into the UK was a unilateral act by a sovereign state. It reflected British lack of faith in what the IGC could achieve for refugees. The new policy was not in accordance with the principles agreed at Evian. It could be seen as a capitulation to German robbery and persecution of Jews. It reduced the pressure on Germany to co-operate with the IGC if it wished to achieve Jewish emigration. Lastly, it provided dangerous precedents in relation to Central Europe, as Makins had warned repeatedly. Within the wider context of Anglo-German relations, the decision can be seen as reflecting a general disillusion with the prospects of negotiation with Germany over refugees, along with most other issues. No record has been seen of any Cabinet discussion of how the change in refugee policy would be received in Germany.

Chamberlain's efforts to make progress on the German attitude to the refugee issue at the highest diplomatic level appear to be confined to suggestions he made to

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50 Makins to Fry, 5 Dec 1938, PRO FO 371/22539, W 16055/104/98, f120; see Sherman, op.cit., p. 185 (where the paper is wrongly numbered W16100).
Mussolini in Italy in mid-January. One of his aims at this encounter was to secure the Italian leader's good offices in Berlin. In late December, when discussing with his Cabinet colleagues his plan to talk to Mussolini, Chamberlain said that for some time it had been impossible for his government "to take any useful action in Berlin and he preferred to leave Berlin alone". The planned meeting took place in Rome in mid-January 1939. Chamberlain raised the refugee issue during his first conversation with Mussolini, who responded by saying the problem was a general rather than local one, for which the long-term solution would be the creation of an independent sovereign Jewish state in a large area of territory. Halifax asked if Germany might be persuaded to allow departing Jews to take money out. Mussolini expressed readiness to try to use his influence in that direction, saying that the Germans were determined to get rid of the Jews and would be ready to do anything to expedite their departure. Chamberlain asked Mussolini what he saw as the next step, and obtained his assent to the suggestion of an approach by Rublee to the Germans.

On that very day Rublee arrived in Berlin for talks with the Germans. A revival in IGC activity had occurred. In mid-December, Schacht, President of the Reichsbank, had come to London, with Hitler's approval, bringing a plan, which envisaged financing emigration by means of an international refugee loan raised from Jewish sources. The plan also

51 Cab. 60(38)4, 21 Dec 38, CAB 23/?

entailed increased exports of German goods. The Berlin talks on this plan lasted until 2 February. Halfway through, the sudden fall of Schacht on 20 January underlined the uncertainties of dealing with the Germans. The plan itself was cynical in the extreme, involving the confiscation without compensation by Germany of the bulk of Jewish wealth and a fillip for German exports. Seized Jewish assets would be retained by the German authorities as a trust fund, a quarter of which could be used by emigrants to purchase supplies and travel facilities from German companies. The bulk of resettlement costs would be borne by outside (Jewish) sources through a bond, for which the trust fund was supposed to act as collateral. The Foreign Office regarded the plan as unsatisfactory, but nevertheless continued to use it as a basis for negotiation, which would at least provide further contacts with the Germans. The contacts continued until shortly before war broke out, but the plan and its subsequent variations produced no arrangements which facilitated the emigration of refugees. Rublee handed in his resignation at the end of 1938, and was replaced by Emerson.

For British policy-makers concerned with Anglo-German relations, an attraction of the effort to negotiate on refugees with the Germans was that it provided intermittent opportunities for contacts with the regime, including chances to develop relations with its more moderate elements, among whom Schacht was a valued member until his

55 Ibid., p 221.
In retrospect, the value of the contacts with Germany was questionable. Foreign Office fears that the IGC might damage Anglo-German relations remained, although they diminished once Rublee was replaced by the tractable Emerson. The Foreign Office was, however, delighted with its success in exploiting the opportunities presented by the IGC for closer contact with the Americans; these were emphasised, for example, in a radio broadcast made by Winterton on 22 November 1938. In themselves, the IGC negotiations were not highly valued as a source of practical solutions. The British government's attitude to the IGC was thus to regard it as a means of deriving political benefits for British foreign policy rather than as a potential source of actual benefits for refugees.

The administration of admissions

The changes announced by the Home Secretary

On the evening of 21 November 1938 the House of Commons passed the following motion, proposed by Philip Noel-Baker:

That this House notes with profound concern the deplorable treatment suffered by certain racial religious and political minorities in Europe, and in view of the growing gravity of the refugee problem, would welcome an immediate concerted effort amongst the nations, including the United States of America, to secure a common policy.

In his contribution to this debate, Hoare re-affirmed the need for careful selection, but showed that the Home Office

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56 See Chamberlain's note of a private conversation with Schacht on 15 Dec 1938, PRO PREM 1/326; for Schacht's visit generally, see Sherman, op. cit., 195-200.

57 Reilly, minute, 17 Nov 1938, PRO FO 371/22537, W15370/104/98, f.146.

58 What follows is drawn from Hansard, vol. 341, cols. 1427-1483. For Hoare's speech see cols. 1463-1475.
had modified its approach to selection procedures, according to whether refugees were coming on a temporary basis or for permanent settlement. He claimed that because mass immigration would encourage the growth of "a movement which we would all wish to see suppressed", and in order to avoid "an influx of the undesirable behind the cloak of refugee immigration", the government needed to check in detail the individual circumstances of adult refugees. This was bound to involve "a measure of delay". Individual cases were decided after investigation by voluntary organisations represented on the Co-ordinating Committee, and the Home Office accepted their recommendations, the main issue being whether refugees could maintain themselves. The Home Office worked closely with the Ministry of Labour: Hoare noted that, during the period when "11,000 German refugees have been settled in this country", they had provided jobs for 15,000 British workmen in industries they had set up, without damage to British employment prospects. (His use of the word "settled" was imprecise: most refugees remained subject to conditions.) These benefits, he claimed, were due to the process of "very careful selection" which he had outlined; in reality the jobs in question had been created largely as a result of admissions prior to the recent re-introduction of mandatory pre-selection.

Hoare admitted that in the last ten days the admissions machinery had been strained "to breaking point". This was inevitable, with applications running into thousands per day, but the machinery was been greatly expanded. Between 50 and 70 visas a day were being issued to persons on the Continent, but many had not yet arrived. There were also difficulties in communicating with refugees over their
cases, sometimes because people to whom the Home Office was prepared to give a visa had been put in concentration camps.

Hoare turned from individual cases "to a class of case which we can deal with en masse....cases in which individual inquiries will not be essential". He explained that, in future, a procedural distinction would be made between two types of cases. The Home Office would maintain its existing system of careful selection for persons who might stay permanently in Britain. On the other hand, a less detailed scrutiny was permissible for persons admitted merely for temporary refuge. The implication was therefore that refugees who were expected to re-emigrate could be admitted on an unprecedented scale, and more speedily. Transmigrants might be provided with a temporary home, on the understanding that "at some time in the future, they will go elsewhere for their permanent home". The government would also look kindly on proposals for refugees to remain in Britain while training for eventual resettlement in the colonial Empire, for example, an existing scheme to train "Jewish boys for agriculture and Jewish girls for domestic service". He claimed that several thousand older men had been retrained in Britain and had left for overseas: other such schemes would be facilitated. Large numbers of "non-Aryan children" could be admitted without the kinds of individual checks used for older refugees, provided they could find responsible sponsors. The Home Office would give the necessary visas and facilitate the entry of all children whose maintenance could be guaranteed. He explained that Jewish parents would accept separation from their children to save them from danger in Germany, and he commended to his fellow countrymen this "chance of taking the young
generation of a great people". Hoare wound up by asserting the British government's sympathy and anxiety to help, paying a tribute to the voluntary organisations and promising the utmost support for their work; he vowed to show "that we will be in the forefront among the nations of the world in giving relief to these suffering people".

Before Hoare could sit down, he was asked by Harold Macmillan about Sudeten Germans in the areas of Czechoslovakia handed over to Germany, who desperately needed visas. Hoare replied that policy toward this group would be the same as towards Germans generally. He claimed that in these cases there had been no delay and denied that British responsibility for urgent rescue was greater in such cases, but asked Macmillan to raise specific cases with him. Hoare's answer glossed over the reality that the question of refugees from Czechoslovakia raised different issues of policy and principle from the plight of refugees from Germany and Austria. Refugees from Czechoslovakia are the subject of chapter five: here it need merely be emphasised that at this time it was British policy to put political and financial resources into keeping the Czechoslovak state in being, and to oppose mass emigration of Jews from Czechoslovakia. The policy on admissions from Czechoslovakia was to allow in a small number of political refugees and their families. Macmillan, who was intervening on behalf of political refugees, was a member of British lobby on behalf of refugees from Czechoslovakia, in which opponents of the Munich Agreement were prominent. The lobby's concern was primarily with political refugees, not with the plight of Jews persecuted as Jews (although many "political refugees" were Jews). Hoare was right in saying that refugees seeking
to come to the UK from Czechoslovakia might enter if they could fulfil the same conditions applicable to refugees from Germany and Austria, but the potential for admissions of Jews from Czechoslovakia was in reality much less, largely because the main Anglo-Jewish organisations were not prepared to become involved in financing or arranging them.

**New procedures and the expansion of immigration**

The Home Office had not altered its opposition to mass immigration of refugees. In early November, for example, Holderness said "We are not prepared to be made the dumping ground of Europe", when refuge was sought in Britain for German refugees being turned out of Yugoslavia. The commitment to pre-selection remained unshaken, along with opposition to mass immigration. At the meeting of top civil servants on 16 November Maxwell indicated that the Home Office was still stressing that admissions should be linked to jobs or re-emigration. He said nothing about relaxing procedures or speeding up entry. When asked about the problem of delay the next day in the Commons, Hoare had merely reported that additions had been made to staff and more were planned, and promised efforts to eliminate delay, which he blamed largely on difficulty in obtaining necessary information about applicants' cases.

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59 Holderness to Makins, 4 Nov 1938, Makins to Holderness, 10 Nov 1938, PRO FO 371/22536, W14633/104/98, f.93.

60 Record of meeting, 16 Nov 1938, PRO FO 371/22537, W15119/101/98, f.295.

On 21 November, announcing Home Office agreement to streamline the admission of children, Hoare referred to a meeting he had had with Samuel and a group of Jewish and other religious workers earlier that day. Samuel emphasises this occasion in his memoirs in a way which indicates that he regarded it as the crucial development making possible the large-scale admission of children. He reports that Hoare agreed to children entering "without the slow procedure of passports and visas". He also says that a guarantee was given, "that they should be emigrated as soon as they were old enough and conditions allowed", which was consistent with the earlier deputation's undertaking to Chamberlain on 15 November. Hoare's remarks on 21 November, however, give the impression that he envisaged that Jewish children would obtain permanent homes in the UK.

The question of whether children were expected to re-emigrate remained contentious. The Home Office under Hoare did not expect that all would re-emigrate. The Movement for the Care of Children from Germany said in its first annual report that the Home Office had announced that it was prepared to envisage the permanent unofficial adoption and residence of younger children, and of girls who entered domestic service or married British citizens, and said that in May 1939 it was estimated that it would be necessary to arrange the emigration of 80 per cent of the boys and 20 per cent of the girls. The subject caused deep divisions within the Jewish community, where many people did not share the Zionist aspiration that children should be able to

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62 Samuel, op. cit., p. 255.
63 See Movement for the Care of Children from Germany, Ltd, First Annual Report, 1938-1939, 1940, PRO HO 213/302.
proceed to Palestine. Many British people who took refugee children into their homes believed that the arrangement would be permanent. Thus refugee children in the UK were suspended between the possibilities of transmigration and settlement, a situation filled with uncertainty, which the Home Office made no systematic attempt to clarify.

Samuel, notwithstanding his emphasis in his memoirs on the significance of the later meeting with Hoare, had emerged in a hopeful frame of mind from the 15 November meeting with Chamberlain, as he reported to a meeting of the Executive Committee of the CGJ two days later. He said he felt the Prime Minister appreciated the difficulties of the situation and wished to help, and that on the question of children, Chamberlain would support any suggestion approved by the Home Office. Mrs Rebecca Sieff, who had spoken to Cooper, said she was convinced that the Home Secretary would be prepared to waive formalities. In preparation for expanded immigration, a new appeal, chaired by Lord Rothschild, was being launched in the Jewish press. Plans were outlined to bring 5,000 children from Germany. Schiff also suggested approaching Trades Unions, adding that, if refugees could not work, they might come for training for emigration. Thus Jewish leaders' assessment of Chamberlain's response, made four days before the deputation to Hoare, reinforces the conclusions of this study regarding the significance of Chamberlain's role in the expansion of immigration. Sieff's report of her talk with Cooper suggests that Home Office

64 For Weizmann's efforts in relation to Jewish children see: Blanche Dugdale, entries 15 and 17 Nov and 11,12, and 15 December 1938, in ed. Norman Rose, Baffy, the Diaries of Blanche Dugdale, 1936-1947, London 1973; Malcolm MacDonald, Conversation with Dr Weizmann on the 12th December, PRO FO 371/21868, E7548/1/31, f.374.
officials favoured a reduction in formalities, for children at least, and expected Hoare to consent.

The change in policy which led to the expansion of admissions may be ascribed to the combined impact of three principal factors which generated strong pressure for change on humanitarian grounds. These factors were the extreme persecution of Jews in Germany, the concern the persecution aroused in the UK, and the new proposals of Jewish leaders. Anglo-American considerations added a political factor. A policy of expanding temporary refuge was humanitarian, but allowed scope for immigration considerations to be re-asserted in the long term. Yet precedent and existing policy were hostile to an acknowledged policy of humanitarian admissions, even on a temporary basis, despite the powerful, though largely unacknowledged, humanitarian element in existing Home Office and Ministry of Labour practice.

The fact that the decision to introduce an expanded policy of temporary refuge was brought about by Chamberlain is, it is suggested, far from accidental. Rather, it reflects the reality that policy had become so rigidly fixed that only an intervention from the very top could change it. Chamberlain possessed the decisiveness and personal authority to carry such a policy change through, despite Hoare’s opposition. The Home Secretary was submerged in departmental priorities, his horizons limited by the Home Office preoccupation with maintaining existing controls and his concern to prevent his department from foundering through overwork. He was thus unable to propose such a radical departure. Once the
decision was made, however, he played his part in carrying it out, and earned much gratitude from refugees65.

Practical changes followed in the wake of the Cabinet discussions. A round of procedural changes were set in motion and extra staff resources were provided to speed up refugee admissions. The crusading tones of Hoare's speech on 21 November gave encouragement to Home Office staff, who worked beyond the call of duty on refugee cases for the next few months. Top-level endorsement of private sponsorship for refugees, both by Hoare and in a broadcast appeal by Lord Baldwin, generated new sources of funds to underwrite admissions. It would be wrong, however, to suggest that the revision of procedures after 21 November was a sudden development, resulting solely from ministerial deliberations. The change of emphasis also gave new impetus to existing developments. The involvement of voluntary organisations in pre-selection had been developing steadily, especially in the changes already described in procedures for domestics; from November 1938 the participation of refugee committees in selection and in the mechanics of admission expanded yet again.

Procedures for transmigrants were already in the course of being modified in negotiations between Jewish refugee organisations and the Home Office, although the evidence examined does not disclose the date when these discussions began. On 22 November Cooper reported that, in order to lessen the volume of work at the Home Office, it had been

65 See e.g. Werner Rosenstock, (General Secretary, Association of Jewish Refugees) to Hoare, 6 Dec 1951, Templewood Papers, Box XVII/8.
decided to give a wide discretion to PCOs to grant visas to refugees seeking temporary admission prior to emigration. The Home Office wished to be satisfied that proper arrangements had been made for transit cases, especially on the crucial matter of maintenance, and the GJAC had accordingly arranged for the drafting by Counsel of a form of bond, to cover the temporary residence of refugees in Britain. A guarantor would enter into such a bond, agreeing with the CBF to defray the costs of the refugee's maintenance and re-emigration. Evidence of entry into such a bond would have to be presented to the PCO by the refugee, together with evidence that permission to enter the USA, or some other country, for permanent residence, would eventually be granted. Similar arrangements were designed to cover the cases of young people of both sexes, coming for training for emigration, who might be admitted on condition that they would emigrate. In these cases, however, the visas would have to be authorised by the Home Office, rather than being granted on the discretion of the PCO.

Coloured cards were printed to provide a document which could be endorsed with authorisation for the temporary entry to Britain of three categories of transmigrant. The first category covered persons for whom a bond for maintenance and emigration had been deposited with the GJAC, and who had been allotted a US States quota number or had official authority to enter another country (it was only later realised that the possession of a quota number was not a

66 Cooper, minute, 22 Nov, Schiff to Holderness, 23 Nov 1938, enclosing copy draft agreement (n.d.) drafted by Lionel Cohen QC., Jagelman to Davidson, 30 Nov 1938, PRO HO 213/100.

67 Jagelman to Davidson, 28 Nov 1938, ibid.
guarantee of admission to the USA.) The second and third categories covered admission "on condition of emigration", or "for training with a view to emigration", of refugees whose emigration, maintenance, and, where appropriate, training, was guaranteed by the GJAC. It does not appear that this particular set of cards was made operational, but the use of serially-numbered cards, colour-coded for the particular category under which admission was being authorised, was developed to cover several classes of refugee. The card system covered emigrants in transit; trainees admitted with a view to emigration; unaccompanied children; domestic service cases; persons over sixty; refugees from Czechoslovakia, and men bound for a new refugee transit camp at Richborough. The cards were stamped at the Home Office and sent out to the refugees for submission to the PCO.

British consular officials in Germany made efforts help speed up the departure of refugees for the UK. The PCO in Berlin, Captain Frank Foley, acting without instructions, arranged with the American Consul in Berlin to grant visas to persons to come to the UK in transit to the USA, but was asked to await the introduction of new procedures developed by the Home Office. Foley's initiative reflected his consciousness of the importance of granting visas quickly. The information that a visa had been granted could cut down periods spent in detention by refugees. Men detained in

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68 Jagelman to Davidson, 28 and 30 Nov 1938, ibid.
70 Jeffes to Holderness, 24 Nov 1938, Jagelman minute, Jagelman to Jeffes. 28 Nov 1938, PRO HO 213/100.
concentration camps were released on production of evidence that a British visa had been authorised, and British officials in Germany utilised contacts with the German authorities to try to minimise the time-lag between visa-authorisation and release. The consul in Frankfurt, Smallbones, reported having an agreement with the local secret police that they would release prisoners on being informed that a visa had been granted. Hoare showed interest in ensuring that the German authorities were notified of grants of visas to Germans under detention, but Makins' efforts to interest Home Office officials in developing the existing ad-hoc procedures into something more systematic were unsuccessful. Cooper emphasised that if a visa had been granted, this fact could be conveyed to the German authorities by the prisoner's friends and family. He did not welcome suggestions that British representatives in Germany should intervene in any other circumstances to try to secure the release of prisoners in concentration camps, advising that this would be unlikely to help the prisoner, and would moreover produce delays in Germany while the case file was removed from its normal place for investigation. Nevertheless, the Chargé d'Affaires in Berlin

71 Berlin Chancery to Central Department 29 Dec 1938, enclosing memorandum (n.d.) from Captain Foley on procedures for obtaining release of persons detained in Germany, Creswell, minute, 4 Jan 1939, Jeffes (PCD) minute, 12 Jan 1939, PRO FO 371/21753, C16070/2311/18, f.384.

72 See PRO HO 213/101 for the Home Office side of this correspondence; for the Foreign Office side, see correspondence from the Berlin Chancery and Foreign Office minutes and correspondence with Cooper, 9 Nov to 23 December 1938, PRO FO 371/21757, C13766/15535/2412/18, f.349.
was authorised to use his discretion to intervene in the case of a son-in-law of an aunt of Lord Reading's.\textsuperscript{73}

The voluntary committees were now allowed to select a wide range of refugees for entry. Representatives sent to the Continent by the British committees worked in conjunction with German Jewish organisations, notably the Reichsvertretung in Germany, selecting from among the assembled candidates those suitable for admission to the UK. Lists of approved names were then submitted to the Home Office. These lists, or "nominal rolls", largely replaced the elaborate process of individual visa applications, especially in children's cases, and made possible the use of block visas. The standard visa system remained in operation for all other refugees, but here too, recommendations from the voluntary organisations were often accepted in lieu of investigations by the authorities. The Home Office accepted such recommendations on the basis that the voluntary organisations undertook that the refugees would be maintained and were suitable cases for admission.

The crucial element for the majority of refugee applicants was guaranteed finance. This had to be raised either through private sponsorship, possession of funds or an offer of employment. One exception to this rule was the arrangements for many of the men who came to Richborough camp, a refugee transit camp set up by the CGJ on the site of a disused army camp at Richborough in Kent.\textsuperscript{74} The CGJ had decided to make a

\textsuperscript{73} See correspondence, initiated by an appeal from Lord Reading to Halifax, 18 Nov to 21 Dec 1938, PRO FO 371/21753, C14141/14718/2311/18, f.165.
special effort to save men from concentration camps in Germany. Home Office approval was obtained in early January 1939. The CGJ established that men aged 18-45 who were bound for the camp would be admitted on the basis that they were transmigrants. Partial financial support for the venture was promised to the CGJ by the American Jewish Joint Distribution Committee, which shouldered some 20 per cent of the upkeep costs. The men were selected in Germany by representatives, among them Julian Layton, who felt a strong personal commitment to assisting the emigration of men who did not have means but who would be suitable for re-emigration from the UK. The policy of releasing CGJ funds to help men who had neither funds not relatives was proposed by Layton and two other CJJ representatives on their return from a visit to Vienna to select refugees for the camp. The passports of men allowed to enter the UK bound for Richborough camp were endorsed to show that they had been admitted "pending re-emigration", but the reality of these re-emigration prospects was often questionable and in some cases fictitious. Thus statements that refugees would re-emigrate to Shanghai were often based on nothing more than the fact that Shanghai did not require visas. The camp filled rapidly. It had been hoped to accommodate 5,000, but a lower limit of 3,500 inmates was agreed: when war broke out.

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75 See correspondence and memoranda, Jan-Nov 1939, AJDC 592.
76 Layton, interview with this author, 20 Apr 1988.
77 CGJ, 'Report by Mr Layton, Mr Gentitli and Mr Baron on the selection of refugees for the Richborough Camp', (n.d. covering visit from 19 Feb-3 Mar), AJDC 592.
78 Werner Rosenstock, interview with this author, 19 Apr 1988 and 6 May 1989. Rosenstock worked for the Reichsvertretung on such cases in 1939, and came to the UK shortly before war broke out.
out some 3,350 men and some 220 women and children were temporarily accommodated there. By November 1939 only 100 had emigrated.79

There was no quota for children, but the aim of admitting about 10,000 was regarded as an upper limit by the Movement for the Care of Children from Germany (MCCG), which organised the admission of slightly over 9,000 children before the war.80 The MCCG records that numbers in England shot up from 1,544 in January 1939 to 9,354 by August 30, 1939, classified as 7,482 Jews, 1,123 Christians and 749 "undenominational". The family tragedies involved in the children's emigration are suggested by the fact that in July 1939, of the unaccompanied children in England nearly half had parents left behind in Greater Germany with no means of support: a further quarter had parents in possession of some means still in Germany. Just under 1,300 refugee children had already started to pay their way in the UK, in jobs and youth agriculture camps. Before the end of 1939, nearly 300 children had emigrated from the UK, and many more had plans to re-emigrate. The UK was the country which played by far the greatest part in succouring unaccompanied young people from Germany. Figures from July 1939 show that 7,700 refugee children had arrived in the UK unescorted by relatives: Holland had 1,850, France 800, Belgium 700, and 250 had gone to Sweden. A campaign to change American immigration laws to

79 CCJR, 'Note on the Kitchener Camp', 21 Nov 1939, AJDC 592.

80 For the statistics in this paragraph see MCCG, First Annual Report, already cited.
facilitate the entry of refugee children in the aftermath of Kristallnacht, had failed\textsuperscript{81}. Most children had to be financially sponsored. A limited exception to the requirement for guaranteed finance was made for urgent cases, known as "unguaranteed children". The vast majority of children who entered had to be "guaranteed" by cash deposits covering maintenance up to the age of 18\textsuperscript{82}. In the spring of 1939, as funds dwindled, new mandatory deposits of £50 per guaranteed child were introduced by the MCCG, to cover the cost of re-emigration, but this requirement was later rescinded\textsuperscript{83}. In June 1939 the CGJ agreed to accept full responsibility for the emigration of children then arriving\textsuperscript{84}. A large part of the finance for children's immigration came from the Lord Baldwin Appeal, but the success of this appeal, which raised some £500,000, turned out to be a source of difficulties for the other fund-raising organisations: in May 1939 the Co-ordinating Committee resolved that the Baldwin Appeal be closed down and its funds distributed to the other organisations\textsuperscript{85}.

The general rule was that refugee organisations would not themselves undertake financial responsibility, although they

\begin{itemize}
  \item\textsuperscript{82} See minutes of meeting of Co-ordinating Committee, 27 May 1939, PRO HO 213/268.
  \item\textsuperscript{83} See MCCG, \textit{First Annual Report}, already cited, pp. 6-7.
  \item\textsuperscript{84} Minutes of meeting of Co-ordinating Committee, PRO HO 213/268.
  \item\textsuperscript{85} Co-ordinating Committee resolution, 27 May 1939, PRO HO 213/268.
\end{itemize}
might expend funds on the basis of a guarantee. The refugee committees worked to create opportunities for refugees, and brought together refugees with persons who might support or employ them. Once arrangements had been made, refugee workers would submit the details to the authorities. The guarantees which were the pre-condition of entry in so many cases were in many instances not honoured, or honoured only in part. In 1940 the Refugee Children's Movement took over responsibility for 109 children and partial responsibility for 168 more. The refugee organisations spent much effort in trying to hold defaulters to their promises. In 1941 the Treasury Solicitor advised that the agreements signed by guarantors were not legally enforceable: no consideration moved from the refugee committee to the guarantor, so an essential of a binding contract was lacking. The author of this advice thought that the guarantees had never been intended to confer real rights enforceable either by a refugee committee or by the government, but "in the nature of credentials which the Home Office required before refugees were permitted to land."

The supply of support fell far short of the demand. The classified columns of the Jewish Chronicle contained many advertisements from refugees seeking financial sponsorship, often for a limited period prior to re-emigration. Large numbers of prospective refugees never surmounted the hurdle of sponsorship. The proportion of prospective applicants to

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86 See GJAC monthly reports, Feb-Jun 1939, AJDC 587.
88 Speed to Ellefson, 28 Oct 1941, PRO TS 27/467.
89 Ibid.
entrants is impossible to estimate precisely, but, since the CBF has files on between 500,000 and 600,000 cases, while the number of Jewish refugees present in the UK when war broke out is estimated at between 60,000 and 70,000, it seems perhaps one applicant in ten may have succeeded in gaining entry.90

The Cabinet Committee on the Refugee Problem and the problem of re-emigration

Before the end of December 1938 Samuel told the CGJ of unease within the Home Office about the establishment of transit camps, "as they feared that a pool of refugees might be formed in England".91 By January 1939, although Home Office permission had been given for Richborough Camp, the accumulation of transmigrants in the UK was already regarded by Hoare as a problem for the Home Office. A new Cabinet Committee on the Refugee Problem was set up on his suggestion and under his chairmanship, although the proposal originated with Lord Winterton. The committee's brief was, "to keep under review questions arising out of the refugee problem and to report when necessary to the Cabinet". It met six times in all before the outbreak of war, and twice more

90 This estimate, based on the archives of the CBF, now deposited at the Greater London Record Office, was given by the Director of the CBF in July 1990.

91 Minutes, CGJ Executive meeting, 29 Dec 1938, CBF Reel 1, file 2.
before the end of the year. At the start of the committee's first meeting, on 24 January, Hoare described the delay in arriving at a detailed scheme for the permanent settlement of refugees from Germany, whom the Home Office had allowed in on a temporary basis, as "very embarrassing". He expressed concern that a "stagnant pool of refugees" remained in the country, making specific reference to the training camp at Richborough. In the ensuing months Hoare tried to ensure that the committee promoted the reduction of refugee numbers in the UK. In March he expressed concern that if settlement prospects overseas did not materialise, the continued retention of large numbers of German refugees might give rise to "an awkward political situation"; in May, he suggested earmarking some of the men training at Richborough for settlement in British Guiana.

In July 1939, in an interim report to the Cabinet on behalf of the committee, Hoare reported that it was clear that the refugee organisations were in no position to finance colonial settlement schemes such as the British Guiana project. Moreover, there was a danger that their funds would be inadequate to meet existing commitments. There were some 40,000 refugees in the country, the majority transmigrants.

92 Cab. 1(39)5, 18 Jan 1939, PRO CAB 23/97. Other members were the Secretary of State for Dominion Affairs and the Colonies; the President of the Board of Trade; the Chancellor of the Duchy of Lancaster (Lord Winterton); the Financial Secretary to the Treasury; the Parliamentary Secretaries at the Foreign Office and Ministry of Labour. The Committee's proceedings are in PRO CAB 98/1; after the outbreak of war the Colonial Secretary became chairman. CP(39)1A, 22 Sept 1939, PRO CAB 98/1.

93 CRP(39)1st mtg, 24 Jan 1939, PRO CAB 98/1; the camp was not at this date ready to accept inmates.

94 CRP(39)3rd mtg, 1 Mar 1939, PRO CAB 98/1; CRP(39)4th mtg, 9 May 1939, PRO CAB 98/1.
admitted on the strength of guarantees that the cost of their maintenance would not fall on public funds. The funds of the refugee organisations which had undertaken responsibility for these guarantees had been strained to the utmost, principally by delays in re-emigration. Unless a large number emigrated soon, refugees in the UK were likely to fall on public assistance, an outcome the Home Office was most anxious to avoid.

The report concluded that in the circumstances the government should no longer refuse to offer finance for refugee settlement and emigration. It advised agreeing in principle to make funds available on a basis proportional to amounts subscribed privately, provided other governments would also contribute, although the only country whose cooperation should be regarded as essential was the USA. The UK should give a lead on these lines at the forthcoming meeting of the IGC "in view of the gravity of the situation in this country". The support of Hoare's committee for a major reversal of previous policy resulted from the view that the UK now had a refugee problem, which should be solved urgently through the provision of settlement opportunities abroad, and that this should be at government expense, because no other source was available. The new position, while it represented a reversal of policy regarding public funds, was in part aimed at saving future expenditure on public assistance, and was consistent with Home Office policy that the UK should remain a country of transit. Thus the proposed injection of finance from the British government was aimed at increasing emigration.

95 Hoare, Interim Report, Cabinet Committee on the Refugee Problem, CP 151(39), 7 Jul 1939, PRO CAB 98/1.
opportunities from the UK, not from Germany. The suggested new policy was agreed in principle by the Cabinet in mid-July. The offer of finance was communicated to the Americans, but never proceeded with. In September, war broke out, putting British contributions for colonial settlement projects out of the question for the time being. The following month the offer was formally withdrawn by British representatives, at a meeting with the Americans in Washington.

New restrictions

In the absence of either colonial resettlement possibilities or of any practical outcome to the work of the IGC, re-emigration remained the only means of reducing refugee numbers in the UK. Yet re-emigration remained at a low level: a few hundred refugees were leaving monthly, but several thousand were arriving. A major factor blocking re-emigration was the refusal of the US government to relax entry procedures in order to speed up the admission of refugees who had entered the UK in transit to the USA: many might not be able to depart for years, if ever, because of the delaying effect of the American quota system in European countries, where the demand for visas far exceeded the supply. A person registered after July 1938 on the German/Austrian quota, for example, would not be in line for

96 Cab 37(39)11, 12 Jul 1939, PRO CAB 23/100; Sherman, op. cit., pp. 242-250.

97 CRP(39)6th mtg, 25 Sept 1939, PRO CAB 98/1.

98 See chapter six.

an American visa until March 1940. During the first two months of 1939 American consular representatives in London, Berlin and Vienna impressed on the British authorities the fact that the quota system was producing delays of this order. The US State Department insisted that delays must be expected and no exceptions could be made for persons in danger. Home Office officials responded with more stringent controls for the authorisation of entry for applicants in transit to the USA, who, from April 1939, needed both to have a reasonable chance of admission to the USA at a date that was not too distant, and to have backing from a voluntary organisation.

As well as trying to ensure that refugees would re-emigrate reasonably soon, the Home Office took steps to establish more careful control over admissions in certain cases. In June 1939, for example, use of the streamlined card procedure was discontinued for applicants residing in France, who were not thought to be in danger. More rigorous selection procedures were introduced for refugees applying in France to come to the UK for domestic service, after the British PCO in Paris, GW Courtney doubted the suitability of many refugee applicants. He gave the example of the case of

100 Foley (Berlin) to Jeffes, 17 Jan 1939, Cooper to Reilly, 26 Jan 1939, PRO HO 213/115; Jenkins (US Consul-General, London) to Cooper, 13 Feb 1939, PRO HO 213/116; Theodore Hohenthal (US Vice-Consul in charge of visas, Vienna) to GW Berry (PCO, Vienna), 2 Mar 1939, Berry to Jeffes, 7 Mar 1939, PRO HO 213/118.

101 US Department of State to Lady Reading, 16 Feb 1939, Schiff to Cooper, 22 Mar 1939, PRO HO 213/117.

an upper middle class doctor, who, on being told that his proposal to work as a tutor did not constitute domestic service, stated that he would work as a butler: "This", Courtney declared, "is absurd, as butlering requires a lifelong experience".

The concerns of Passport Control Officers

The Passport Control Department was a source of continual complaints that the Home Office was undermining the basis of control and allowing Britain to be swamped by refugees. In February 1939, the Home Secretary received a memorandum detailing the grievances of PCOs. One major complaint concerned persistent overwork. Despite large reinforcements of staff at Berlin, Vienna, Prague and Budapest, officers were "being daily submerged by crowds of excited and insistent refugees". Visas were being issued on a large scale: between May 1938 and the end of January 1939, some 50,000 visas had been granted to refugees, many covering more than one person. Refugee visas included 13,500 out of a total of 15,000 visas granted in Vienna, and 34,000 out of 40,000 granted in Berlin. In January alone some 4,000 Home Office authorisations had been sent out to PCOs abroad, not including other authorisations such as Ministry of Labour permits. The PCOs also expressed concern at the "poor type of refugee", including individuals previously refused visas, whose admission was being authorised under the new procedures. They also protested at the way in which their objections to issuing visas to refugees were being overruled by the Home Office. Hoare's first response had been to say

103 Courtney to Jeffes, 8 Mar 1939, 'Instructions to Passport Control for Paris', 2 Jun 1939, Russell to Schiff, 5 Jun 1939, PRO HO 213/105.
"that we could not possibly stop immigration", but he asked whether the safeguards could be improved104. Home Office officials responded to such complaints by rejecting most demands for extra safeguards, while reassuring PCOs that the new selection procedures were reliable, and that their discretion to refuse visas was respected. For example, they rejected a suggestion from Foley, the PCO in Berlin, of demanding medical certificates and police certificates as a condition of granting visas. The Director of Passport Control, Captain Maurice Jeffes, had agreed that this would be wrong but he still had many reservations105. In June Jeffes sent Cooper a report of his recent tour of European Passport Control offices, in which he included complaints about the quality of refugees authorised for entry under the revised admission procedures106. Individual PCOs also took up problems of control. In mid-June, Hindle, PCO in Budapest, warned against "the swamping of the UK with Hungarian and other refugees", and sought authority for PCOs to limit the validity of visas to one month in doubtful cases, to stop Jewish businessmen from acquiring visas and keeping them in reserve as "a key to the back door out of Hungary", but by the outbreak of war no action had been taken on his

104 Memorandum from PCOs (handwritten comments by Hoare), 14 Feb 1939, PRO HO 213/103.

105 PCO to Jeffes, 1 Feb 1939, Jagelman and Cooper, minutes, 20 Feb 1939, Jagelman, minute, 1 Mar 1939, and subsequent correspondence, PRO HO 213/104.

106 Jeffes to Cooper, 5 Jun 1939, Cooper to Jeffes, 15 Aug 1939, PRO HO 213/107.
The tendency appears to be to get refugees into the United Kingdom under any pretext whatsoever, so long as the Home Office and the Ministry of Labour are prepared to issue some sort of authorisation which provides a cover for refugees to "dig" themselves in in British territory.

Immigrants, he claimed, were usually ignorant of the conditions attached to their stay, which resulted from "plausible assurances given by bankrupt Refugee organisations and guarantors who are unable to accept financial liability for their protégés". Farrell, like Hindle, saw Jewish business visa applicants as potential emigrants, since antisemitic measures would soon exclude Jews from earning a living, and was refusing applicants unless they provided "incontestable proof" of bona fide purposes and facilities to return to Czechoslovakia: he warned that complaints about his approach might be received. It was decided to tell Farrell that if authorisation was under "Instructions R", (the special refugee guide-lines), a PCO need not concern himself with the alien's plans to leave the UK or seek employment.

Jeffes reported satisfactory improvements in managing refugee cases at the posts he had visited. In Vienna, 100 visas were being granted daily and 200 people a day being interviewed; the queue nuisance and the majority of

107 WH Hindle to Director PCD, memorandum, 'Limitation of visas', 15 Jun 1939, Home Office minutes, 25 and 26 Sept 1939, PRO HO 213/107; for Hindle, see also Jeffes' report to Cooper previously cited.

108 Farrell, memorandum, 'Witholding of visas by examiners', PCO Prague to Director of Passport Control, 7 Jun 1939, PRO HO 213/111.

109 Clayton, minute, 14 Aug 1939, ibid.
complaints had been eliminated. In Budapest, refugees from Germany and Austria were being dealt with efficiently and speedily. There was a small new office at Bratislava. Farrell had efficiently reorganised the Prague office, which now had a day set aside for at least 100 cases of the British Committee for Refugees from Czechoslovakia, and 15 to 20 refugee cases were dealt with on other days.\textsuperscript{110}

\textit{Pre-selection and the limits of change: the St Louis affair}

The Home Office refused to dispense with pre-selection. Thus, Home Office ministers steadfastly resisted suggestions that Britain should set up a facility similar to Ellis Island in the USA, where persons whose entry had not been approved could have their cases investigated. In April 1939 Hoare, defending this position, said it was undesirable to allow a "stagnant pool" of refugees to develop in the UK.\textsuperscript{111}

In June, the Home Office reluctantly made an exception to the pre-selection rule for refugees on board the \textit{SS St Louis}. This ship left Hamburg in mid-May with over 930 passengers, bound for Cuba. Most were Jewish refugees, planning to wait in Cuba to enter the USA under the German quota: the majority still had a long wait ahead. On arrival in Havana the passengers' permits to land were not honoured and the ship was refused permission to dock. A forewarning of this reception had been sent by the Cuban authorities before the ship's departure: Sir Herbert Emerson too had warned the ship's owners not to let her sail. As the ship

\textsuperscript{110} Jeffes to Cooper, 5 Jun 1939, PRO HO 213/107.

and its passengers sought a haven, the Cubans constantly raised their financial demands for allowing the refugees to enter Cuba. The US government would not make an exception to its procedures to permit any refugees to land, and sent coastguard vessels to stop anyone swimming ashore. The ship, unable to discharge its human cargo, began the return voyage to Hamburg in a glare of publicity, amid frantic appeals to Western governments to offer refuge to the passengers.¹¹²

Cooper told Schiff that no admissions were possible without examination of the refugees by a British representative in Germany.¹¹³ If the refugees were returned to Germany, examination of their cases would be expedited; it was possible that Sir Herbert Emerson would go to Germany to supervise this process.¹¹⁴ Cooper saw the episode as an attempt by the Germans to unload refugees on other countries, thus upsetting IGC plans of orderly emigration, and feared that there might be undesirable persons among the passengers. He clung to the view that the refugees should be required to return to Germany, saying that a proportion would be undesirable, and it would be easier to refuse them admission while on German soil, than to admit them and then enforce their return. Although Cooper recorded the impression that Schiff agreed with the firm line he was taking, Schiff told representatives of the American Jewish Joint Distribution Committee (AJDC) of his optimism that the Home Office would agree to temporary admission of refugees.

¹¹² See Breitman and Kraut, op. cit, pp. 70-73, 232.

¹¹³ Cooper, minute, 9 Jun 1939, PRO FO 371/24101, W9189/9189/48, f.11.

¹¹⁴ Hyman, Minutes of meeting of AJDC Executive Committee, 8 Jun, ADJC London to AJDC New York 9 June, AJDC 378.
who had documents for re-emigration to the USA, on the basis of a guarantee from the AJDC to maintain them in the interim. At a meeting at the Home Office on 12 June, at which AJDC officials offered such a guarantee, the admission to the UK of between 300 and 350 passengers was finally agreed, on the basis that the concession was not a purely British initiative, and that confirmation was obtained of offers by other governments to admit the remaining two-thirds of the refugees. The Belgian government had promised to admit 250; Holland would admit 194 who had no affidavits for entry to America; France agreed that day to admit 250. The Home Office representatives at the meeting had been Maxwell and Cooper: Hoare was not present, but his sanction was obtained afterwards.

It was suggested at the meeting that a number of the refugees should be returned to Germany, where it was thought nothing would happen to them, in order to demonstrate to the German government that such pressure to take refugees would not work. During the meeting, and in a parliamentary statement the next day, Home Office spokesmen insisted that arrangements for emigration must proceed in accordance with an orderly programme, and that this extraordinary case was not a precedent for admitting refugees who had not made definite arrangements for their reception before setting out. The fact that the passengers already had visas was seized on as the special factor which explained the British

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115 Cooper minute, 9 Jun 1939, PRO FO 371/24101, W9189/9189/48, f.11; 'Record of discussions re St Louis', 9 Jun 1939, AJDC 378.

agreement to make an exception in this case\textsuperscript{117}. To avoid creating a precedent, British representatives asked all governments concerned to make it clear to the Germans that this was the last time that such a concession would be made; the AJDC soon afterwards made a widely publicised announcement that it would abstain from staging a rescue should similar circumstances arise in future\textsuperscript{118}.

The case of the \textit{St Louis} had been exceptional. It was not a clear-cut case of illegal dumping of refugees, because of the existence of the Cuban landing permits\textsuperscript{119}. During the first phase of the affair, the AJDC decided to offer the Cubans a ransom of up to $500,000 to let the refugees land, despite the danger of encouraging similar demands from greedy Latin American governments in future. The AJDC also made unsuccessful efforts to move the US government to intervene with the Cubans or to modify immigration procedures\textsuperscript{120}. Most of the credit for achieving the admission of the passengers to the four European countries was due to the AJDC, which provided the essential finance, and whose representatives conducted energetic negotiations in several European capitals\textsuperscript{121}. President Roosevelt was

\begin{itemize}
\item \textsuperscript{117} Peake, \textit{Hansard}, vol. 348, cols. 1111-1112, 13 Jun 1939.
\item \textsuperscript{118} Baerwald to Joseph Hyman, 13 Jun 1939, AJDC 378; \textit{Hansard} 13 Jun, see n. above.
\item \textsuperscript{119} AJDC to Baerwald, 10 Jun 1939, AJDC 378.
\item \textsuperscript{121} The senior AJDC representatives who participated in the negotiations in London happened to be there on other refugee business, having come for discussions on the Coordinating Foundation, which was linked to the Wohlthat-Rublee plan.
\end{itemize}
not prepared to risk setting a precedent by making an exception, which he had the power to do\textsuperscript{122}. Although the US government maintained its unbending stance, it was embarrassed by the \textit{St Louis} crisis, in which American public opinion had become highly interested, and the State Department pressed Pell to use IGC resources to achieve admissions to western Europe\textsuperscript{123}; the IGC subsequently received more credit for the offers from the four governments than its secondary role seems to justify. In reality, the Home Office had been induced to make an exception to its policy by the AJDC's offer of a generous guarantee, the GJAC being in no position to make a financial commitment of this magnitude. Once the decision was made, the Home Office did its best to prevent the exception from becoming a precedent. The British acceptance of the remainder of the passengers saved the US government from some of the embarrassing consequences of its own reluctance to risk making an exception; it also demonstrated the UK's commitment to Anglo-American co-operation on refugee policy.

Ultimately, 287 or 288 \textit{St Louis} refugees landed in Britain, 181 in Holland, 214 in Belgium and 224 in France. The Home Office suggested that each of the four receiving countries take a family off the passenger list in turn, to avoid any particular country being saddled with those whose American visas would take longest to secure, a consideration which remained important even when it emerged that 250 passengers had relatives in the UK who were anxious to maintain

\textsuperscript{122} Breitman and Kraut, \textit{op. cit.}, p. 232.

\textsuperscript{123} AJDC to Baerwald, 9 Jun 1939, AJDC 378.
them\textsuperscript{124}. The AJDC allocated $500,000 to cover foreseeable expenses on the passengers; later a AJDC representative maintained that the terms of the guarantee given to the British government were limited to a maximum of $500.00 in each case\textsuperscript{125}. Most of the passengers in the UK could not expect admission to the USA for several years, and many were too old to work, so their expenses were substantial. The ADJC was held to the performance of its full financial responsibility for the British cases: by 1941 this had cost $72,000\textsuperscript{126}. The GJAC had also promised to maintain a proportion of the \textit{St Louis} passengers, but from 1940 it received government financial assistance in honouring all its maintenance obligations.

The end of pre-war immigration.

From early 1939, British officials and refugee organisations became increasingly involved in efforts to stop illegal refugee boats and transports. The German authorities were known to be implicated in hastening the departure from German territory of Jews who had no certainty of admission elsewhere. The \textit{St Louis} was the most celebrated of a number of havenless refugee ships. Illegal migration overland was also seen as a serious problem. The growing influx of refugees into Shanghai, where they did not require visas, was an increasing source of concern to the British government. Cooper, for example, had referred to the need to

\textsuperscript{124} Randall to Wright, 14 Jun 1939, Wright to Randall 15 Jun 1939, PRO FO 371/24101, W9470/9189/48, f.27.

\textsuperscript{125} Troper to Morrissey, 17 March 1942, AJDC 381.

\textsuperscript{126} See correspondence between the AJDC and CCJR on this question April-Jun 1941, AJDC 379.
discourage the Germans from sending refugees to Shanghai, to justify his firm line on the *St Louis* passengers; he expressed concern at the readiness of American organisations to maintain refugees in Shanghai, which he saw as consent to German blackmail\(^\text{127}\).

Increasingly, the destination of illegal migration was Palestine. A new and restrictive policy, announced in the controversial White Paper of May 1939, restricted Jewish immigration to 75,000 over the next five years, after which no immigration would be permitted without Arab consent. The government rode out the storm of protest which greeted this policy. The Colonial Office imposed additional restrictions, announcing a six-month suspension of admissions to Palestine as a punishment for illegal immigration. The Home Office was unsuccessful in efforts to get the ban lifted in the case of refugees in transit to Palestine now stranded in the UK\(^\text{128}\).

Emerson, in his capacity as director of the IGC, worked to gain the co-operation of foreign governments and refugee organisations in curbing illegal emigration, always underlining the need to channel emigration into orderly arrangements in line with IGC policy. The government's favourable report on settlement prospects in British Guiana had been published one week before the Palestine White Paper, in a vain hope of countering the despair Jews would

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feel at this blow to hopes for emigration to Palestine. Yet neither British Guiana, nor IGC negotiations and plans produced actual avenues of escape. The reality remained that the way out of Europe for Jews, if not by emigration either to Palestine or to Shanghai, much of it illegal, was through infiltration into developed countries. The finance for this emigration continued to come from such means as the refugees managed to preserve; the rest from private charity. The one exception was an anomalous advance of British funds in the case of Czechoslovakia, discussed in the next chapter.

Several thousand refugees entered the UK every month until the outbreak of war. Nevertheless, although entry procedures had been streamlined, the admission system still presented many obstacles to refugees and kept down the numbers of entrants. Delays of all kinds persisted, and mistakes and inefficiency could not be eliminated. Many refugees could not fulfil the conditions for entry, and, as war approached, the availability of sponsorship diminished. The long-predicted exhaustion of the funds of refugee organisations was also imminent. Cooper, foreseeing this development in March 1939, summarised the policy of the refugee organisations as being to transfer to Britain "as many refugees as they feel able to deal with".

A report dating from mid-August 1939, by Norman Bentwich of the CGJ, on a recent meeting with Adolf Eichmann in Vienna, demonstrates that the voluntary organisations felt obliged to resist pressure for co-operation with the German


timetable for Jewish emigration. In Vienna, the population of confessional Jews had been reduced from 165,000 in April 1938 to 67,000 in August 1939; numbers in the Austrian provinces had dropped from 15,000 to only 370. The Jewish death rate of 3,500 was four times that in 1937: of this, one eighth was due to suicide. The authorities now planned to eliminate the Jewish population of Vienna by the end of 1939 or early 1940. Bentwich, together with Dr Löwenherz of the Vienna Jewish Kultusgemeinde, discussed the timetable for emigration with Eichmann, who was in charge of Jewish emigration there, and had recently acquired a similar responsibility in Bohemia and Moravia. Bentwich told Eichmann that the CGJ could not continue to provide funds to assist the Kultusgemeinde on the scale of recent months. He said his organisation was unwilling to help carry out a policy "which was only multiplying the problems of the countries to which the refugees were forced out". It could only help if there was "an ordered emigration over a longer period", which required German co-operation. Eichmann, on the other hand, required complete evacuation of Jews in "Ostmark" (as the Nazis described Austria) in the shortest possible time. He dismissed the possibility of ordered emigration. His only concession was that, of 67,000 remaining Jews in Vienna, between 20,000 and 25,000 - persons over 65 who could not emigrate, pensioners and the very poor - might stay: the remaining 45,000 should be cleared out over the next six months.

Bentwich explained in his report that emigration opportunities were not available on the scale required by
Eichmann's timetable. By this time, Shanghai and Italy were regarded as closed to Jewish immigration, and future admissions to both the USA and the UK were estimated at the rate of only 1,000 persons per month each. Admissions to England were currently divided between women for domestic service, private guarantee cases, children, and Richborough Camp, but the latter two categories were nearly filled. The addition of the estimated monthly places contributed by overseas countries (700), Palestine (500) and European countries (500), gave a total of 3,700 per month - only half the rate of Eichmann's proposed exodus. Meanwhile, the problem of providing relief for Jews remaining in Austria would be a heavy tax on Jewish resources.

The unresolved conflict over Jewish emigration is graphically illustrated by the confrontation between the Jewish representatives and Eichmann. Bentwich's report shows that the programme of the IGC - of which efforts to persuade Eichmann to moderate his demands and talk of orderly emigration were a melancholy echo - had achieved nothing for refugees. The CGJ faced an agonising choice between trying to comply with pressure for Jewish emigration on the Nazis' terms while pleading for time, or calling a halt. Several weeks before war finally broke out, the Jewish refugee organisations decided they could not deal with any more cases, and asked the British government to halt new admissions.¹³²

¹³² Sherman, op. cit. p. 255; Wasserstein, Jews of Europe, op. cit., pp. 81-2; Cooper to Randall, 18 Sept 1939, PRO FO 371 24100, W13792/3231/48, f.120.
CHAPTER 5:
REFUGEES FROM CZECHOSLOVAKIA AFTER MUNICH

Policy
The refugee crisis in Czechoslovakia differed in important respects from the plight of refugees in Germany and Austria, not least, because it was a direct outcome of British foreign policy, which had culminated in the Munich Agreement. The British response to the crisis reflected these differences. This chapter examines the way in which such differences affected the admission of refugees from Czechoslovakia to the UK. The nature of the refugee crisis and British attitudes to various categories of refugee are dealt with first. Then the political factors in the British response to the refugees are outlined, together with the consequences of the government's financial involvement in aid to refugees from Czechoslovakia. The final section of the chapter is concerned with the administration of admissions and the selection of refugees.

The refugee crisis
The Munich crisis produced a refugee crisis in Czechoslovakia, which began before the actual signing of the Munich Agreement. During September 1938 thousands of people fled from the Sudetenland into other parts of Czechoslovakia, fearing that the government would soon be forced to give way to German pressure for the surrender of the Sudeten areas. These fears were realised at the end of

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1 For the background to the crisis, see JW Brueghel, Czechoslovakia before Munich, Cambridge 1973; for the refugee crisis, see Sherman, op. cit., pp. 137-159.
the month, when the Munich Agreement was signed. Under the agreement, the Sudeten areas were ceded to Germany and were occupied by German troops from 1 October. The exodus continued during October, with refugees leaving the newly ceded areas for the reduced area of territory which now belonged to the state of Czechoslovakia. Estimates of the numbers of refugees varied greatly. Thousands were forcibly returned by the Czechs into the German areas. Others returned home of their own accord. As a result the numbers of refugees who remained in the Czech areas were drastically diminished.

The Munich Agreement left a specific mark on the refugee crisis through the distinctions it created between various groups within the population of pre-Munich Czechoslovakia. These distinctions were expressed in provisions aimed at exchanges and transfers of population between the territory of "new" Czechoslovakia (the areas remaining under Czech rule after Munich), and the German areas. Under the agreement such population movements were to be achieved largely through the exercise of rights to opt for Czech nationality. Such rights were given to some groups, but not to others.

The right of option was bestowed on some 800,000 persons in the Sudetenland, mostly of Czech origin. If, as was expected, most of this group opted to become part of "new" Czechoslovakia, they would require resettlement there. Such an influx would create additional economic and social

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2 For Chamberlain's report on the Munich Agreement, see Cab. 47(38), 30 Sept 1938, PRO CAB 23/95.

pressures and burdens for the Czech state, which had emerged smaller, weaker and poorer from the Munich crisis. The Czechs soon showed that they did not intend to give equal weight to the rights of all persons from the Sudetenland to opt for Czech nationality. In particular, they were disinclined to accept Czech Jews as full citizens. Thus, the fact that a person possessed the right to Czech nationality on paper, was far from conclusive as to whether those rights would be respected in practice.

Other groups were denied even a notional right of option. Many ethnic Germans from the Sudeten areas were denied the right to opt for Czech nationality. Such persons might fear to remain in or return to the German areas, but in "new" Czechoslovakia they faced effective statelessness. They faced further danger from provisions which would enable the Czech government to send back non-citizens into the German areas before July 1939.

During the early weeks of the Czech refugee crisis, the distinctions made in the Munich Agreement between the rights of different groups of persons in or from the Sudetenland were given considerable weight by the British Foreign Office, because they appeared to guarantee the long-term future in the new Czechoslovakia of certain groups, including Czech Jews. Increasingly, however, rights to Czech nationality became less relevant. It became obvious that such provisions gave no effective protection to people whom the Czechs did not want. Rights of option bore little relation either to the immediate dangers and difficulties people faced, or to the urgent necessity of adjudicating between their claims for assistance.
People who became refugees, or who sought refuge, as a result of developments in Czechoslovakia, were repeatedly classified by British officials and representatives of refugee organisations into several distinct categories. By no means all the refugees fitted neatly into one or other of these categories, but the main classifications reflected the broad outlines of the refugee crisis, and were crucial in determining eligibility for British financial aid, and for admission to the UK. They are outlined below.

**Sudeten Germans.** Refugees and potential refugees were initially divided into three main groups. The first group was the Sudeten German refugees. Most of these were supporters of the anti-Nazi German Social Democratic party, whose homes had been in the Sudetenland and were of German ethnic origin. Their opposition to the Munich Agreement, and their German origins, endeared them neither to the Czech government, nor to large sections of the population, smarting from the country's unwilling capitulation to German pressure. The Sudeten Germans had no right to opt for Czech nationality under the Munich agreement. Members of this group were often designated by British representatives as "political refugees". Selected members received high priority for British rescue efforts, on account of the risk that they might be forcibly returned by the Czechs to the German areas and face persecution there, a fate many suffered in the early weeks of the crisis. Some Communists and Jews belonged to, or were associated with, this group, as well as some persons of Czech origin. The Sudeten Germans were regarded as the principal casualties of the Munich settlement. The numbers estimated to need resettlement
abroad fluctuated greatly in the weeks after the crisis, because many were forced back into to the Sudeten areas, or returned without physical compulsion. Estimated refugee numbers dropped from 40,000 to 15,000 during the second half of October, of whom less than one third were calculated by certain observers to require resettlement abroad.

"Old Reich" refugees. Refugees from Germany and Austria were also regarded as political casualties of Munich. They were sometimes spoken of as "old Reich" refugees, a term which will be used here. By October 1938 some 5,000 to 6,000 refugees from Germany and Austria were present in new Czechoslovakia. The majority had previously found refuge in areas of what was now new Czechoslovakia, mainly in Moravia and Bohemia, particularly in Prague. Most had arrived in the course of the first nine months of 1938, in the wake of the annexation of Austria. A minority of old Reich refugees had previously found asylum in the Sudetenland, but joined the mass exodus from the Sudetenland into the Czech areas at the time of the Munich crisis. The greater part of the old Reich refugees were Jews; among the non-Jews were many political exiles. Old Reich refugees were often divided by British representatives into "political refugees" and "Jewish refugees", but it was also recognised that these categories overlapped, for example, because some Jewish refugees had been implicated in political opposition to the Nazis.

4 See copy Malcolm, 'Report by Sir Neill Malcolm on his visit to Czechoslovakia, October 10th-12th, 1939', 13 Oct 1938, PRO T 160/1324/F13577/05/1.

5 Layton to Halifax, 28 Oct 1938, cited in n. before last.

6 See Emerson, memorandum, 'Report on Visit to Prague', 17 Jan 1939, PRO T 160/1324/F13577/05/3.
size of the old Reich group was moderate and its numbers reasonably certain, in contrast to the oscillating estimates of the numbers of Sudeten Germans who would need resettling.

The Czechs showed in a variety of ways that they saw the presence of this group of foreigners as problematic. One reason for Czech reluctance to offer continued hospitality to old Reich refugees was that the government was under pressure from its powerful German neighbour not to harbour Reich nationals. In addition, anti-German and anti-Jewish feelings were widespread in new Czechoslovakia. Czech difficulties over harbouring old Reich refugees elicited sympathy within the British government, which agreed to support efforts to resettle them outside Czechoslovakia and to try to prevent expulsions meanwhile.

Jews from the Sudetenland. A third and much larger group of refugees consisted of the Jews from the Sudetenland. Some 22,000 Jews had lived in the Sudetenland before Munich. The majority fled into Bohemia and Moravia during September and October 1938. The national status of the members of this group was mixed, but most had rights under the Munich Agreement to opt for Czech citizenship and live in new Czechoslovakia. Soon, however, the Czech government showed that it did not respect these rights. In addition, a pattern of bureaucratic discrimination against Czech Jews from the Sudetenland emerged, in a Czechoslovakia which became increasingly antisemitic.

One important instance of this discrimination was that many Czech Jews from the Sudetenland were being systematically denied access to funds they had brought with them. British
officials acknowledged the difficulties faced by this group. They nevertheless expressed considerable sympathy for the Czechs' reluctance to accept Sudetenland Jews in the reduced and overcrowded territories of post-Munich Czechoslovakia, a sympathy which could extend to apparent acceptance of the position that Czech Jews were not "real" Czechs. Official British policy was to press the Czech government not to discriminate against Sudetenland Jews, but to accept them in accordance with the Munich Agreement. British acquiescence in the expulsion or exclusion of Sudetenland Jews from Czech territory would not only have undermined the Munich Agreement, but risked fostering the growth of a large group of potential refugees, who would face problems in finding refuge similar to those facing Jews from Germany and Austria.

The position of Czech Jews There were fluctuations in the overall numbers of persons in the three categories set out above, who constituted the main body of refugees believed in the autumn of 1938 to need resettlement outside Czechoslovakia. The total was not greatly in excess of 40,000 persons, well over half of whom were Jews. Nevertheless, the position of a much larger group, who were not, at this stage, refugees, was also exciting concern. Some 300,000 Czech Jews were normally resident in the areas which now constituted the new Czechoslovakia: Bohemia, Moravia and Slovakia. Their position looked increasingly uncertain. The Czechs were providing daily demonstrations of their readiness to discriminate against Jews with rights to, or even in possession of, Czech nationality, through their

7 FO to Henderson, Nos. 512 and 513, 26 Oct 1938, PRO T 160/1324/F13577/05/1.
mis-treatment of Jews from the ceded areas. To the mis-treatment of Sudeten Jews who had succeeded in entering new Czechoslovakia, was added the Czech authorities' refusal even to admit many Jews of Czech nationality, who were being expelled from newly surrendered territories into the Czech areas. Some of the expellees were confined to no man's land areas on the new frontiers, whose lines had not yet been finally drawn.

The indications that the future for Jews in new Czechoslovakia was likely to be problematic were recognised in Britain. The Foreign Secretary, in a summary of the internal situation in Czechoslovakia in late October, reported to the Cabinet that, "A certain tendency to anti-Jewish action had been observed." The Czech government made it increasingly clear that Jews of Czech nationality were not regarded as real Czechs, and found a variety of ways of putting pressure on them to emigrate. Later, after the takeover of Czechoslovakia by the Germans in March 1939, pressure on all Czech Jews to emigrate intensified. Czechoslovakia's new German masters openly pursued a policy of pressing Jews to leave. On the other hand, the Germans tried to prevent the departure of political opponents, most of whom were non-Jews, who were therefore generally only able to emigrate by illegal channels. The majority of Jews could have departed openly. Their difficulty was not so much in leaving the country, as in finding a refuge abroad. The account of British policy which follows will show that Jews whose need for a haven abroad was based merely on the fact that, as Jews, they faced persecution, were not treated as

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8 Cab. 50(38)1, 26 Oct 1938, PRO CAB 23/96.
having a strong claim to priority in British efforts to provide refuge.

**Visas for the UK and the British Committee for Refugees from Czechoslovakia**

In October 1938 a new refugee organisation, the British Committee for Refugees from Czechoslovakia (BCRC) was formed in response to the Czech crisis. The initial intention of British fund-raisers was to provide relief for refugees within Czechoslovakia, but the demand for refuge abroad led to a decision that a UK-based organisation should be set up to allocate funds raised in Britain for refugees from Czechoslovakia, and to arrange their entry to the UK and re-emigration. The BCRC was a non-sectarian voluntary organisation. Its supporters had a particular interest in rescuing endangered "political refugees", among whom the Sudeten Germans were prominent. The BCRC was also seriously concerned with the plight of old Reich refugees.

British concern for Sudeten Germans was shown at an early stage in the preference this group received in the allocation of visas. From the sole quota of 350 special British visas for endangered refugees from Czechoslovakia which was made available prior to the end of October 1938, 250 were allocated to Sudeten Germans. These visas authorised admission to the UK on a temporary basis only, and the refugees were also required to have guaranteed maintenance during their stay. Their families would be admitted on similar conditions. The small quota of visas met only a fraction of the demand for refuge. The British government was under pressure from the leader of the Sudeten
German Social Democrats, Wenzel Jaksch, to help secure refuge abroad for many more members of this group, whose estimated numbers were as high as 15,000 in late October 1938. Such pleas were backed by pressure groups in the UK, and the BCRC negotiated the detailed arrangements for the authorisation of the 350 visas. It was decided to allocate 100 of the 350 special visas to old Reich refugees.

Jews were not treated as having a strong claim to priority in the allocation of British visas, if they could only claim that they faced persecution as Jews. The plight of the majority of Jews of Czech nationality did not therefore gain them entitlement to priority for rescue, either before or after the German takeover in March 1939. The majority of Jews were categorised, by British officials and by representatives of refugee organisations, as "racial" or "economic refugees", rather than "political refugees": in allocating its special visas the BCRC gave priority to "political refugees". This order of priorities generated a two-tier system, under which Jews who sought to escape from Czechoslovakia might enter the UK if they could fit into the categories of admission available for refugees from Germany and Austria - by obtaining guarantees, for example - but were otherwise not normally granted exceptional treatment or special visas, unless they were also regarded as "political". The British government remained opposed to any large-scale forced emigration of Jews of Czech nationality from Czechoslovakia, and British representatives, strongly backed by Sir Herbert Emerson in the name of the IGC, made

efforts to prevent and discourage such mass emigration. The British response was, however, far from monolithic: it will be seen that certain individuals, acting in both official and unofficial capacities, were able to influence the way in which refugees were selected for rescue.

The British response: political and financial

From Munich to the German occupation

The Czech refugee crisis gave birth to exceptional arrangements, by which the British government became financially involved in trying to mitigate refugee problems. British financial involvement later played an important part in shaping policies for the selection of refugees for entry to the UK. The origins of the decision to provide funds to help the Czech government to cope with refugees lay in British responsibility for the Munich Agreement. The crucial distinguishing feature of the Czech refugee crisis in the eyes of many people in the UK, including many politicians and officials, was British responsibility for its creation; this responsibility, so it was widely believed, imposed an obligation to make an effort to mitigate some of the more oppressive consequences of the Munich settlement.

British obligations included legal, humanitarian, political and military elements. Legal aspects arose from British responsibility for the implementation of the Munich Agreement. This entailed, among other things, a commitment to uphold the rights of residents of territories which had now come under German control, including rights to opt for Czech nationality, to reside in Czech areas and to protection of personal and property rights. Second, British
policy also had a humanitarian element, which was manifested in a willingness to rescue selected refugees who were thought to be in danger, especially if these dangers had been incurred as a result of political opposition to German encroachment in Czechoslovakia. Third, the political and military considerations which had led the British government to support the making of the Munich Agreement, also dictated a policy of giving support to the Czech government to help it survive in the aftermath of Munich. British policy-makers worked to help the Czechs resist Nazi political pressure emanating from Germany and from elements within the country. The British government also tried to mitigate the economic and financial pressures the Czechs faced after Munich, and gave aid to help them handle the results of a big influx of refugees.

In early October, the British government agreed to advance funds totalling £10 million to the Czechs\(^\text{11}\). This was a big sum for the British government, representing 1.25 per cent of total tax revenue in 1938/9, or 8.25 per cent of expenditure by the War Office in the same year. A £4 million portion of the advance was designated as a gift for the relief and resettlement of refugees within Czechoslovakia and overseas\(^\text{12}\). In negotiations over the terms of this portion of the advance, British representatives laboured the point that the funds should be used to meet the needs of refugees on a non-discriminatory basis and that refugees were not to be expelled into the German areas. Further

\(^{11}\) Cab. 48(38)1, 3 Oct 1939, PRO CAB 23/95; See also Cab 49(38)2, 19 Oct 1938, Cab 52(38)9, 2 Nov 1938, PRO CAB 23/96.

\(^{12}\) Cab. 55(38)7, 16 Nov 1938, PRO CAB 23/96; Cab. 57(38)3, 30 Nov 1938, PRO CAB 23/96.
financial assistance would be tied to British satisfaction on these points\textsuperscript{13}. Yet there were, disturbing signs that the Czechs were only waiting to be assured of the British funds before launching anti-Jewish measures\textsuperscript{14}.

The British funds were not intended to finance the entry of refugees to the UK. However, the original aim that the money should be used to resettle refugees within Czechoslovakia became increasingly impossible of realisation, while the prospects of immediate resettlement overseas remained small. In time, many people concerned with the rescue of refugees came to view the unspent moneys in the fund as a potential source of finance for bringing refugees to the UK.

The government, which wished to monitor the expenditure of the British moneys, announced in October the appointment of Robert Stopford, as British Liaison Officer in Prague. Stopford was not a career civil servant, but a banker, and related to Simon, the Chancellor of the Exchequer, whom he had served in a secretarial capacity in the past. Stopford had been a member of the Runciman Mission, which had unsuccessfully tried to resolve the Czech crisis during the summer, so had recent experience of Czechoslovakia\textsuperscript{15}. On appointment to his new duties, he was asked particularly to make sure that there was no discrimination on political or

\textsuperscript{13} See e.g. 'Note of a meeting between the Czecho-Slovak Financial Mission and representatives of HM Treasury, held on Saturday, 15th October 1938', 15 Oct 1938, PRO T 160/1324/F13577/05/1.

\textsuperscript{14} Waley to Leith-Ross, 19 Nov 1938, PRO FO 371/21576, C14393/2320/12, f.204; Waley to Makins, 23 Nov 1938, PRO FO 371/21576, C14421/2320/12, f.210; Cab. 57(38)3, 30 Nov 1938, PRO CAB 23/96.

\textsuperscript{15} For Stopford's career, see Appendix 1.
racial grounds, and to collect information on the refugee problem in Czechoslovakia. He was to report to the Treasury and send copies to the Foreign Office. Stopford became a well-informed and effective advocate for the rights of refugees. He displayed a remarkable ability to inspire trust and win friends in both official and unofficial circles in Czechoslovakia.

The terms of the Czech advance were finally incorporated in January 1939 in a formal agreement with the Czech government, to which the French government was a party, under which the sum of £4 million from the UK government was converted into a free gift to be used entirely for the emigration of refugees. Provisions for giving effect to the agreement were embodied in legislation passed in late February 1939. Extra provisions included in the agreement, but kept secret, extended refugee benefits to persons from one part of "new" Czechoslovakia who had sought refuge in another part of "new" Czechoslovakia. These measures were designed to cover the plight of Jews from Slovakia who had fled to Bohemia and Moravia, and showed the serious scale which the problem of persecution of Jews had attained within the borders of new Czechoslovakia by this date. The need for such a provision constituted embarrassing evidence of the

16 Phillips to Stopford, 31 Oct 1938, PRO FO 371/21576, C13311/2320/12, f.56.

17 'Agreements between His Majesty's Government in the United Kingdom the Government of the French Republic and the Government of the Czechoslovak Republic regarding FINANCIAL ASSISTANCE TO CZECHO-SLOVAKIA' (with exchange of letters with the Plenipotentiary of Czecho-slovakia in London), 27 Jan 1939, Cmd. 5933. A copy of this document is in PRO HO 294/68.

18 Czechoslovakia (Financial Assistance) Act 1939, 28 Feb 1939.
apparent impossibility of preventing persecution of Jews in the Slovak areas of Czechoslovakia\(^{19}\).

For the purposes of the agreement refugees were defined as follows: first, ordinary residents of the ceded territories prior to 21 May 1938, who had or might seek refuge in post-Munich Czechoslovakia and were either not qualified to opt for Czech nationality, or, though qualified, were unable to support themselves in Czechoslovakia, whether or not the option had been exercised; second, "old Reich" refugees, who had obtained temporary refuge in pre-Munich Czechoslovakia. Provision was also made in the agreement for another possible category, which was not defined: the agreement merely left it open for the French or British governments to agree to include other persons later\(^{20}\). In accordance with the agreement, the funds were placed in an account opened by the National Bank of Czechoslovakia in the Bank of England.

**15 March 1939 and after: the establishment of the Czech Refugee Trust Fund**

The Czechs had drawn about one tenth of the money in the Bank of England account in the period up to 15 March 1939, when the German invasion of Czechoslovakia put an end to future compliance with the agreement. To prevent the moneys from falling into the hands of Czechoslovakia's new masters, the funds were frozen, and included in a new Act prohibiting

\(^{19}\) See exchange of letters between Stopford and Dr Zavrel, 27 Jan 1939, Trend to Cooper, 1 Feb 1939, PRO T 160/1324/F13577/05/3.

\(^{20}\) Annex I of Agreement of 27 Jan 1939, referred to above.
payment out of funds connected with the former government without the authority of the Treasury\textsuperscript{21}.

The British government then decided that the approximate £3.25 million unexpended balance of the original £4 million for refugees should still be available for the purpose of enabling refugees to emigrate from Czechoslovakia. A British agency was to be set up to administer the fund\textsuperscript{22}. The agency eventually formed was the Czech Refugee Trust Fund (CRTF) but this was not formally created until July 1939\textsuperscript{23}. However, in April 1939, the BCRC, its funds already exhausted, offered to continue its work if funds could be assured from the remaining balance of the Gift moneys, to cover liabilities and administrative expenses. It was therefore decided that, pending the setting up of the CRTF, the Treasury would advance to the BCRC moneys, which would later be repaid out of the Fund\textsuperscript{24}. This arrangement enabled the BCRC to continue to bring refugees to the UK, until the CRTF was set up by the Home Office in July, absorbing the BCRC's casework functions. In the interim, these casework functions were carried out under increasing direction from the British government. On 21 July 1939, the date the Trust Deed was

\begin{itemize}
\item \textsuperscript{21} Czechoslovakia (Restrictions on Banking Accounts etc.) Act, 1939, 27 Mar 1939; the approximate unexpended balance on the Refugee Account amounted to £3.25 million, and £3.5 million on the Reconstruction Account. Waley, Czech Claims, 11 Sept 1940, PRO T 210/20.
\item \textsuperscript{22} Simon (Chancellor of the Exchequer), Hansard, op. cit., vol. 345, cols. 1299-1303, 22 Mar 1939.
\item \textsuperscript{23} Papers on the history of the CRTF are in PRO HO 294/5.
\item \textsuperscript{24} Layton to Simon, 25 Mar 1939, PRO HO 294/50.
\end{itemize}
signed, formal directions to the trustees were issued by Maxwell, Permanent Under Secretary at the Home Office\textsuperscript{25}.

The categories of refugee eligible for help under the terms of the agreement with the Czechs remained relevant after March 1939, although the agreement itself had been relegated to history by the demise of the Czech government. The provisions of the agreement now constituted the terms of a trust, under which the remaining funds were held in British hands. Subsequent decisions as to how the money should be spent had to take account of whether the funds were being expended on the objects originally intended, who had mostly been persons with German or Austrian origins or affiliations. A new difficulty was whether these funds could be expended to help Czech Jews and other persons of Czech nationality who had not been included in the terms of the original agreement, because they were not then refugees. Moreover the Gift Fund had been designed to assist only emigrants from Czechoslovakia who were bound for a destination where they could settle permanently, but the most urgent need was to evacuate persons who could only find temporary refuge. It was decided to enlarge the purposes of the Gift Fund to cover such refugees. It would now therefore be possible for the BCRC to recover the cost of maintenance of refugees up to the extent of £100,000 from the Treasury\textsuperscript{26}.

\textsuperscript{25} Home Office, 'Czech Refugee Trust Fund and Directions to the Trustees', 21 Jul 1939, Cmd. 6076. A copy of this document is in PRO HO 294/68.

\textsuperscript{26} Copy Hailey (Co-ordinating Committee) to Hoare, 6 Apr 1939, sent Jagelman to Waley, 12 Apr 1939, PRO T 160/1324/F13577/05/8.
Czechs and Jews were now to be included as refugees\(^{27}\). The new terms of reference included two new categories in addition to the two original groups in the January agreement. The first new category comprised residents of Bohemia and Moravia immediately before 15 March 1939 in respect of whom there existed "special circumstances" which, in the opinion of the Trustees rendered them suitable for assistance in accordance with the purposes of the Trust. The second new category was defined as, "such other persons or classes of persons from New Czechoslovakia as the trustees may subject to the approval of the Secretary of State prescribe as being suitable for assistance in accordance with the purposes of the trust"\(^{28}\). The inclusion of these categories had been requested by the BCRC on the basis that persons of Czech or Jewish nationality now forced to leave for political, religious or racial reasons could be included in the third category of the original agreement\(^{29}\). The fund itself was kept down to its original level, despite representations to the government that it should make additional funds available, over and above the original £4 million, in order to expand the possibilities of rescue.

A consequence of British financial involvement was that Treasury officials found themselves involved not only in control over finance, but in refugee policy and procedures. The original arrangements with the Czechs for the British advance had been the concern of the Treasury, working in

\(^{27}\) See Waley, drafts of telegrams to Stopford, 13 Apr 1939, FO to Troutbeck, No. 123, 17 Apr 1939, PRO T 160/1324/F13577/05/8.

\(^{28}\) Trust Deed, 21 Jul 1939, para 1, PRO HO 213/297.

\(^{29}\) Margaret Layton(BCRC) to Simon, 25 Mar 1939, PRO HO 294/50.
conjunction with the Foreign Office. Stopford had himself been instrumental in bringing about the British decision to offer the Czechs the funds whose expenditure he was now supervising. After Stopford left for Prague in the second half of October, he maintained regular contact with Makins at the Foreign Office, but his prime responsibility as British Liaison Officer was to the Treasury. He sent particularly detailed reports to SD Waley of the Treasury, who was an old friend. One result of these communications was that Waley was particularly well-informed about developments in the persecution of Jews in Czechoslovakia. By November 1938, for example, Stopford was already predicting that most Czech Jews would be forced to emigrate and that a wholesale expulsion of between 150,000 and 250,000 Jews was possible.

Waley chose to make use of this information to alert Anthony de Rothschild to the need for British Jews to make provision for guarantees to support the emigration of their co-religionists in Czechoslovakia. Stopford had many Jews among his numerous contacts in Prague, and maintained concern about persecution of Jews. After the German takeover, he became the acknowledged authority on the interpretation of the provisions of the Gift Fund, and supported assistance from the Fund to help some, but not all, Czech Jews to emigrate. He also worked hard to get emigration to the UK re-started following the occupation.

30 Dominion Office memorandum (n.d.), 'Position of Sudeten German Social Democrat Refugees and other Refugees in Czechoslovakia', sent Devonshire to High Commissioners, 21 Nov 1938, PRO T 160/1324/F13577/05/2.

31 Waley to de Rothschild, 25 Nov 1938, Waley to Stopford, 29 Nov 1938, PRO T 160/1324/F13577/05/2.
Treasury officials, who had the benefit of Stopford's reports and expertise as well as their own experience of dealing with the Czechs, were well placed to mount informed criticisms of Home Office positions on refugee policy.

The Home Office and the Czech Refugee Trust Fund
The Home Office had no reason to be involved with the Gift Fund until after the German occupation; thereafter it was closely concerned in the creation and subsequent history of the CRTF. In consequence, Home Office officials exercised an unprecedented degree of control over the British voluntary effort for Czech refugees. The general outlines of the trust were agreed in mid-April 1939. The Fund's aims were primarily to secure the emigration and settlement of refugees from Czechoslovakia, and, secondly, to maintain them. Before the end of April three trustees were nominated by the Home Office to supervise the general administration of the Trust. Two represented the voluntary sector: Eward G Culpin, a trustee of the Lord Mayor's fund, and Erich Turk, of the BCRC, whose role was "to represent Jewry". The third trustee was the Home Office representative Sir Malcolm Delevigne, a retired Home Office official. A director nominated by the Home Office was to carry out the day-to-day functions of the CRTF, which included running a

32 See item, 'Report on Czech Situation', Minutes of Co-ordinating Committee meeting, 3 Apr 1939, PRO HO 213/268; Maxwell to Hailey, 6 Apr 1939, Hailey to Maxwell, 14 Apr 1939, PRO HO 294/39; Waley to Sir F Phillips, 15 Apr 1939, PRO T 160/1324/F13577/05/8; 'Note of Meeting in Sir A Maxwell's room on 18th April 1939, to discuss the setting up of a Trust to administer the Czech Refugee Fund', ibid.

33 See preamble of Trust Deed, 21 Jul 1939, PRO HO 213/297.

34 See note of meeting in Maxwell's room on 18 Apr 1939 cited in n. before last; for details of Culpin, Turk and Delevigne, see Appendix 1.
case-working body. It was hoped to find someone who would not require a salary, perhaps a retired Indian civil servant, but if necessary a proper salary could be offered. Maxwell wanted a "really efficient" director who would "have real control over the voluntary workers"\textsuperscript{35}. Stopford's candidature was mooted in BCRC circles, but Sir Henry Bunbury was the final choice for the post, to which he brought several months' experience of trying to impose order on the chaotic administration and finances of the GJAC\textsuperscript{36}.

In the four months which elapsed between the fall of the Czech state in March 1939 and the constitution of the Trust in July, the Home Office became more involved than previously in questions of which cases the BCRC should take up. The Fund would ultimately take over direct responsibility for such cases: meanwhile, they were being covered by moneys advanced to the BCRC. In the changed situation new BCRC cases had to satisfy several requirements: to comply with immigration policy; to be eligible for help within the expanded terms of reference of the Fund; and to justify the expenditure of a portion of the finite sum available from the Fund. As well as having become financially dependent on the Free Gift funds, the BCRC continued, of course, to require Home Office agreement to admissions. Since 1 April 1939, moreover, all refugees of Czech nationality required visas.

\textsuperscript{35} Minutes, BCRC General Council meeting, 15 May 1939; 'Czech Refugees', minutes of meeting on 23 May, PRO T160/1324/F13577/05/9; minutes, BCRC, Executive and Finance Committees meeting, 24 May 1939, PRO HO 294/50;

\textsuperscript{36} Ibid.; for Bunbury, see Appendix 1.
The BCRC leadership frequently found Home Office delays and failures of communication irritating, and often felt that officials were unduly restrictive or downright unhelpful in granting visas for BCRC-supported cases. They were, nevertheless, in agreement with Home Office policies which limited the overall scope of emigration, particularly emigration of Jews categorised as "economic refugees". Waley, on behalf of the Treasury, had told Stopford in April that "Czechs and Jews are to be included as refugees". Yet in July questions of whether a commitment had been made on behalf of the government to help Czech Jews to emigrate, and whether this came within the terms of the re-defined trust, became matters of dispute between Bunbury, newly-appointed Director of the CRTF, and Stopford. Stopford emphasised his accountability to the aims of the original gift and to the Treasury, and opposed the BCRC, the Trustees and the Home Office.

The question of whether the Trust funds should be increased became a Home Office concern in early August 1939, when Eleanor Rathbone was leading a campaign for at least part of the remaining £6 million of the Czech loan to be used for further emigration. Cooper strongly opposed making available additional funds for this purpose. His arguments were given short shrift in the Treasury, where Waley rejected as "untrue" Cooper's claim that more funds would "embarrass" the trustees. Cooper also claimed that,

37 See, e.g., Layton to Cooper, 8 Jun 1939; Layton to Bunbury, 26 Jun 1939, PRO HO 294/52.

38 FO to Troutbeck, No. 123, 17 Apr 1939, PRO T 160/1324/F13577/05/8.

39 Cooper, memorandum, 'Czech Refugees', 2 Aug 1939, with marginal notes by Waley, PRO T 160/1324/F13577/05/16.
It would be little short of a catastrophe if £6,000,000 or any lesser sum were made available by the British Government for assisting Jewish emigration from Czecho-Slovakia (and/or Poland) at the present time.

"This is surely rubbish", wrote Waley, moderating his language to tell a colleague that he found the position "unconvincing". Yet Cooper's position reflected a consensus reached at a meeting on 29 July, between himself, Bunbury, Margaret Layton, secretary of the BCRC, and Farrell, the PCO from Prague, which discussed the question of further emigration both from the Protectorate (as Bohemia and Moravia were now known) and from Poland. Concern was voiced about the arrangements announced by "the new head of the Gestapo for refugee business" (a reference to Eichmann) for carrying out his plan to speed Jewish emigration from Czechoslovakia, through a planned reduction of 60,000 over the next 12 months. Since there was no effective agreement with the German authorities, such emigration would be conducted in a disorganised way, using the oppressive methods Eichmann had employed in Austria. The meeting agreed that, in these circumstances,

any suggestion of substantial financial assistance from Great Britain to Jewish emigration from the Protectorate would play straight into the hands of the Gestapo and would be far more likely to encourage persecution and terror than avoid it.

Those present accordingly deplored Rathbone's campaign for additional finance as "a grave mistake in strategy", and resolved to advise against further financial assistance,

40 Ibid.; Waley to M Wilson Smith, 2 Aug 1939, PRO T 160/1324/F13577/05/16.

41 Memorandum of meeting on 29 Jul 1939, 30 Jul 1939, PRO HO 294/7.
except under binding arrangements satisfactory to the government and the Trustees. In early August the government rejected all proposals for extending the fund, including one put forward by an all-party deputation of MPs\textsuperscript{42}.

The participants in the 29 July meeting, having agreed to oppose further financial commitment, then addressed the question of how to respond to the plight of various groups of refugees. They accepted the need to raise with the German authorities the question of allowing the departure from the Protectorate of some 130 wives and children of refugees who had escaped illegally, but thought this might be included in any general negotiations. However, the meeting decided that the Trust should not recognise or help political refugees who would continue to trickle illegally into Poland, since this would provoke reprisals against persons still in the Protectorate. A negative approach should also be adopted towards the escape of large numbers of "non-political Jews" across the Polish frontier with at least the connivance of the German authorities. To do otherwise would obviously create an intolerable situation for the Jewish people in general in Eastern Europe - for unless Great Britain were prepared to receive and maintain them freely (and this would give rise to a corresponding claim from Jewish people still in the Reich) an influx of Jews from Czechoslovakia would prove the last straw to the Polish Government and might well lead to persecution of Jews generally in Poland. Obviously there is no solution of the Jewish problem along these lines.

They therefore decided to close down the Trust's operations in Poland. The meeting made a feeble reference to hopes of extending the Rublee-Wohlthat scheme of orderly emigration to Czechoslovakia, but recognised that the Germans might

seek to deprive Jews of the greater part of their wealth before agreeing such a scheme, if indeed they were prepared to agree anything at all.\(^{43}\)

The Trust continued its work following the outbreak of war. It went through a troubled and factional period in the early part of the war, including serious allegations of bias and mismanagement, which Bunbury had the task of resolving.\(^{44}\)

**Other benefits for Czech refugees from British funds**

Czech refugees received various other benefits through the application of the residue of the funds made over to the Czechs in October 1938. The Trust had a separate responsibility for authorising the release of sums of £200 landing money, to which many refugees were entitled from the Fund. Home Office and Trust officials were inclined to conserve the fund and avoid release of the moneys, a course whose legality was vigorously questioned by Treasury officials.\(^{45}\) On the other hand, the Trust provided generous benefits for certain refugees, such as finance to pursue medical studies.\(^{46}\)

Individual refugees from Czechoslovakia also received financial benefits from a scheme authorised by statute in

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\(^{43}\) Memorandum of meeting on 29 Jul 1939, 30 Jul 1939, PRO HO 294/7.

\(^{44}\) For difficulties in 1939, see PRO T 161/1001; for 1940 see PRO HO 294/25 and Treasury memoranda in February 1940, PRO T 160/1324/F13577/05/18.

\(^{45}\) See e.g. critical memorandum by Sir Stanley Wyatt, 27 Aug 1940, PRO HO 294/225.

\(^{46}\) Dr Josephine Breughel, a Jewish refugee from the Sudetenland, completed her medical studies with the help of the CRTF. Dr Breughel, interview with this author, 13 Apr 1988.
January 1940, which used the residue of the British loan to pay compensation for assets left behind. The sums were paid from confiscated moneys amounting to approximately £3.5 million, which remained in the Czech government's Reconstruction Account in the Bank of England. Refugees became entitled to benefit by the device of defining them as "British holders" - persons with claims on these moneys based on coupons due on the Czech External Debt or on cash claims, such as those in respect of bank balances; they were entitled to receive a 50% dividend, with a £50,000 maximum in respect of cash claims. In September 1940 Waley reported that under the scheme a handful of Czech refugees would get most of the money - one family would get £753,000 and another £537,000, a result likely to cause public scandal, if known. An alternative scheme, supported by the existing scheme's administrator, Sir Stanley Wyatt, would limit the sum paid out to any one individual, allowing a surplus of about £930,000 to be placed at the disposal of the Czech National Committee, which was now recognised by the British government. Waley conceded that the existing scheme was very difficult to defend, but successfully argued that a change would cause fresh trouble, with the need for complicated, probably controversial legislation, and objections of hardship to persons who had relied on the scheme.

In 1941 the provisional Czech government in exile obtained funds from the Refugee Account in the form of a grant of £100,000 from the Trust, to assist Czech refugees on the

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47 Czecho-slovakia (Financial Claims and Refugees) Act, 1940, 31 Jan 1940.
Continent. The funds were intended to help loyal Czechs who found themselves in countries in danger of German occupation or influence, but had clear prospects of admission to territory of greater safety, and permission to stay there for the duration of the war\(^{49}\). A person's selection by the Provisional Government for benefits under the scheme would not of itself carry entitlement to a visa for territory in the British Empire, but the Czechs were told that having maintenance secured by these funds would assist people to get visas, and that many were expected to emigrate to British territory. RTE Latham in the Foreign Office Refugee Section, who wished to expand the scheme, found himself at loggerheads with Cooper, whose fears about the scheme included the possibility that some of the refugees might come to the UK\(^{50}\). The scheme itself, although highly restricted, constituted a rare exception to British policy of not funding refugee rescue during the war.

The foregoing discussion has shown how the history of the Gift Fund led the Home Office to become responsible for directing the policy of an organisation originally formed to rescue refugees and bring them to the UK. Yet the priorities of the Home Office meant that its influence on BCRC and Trust activities was largely aimed at limiting new commitments. The tensions this produced are further explored in the last section of this chapter.

\(^{49}\) Eden to Jan Masaryk, 15 Apr 1941, PRO T 160/1324/F13577/05/19,

\(^{50}\) See Latham to Cooper, 24 May 1941, Cooper to Latham 3 Jun 1941, Latham to Cooper, 8 Jun 1941, Cook to Latham, 10 Jun 1941, Latham to Cook, 13 Jun 1941, PRO T 160/1324/F13577/05/19.
Selection Policy
The administration of British aid to refugees from Czechoslovakia required guide-lines for the selection of individuals from among thousands who sought help and refuge. The whole process was complicated by enormous difficulties in estimating the numbers and needs of constantly shifting groups of refugees. It was often far from clear which refugees stood in the most serious danger or difficulty. Such uncertainties were particularly acute in the six months between the Munich Agreement and the fall of the Czech government in March 1939, because the Czechs were expelling some refugees and refusing others entry, and neither their assurances nor their threats regarding what they might do in future could be relied on. The remainder of this chapter is concerned with the selection policies evolved by British government representatives and the BCRC for refugees from Czechoslovakia. It examines the principal policy trends, and the procedures by which refugees were chosen.

Priorities from Munich to the German Occupation
The British government was reluctant to undertake responsibility for mitigating the refugee crisis in Czechoslovakia by admissions to the UK, but internal and external pressures dictated that some admissions would have to be permitted. The priorities of the British government in choosing whom to help reflected a sense of political obligation towards Sudeten Germans and old Reich refugees,

51 See Eleanor Rathbone, 'Note on Situation in Prague', 20 Jan 1939, detailing the Czechs' susceptibility to pressure to surrender refugees, and urging their evacuation without further delay, PRO HO 294/39.

52 For the government's response in the autumn of 1938, see Sherman, op. cit., esp. pp. 142-155.
whose position was severely threatened by the Munich Agreement and its aftermath. The British felt an obligation to help the Czechs to resettle these two groups abroad, because of the embarrassment caused by their presence within the borders of new Czechoslovakia. The welfare of Sudeten and old Reich refugees was also a particular concern of opponents of the Munich Agreement, who were active in the BCRC and in lobbying for refugee admissions.

In early October, several funds were launched for refugees from Czechoslovakia. The Lord Mayor of London, Sir Harry Twyford, started a fund in his name, although Cabinet ministers planned to discourage him. He went out to Prague to investigate, as did representatives of other UK organisations, including the Trades Union Congress and Labour Party. In Prague, the British visitors arranged for the expenditure of funds raised in the UK and decided to set up a British committee, which became the BCRC, to handle arrangements for refugees who might come to the UK. The BCRC did not raise large sums itself, but obtained funds from other organisations, including a total of £80,000 from the Lord Mayor's Fund. The BCRC put forward to the authorities cases of endangered individuals for admission, and undertook responsibility for the maintenance of refugees in the UK, and to arrange and pay for their emigration overseas as soon as possible. The Committee was

53 Cab. 48(38)2 and 48(38)3, 3 Oct 1938, PRO CAB 23/95.

54 Papers on the BCRC's origins are in PRO HO 294/39. Its first meeting was held on 26 Oct 1938; a constitution was adopted in February 1939. Minutes of meeting, 13 Feb 1939, PRO HO 294/50.

55 Lord Hailey, 'Note of discussion with Sir Harry Twyford on 16th January 1939', 17 Jan 1939, PRO HO 294/50.
theoretically limited in the liabilities it could undertake by the funds at its disposal. Nevertheless, by January 1939 it had undertaken liabilities to 1,100 people which were £41,000 in excess of its resources, and was exploring other sources of income.

The leader of the non-Nazi Sudeten Germans, Wenzel Jaksch, mounted effective pressure on behalf of endangered followers of his German Social Democratic party. He arrived in the UK in early October, seeking a haven for up to 20,000 adherents, and his proposals for refuge in the dominions were urgently taken up with dominion governments. Canada, which sought new immigrants, especially skilled craftsmen and agricultural workers, eventually accepted several thousand Sudeten refugees, many of whom entered the UK as a temporary refuge en route. They departed again for Canada, in some cases within weeks: the traffic aroused intense interest among British shipping lines. The Canadian government extracted from the British government, as a condition for accepting refugees into Canada, an agreement to allocate landing money of $1,500 per family: a huge increase over the standard landing money from the British Gift for Czech refugees on resettlement, which was only £200.

Very few of those accepted in Canada were Jews. The Canadian government accepted the advice of its High Commissioner in

56 Ormerod, 22 Jan 1939, PRO HO 294/39.
57 Hynard (Board of Trade) to Playfair, 18 Apr 1939, PRO T 160/1324/F13577/05/8.
58 Copy SB Pearson (Office of High Commissioner for Canada) to Maxwell, 17 Apr 1939, sent Williams (HO) to Waley, 18 Apr 1939, PRO T 160/1324/F13577/05/8.
London, Vincent Massey, that if it accepted substantial numbers of "Aryan Sudeten German" refugees, this would make it easier to refuse to admit more Jews. The British government was aware that the Canadian government wished its share of the emigration to be confined to Social Democrats of the Sudeten German community. The Canadians had, however, agreed to the inclusion of Jews, so Waley informed Maxwell, "provided that they are of a 'non-ritualistic' type, but look very much askance at Communists".

The response to the Sudeten Germans and the arrangements for their re-emigration to Canada show that, even for a group of largely non-Jewish refugees, the BCRC policy was very similar to that evolved by Jewish organisations and the Home Office for the influx from Germany and Austria. Emigration prospects were similarly important. Thus Sudeten Germans came to the UK as a temporary refuge, and subject to guarantees for maintenance and emigration.

The crucial distinguishing feature of BCRC policy for the allocation of its special visas, was its emphasis on the degree of danger faced, as the main criterion for rescue. A leading figure in the BCRC, Mary Ormerod, stated in January 1939 that the Committee, in its choice of Sudeten and old Reich refugees, had been guided "solely by the degree of

59 See Abella and Troper, op. cit., pp. 48-49.

60 Waley to Maxwell, 29 Apr 1939, PRO T 160/1324/F13577/05/8; For British fears of Communists, see Sherman, op. cit., pp. 152-153; the Home Office reconsidered its rejection of one group of Communists. Gillies to Layton, 24 Nov 1939, PRO HO 294/52.
danger in which they stood of being deported to Germany"\(^6\)\(^1\). The priority the BCRC gave to trades union and political figures was derived from this principle. The dangers such people faced, which arose from political causes, were seen as more severe and more personalised than the dangers arising from persecution of Jews, who were also being forced back into the German areas.

Several factors combined to produce a low priority for Jewish emigration. First, far more Jews were persecuted because they were Jews than on political grounds. It was therefore difficult to argue that a particular Jew was threatened on grounds specific to the individual concerned, unless there was a political dimension to the case. Second, the Germans did not attempt to force the return of Jews to their newly-acquired territories, but were, on the contrary, expelling them or persecuting them with the aim of forcing their emigration. Third, the Czech government had no grounds under the Munich Agreement for complaining about the presence of Czech Jews on its territory. Fourth, it was the policy of both the IGC and the British government that forced emigration of Jews should be resisted.

To these factors, which concerned the need and desirability of Jewish emigration, were added questions of its practicability. Emigration prospects for Jews were poor, and, as the Canadian response had shown, were worse for Jews than for non-Jews from Czechoslovakia. Makins, concerned about the consequences of increasing commitments to Czech

\(^6\)\(^1\) Ormerod, 'Notes on the liabilities of the British Committee for Refugees from Czechoslovakia', 22 Jan 1939, PRO HO 294/39.
refugees, objected to the singling out of refugees from
Czechoslovakia generally, and Sudeten Germans in particular,
for special privileges. As CR Price of the Dominions
Office wrote to Makins, this view was inconsistent with the
government's action in assisting members of this group to
emigrate to the dominions and admitting urgent cases to the
UK. Conflict arose within the IGC over whether Sudeten
German refugees should be given special privileges because
of their better emigration prospects. Winterton proposed
that since non-Jews would be more attractive immigrants to
possible countries of settlement, the availability of the
Sudeten Germans should be advertised; Rublee objected that
this was discriminatory and contrary to IGC principles.
Stopford suggested that the likelihood that it would be
easier to settle non-Jews abroad would justify the release a
lump sum of perhaps £250,000 from the new British loan to
finance temporary asylum in the UK and subsequent settlement
for endangered Sudeten Germans.

Another factor was the refusal of Jewish organisations in
Britain to take responsibility for refugees from
Czechoslovakia. The CGJ adhered tenaciously to the position
that its funds had been collected for German Jewry. This

62 See Makins, memorandum, 27 Oct 1938, PRO FO
371/21585, C12940/11896/12, f.47; Sherman, op. cit., pp.
153-154.

63 Price to Makins, 31 Oct 1938, PRO T
160/1324/F13577/05/1.

64 Rublee to Winterton, 26 Oct 1938, PRO FO 371/22535,
W13882/104/98, f.24.

65 Newton to FO (for Waley from Stopford), 26 Nov
1938, PRO T 160/1324/F13577/05/2.

66 Bunbury, 'The problem of Jewish Refugees from
Czechoslovakia', 5 Apr 1939, PRO HO 294/39.
did not prevent close co-operation between the GJAC and the BCRC. Representatives of the Jewish body sat on BCRC committees; staff moved from the older organisation to the younger; advice and expertise were shared, so that, for example, BCRC workers discussed with members of the BCRC's visa committee how to avoid problems the more experienced body faced over the legal enforceability of guarantees.

Pressures for greater generosity towards Jews came from other sources. Jewish leaders in Czechoslovakia provided the British government with evidence of the persecution of Czech Jews, and asked for various forms of help. Many of their requests concerned to the defence of Jewish rights in Czechoslovakia. Requests for help in organising Jewish emigration were directed more towards Palestine than the UK. Leo Herrmann, of the Jewish Agency in Czechoslovakia, who came with Rabbi Perlzweig of the World Jewish Congress to see Makins at the Foreign Office in the third week of October, suggested that part of the Czech loan be used for Jewish emigration to Palestine. In January 1939 it was agreed that the Czechs would set aside a sum of £500,000 for this purpose, to finance the emigration of 2,500 Jews, only half the number the Czechs had originally hoped to cover.

67 See Layton to S Dixon, (BCRC Immigration Department, Bloomsbury House), 9 May 1939, Dixon to Layton, 10 May 1939, 'List of questions of principle on which decisions must be taken', [n.d.], PRO HO 294/52.

68 Makins, memorandum of visit, 21 Oct 1938, Herrmann, 'Memorandum on the position of Jews in and from the Sudeten areas', n.d., PRO T 160/1324/F13577/05/02.

69 Herrmann to Bunbury, 11 Aug 1939, PRO T 160/1324/F13577/05/16.
Erich Turk of the BCRC, later a CRTF trustee, took up the question of allocating more of the Committee's special visas to Jews. In January 1939 he circulated fellow-members on the BCRC's Finance Committee with a reminder that the original mandate of the BCRC required aid to be given to persons whose lives were endangered, "regardless of race or creed". He expressed fears that the Jewish position in Czechoslovakia was not fully understood. He claimed that the danger faced by members of the democratic and anti-Nazi Jewish Party, which opposed antisemitism and had supported the old government, was at least as great as that faced by Communists and Social Democrats, saying that as Jews they were more likely than other citizens to be expelled. He had received lists of urgent cases from Jewish organisations in Czechoslovakia and urged that they be considered for some of the 200 visas the Committee was currently allocating. Turk added that the Home Office would be aware that Communists (who had competing claims for visas) would find it extremely hard to re-emigrate. In February, he produced a memorandum on the position of Jews in Czechoslovakia, and asked the BRCR Committee if, since most political refugees in special danger would soon be evacuated, special consideration be given in future to the position of Jews, and the danger that if there were no indications that other countries might accept them, there might be a wave of antisemitism in Czechoslovakia. The minutes of the meeting at which this was raised record agreement that "full consideration should be given to this point of view"; nevertheless, while "political" Jews were accepted for

70 Turk to Gillies, 12 Jan 1939, PRO HO 294/52.
special visas, non-political Jews remained a subsidiary concern for the BCRC71.

Sir Herbert Emerson, who returned from a visit to Prague in mid-January, regarded the order of priority for rescue as being headed by political refugees from Germany and Austria, followed by German refugees from the Sudetenland. He gave lower priority to Jews from Germany and Austria, unless they were political cases, saying that their political reasons were less strong than their economic reasons, but noted that their presence was giving the Czechs an excuse for antisemitic feeling, and that the Czech government wished to get rid of them. Emerson also recognised that Czech non-Jewish refugees from the Sudetenland were more welcome in Czechoslovakia than Czech Jews from the Sudeten areas, and that the Czech government also wished to get rid of non-Czech Jews who had come from the Sudetenland72. Czech Jews from the rest of the country did not yet figure on this list of refugees, but they were a group to whose mass emigration Emerson was later, in accordance with IGC and British policy, strongly opposed. After the German occupation Emerson took the view that assistance to help Jews emigrate from Czechoslovakia would increase the difficulties of the Rublee plan73. By late July 1939, Stopford, who had few illusions about the prospects of the Rublee plan, put on record his disagreement with Emerson’s approach. He stressed that as long as Emerson’s mandate as High Commissioner for

71 Minutes of meeting, 6 Feb 1939, PRO HO 294/50.
72 Emerson, memorandum, 'Report on visit to Prague', 17 Jan 1939, PRO T 160/1324/F13577/05/3.
73 See Emerson’s report of his conversation with Wohlthat on 19 Jul 1939, PRO CAB 98/1.
Refugees and as IGC director did not cover Czechoslovakia, he could not regard himself "as bound to support him to the detriment of Jews in Czechoslovakia". Stopford did not rule out negotiations to press Germany to contribute to arrangements for mass Jewish emigration, but was concerned that "a blank refusal to help any Jews would lead to a breakdown of negotiations and increased persecution of the Jews themselves".

Selection of refugees following the German Occupation.

The impact of the occupation and the refugees in Poland

The German occupation brought in its train an important change. Emigration was now split into legal and illegal departures, with legal emigration confined to persons whom the Germans were prepared to allow to leave. Increasingly, this privilege was restricted to Jews.

Some people were able to graduate from illegal to legal status. Persons in this category included a group with whom the BCRC was concerned who were in hiding, almost all of them wives or children who hoped to join their Sudeten German menfolk in England. Stopford and the local BCRC workers reluctantly agreed to disclose the families' whereabouts, having concluded that, to enable these families to leave at all, it was necessary to co-operate with the Gestapo, who wished to address them first about the

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74 Stopford to Bunbury, 31 Jul 1939, PRO HO 294/70.

75 For the problems facing persons who tried to help refugees leave, see 'Report on the Czechoslovakian Refugee Problem', Odo Nansen, 31 Mar 1939, PRO HO 213/268.
advantages of remaining\textsuperscript{76}. The procedure enabled some 200 people, whose cases were submitted to the Gestapo, to leave for England by early May. Others were either awaiting British visas or exit permits. There were disappearances, arrests and deaths among members of this group, but BCRC workers in Prague insisted that their new approach was justified, emphasising that the recent departures had depended on co-operation with the Gestapo, as would those in future\textsuperscript{77}. This compromise was, however, not acceptable to William Gillies of the Labour Party, who submitted on behalf of the Czech Committee a document, which received short shrift from Stopford, listing high-sounding objections to such co-operation with agents of the detested Nazi regime\textsuperscript{78}.

The position of British government representatives in Prague was made more complicated at the time of the German occupation by several people who took refuge in the Legation building. Stopford helped the fugitives, and recalled later that a Jewish dentist, summoned to the building to treat the toothache of one of the asylum-seekers, made use of the opportunity to demand a visa\textsuperscript{79}. The Legation cases were resolved within a matter of days, but pressure from the German authorities hampered refugee work. Communications

\textsuperscript{76} Stopford to Ormerod, 16 Apr 1939, Stopford to Waley, 17 Apr 1939, PRO T160/1324/F13577/05/8.

\textsuperscript{77} 'DW' 'The Numbers now Remaining in the Protectorate: Wives and Children of Refugees now in England', [n.d.], written 29 Apr-4 May 1939, PRO HO 294/52.

\textsuperscript{78} Stopford emphasised that the Gestapo could prevent people who did not co-operate from leaving. He also questioned Gillies' objections to British assistance to help Czech Jews emigrate, Stopford to Trend, 1 May 1939, PRO T160/1324/F13577/05/9.

\textsuperscript{79} Stopford, Final Draft of 'Prague 38-39', Part II, p. 28, Stopford papers, Box RJS/2, Imperial War Museum; Sherman, op. cit., p. 222.
were monitored by the Gestapo, so limited access to the diplomatic bag was agreed in April for BCRC communications with representatives in Prague. The German authorities regarded British refugee workers with deep suspicion. In mid-April Beatrice Wellington of the BCRC was interrogated twice by the Gestapo, who suspected that other BCRC workers were assisting illegal emigration, but told she could go on with her work; in June, Ormerod, the BCRC’s deputy Chairman, was refused an entry permit.

The Gestapo were justified in their suspicions that BCRC workers were helping people to depart illegally. Most of those who got out went to Poland, the only north-westerly route out of Czechoslovakia not across Nazi territory, and left from the port of Gdynia. At the time of the occupation, illegal emigration to Poland quickly developed: soon hundreds of refugees from Czechoslovakia had arrived in Poland, the majority in Krakow and Katowice. BCRC representatives went out to Poland and tried to decide which cases merited British visas. The Polish cases were complicated by the Polish government’s reluctance to harbour large numbers of refugees. The Poles turned back many Jews who sought to enter the country illegally, but were not expelling refugees sponsored by the BCRC, and were responsive to requests from the British Vice-Consulate in

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80 Stopford to Waley, 13 Apr 1939, Foreign Office Communications Department to Stopford, 26 Apr 1939, PRO T 160/1324/F13577/05/8.

81 Waley to Randall, 12 Apr 1939, on talk with Ormerod, back from Prague, PRO T 160/1324/F13577/05/8.

82 Troutbeck to FO, no. 233, 14 Apr 1939, Stopford to Ormerod, 16 Apr 1939, PRO T 160/1324/F13577/05/8; see memorandum by "DW", 4 May 1939, PRO HO 294/52; Berlin Embassy to Foreign Office, 31 May 1939, PRO T 160/1324/F13577/05/12.
most of these refugees appear to be Jews who are not in any real danger, and some of them are certainly undesirables whom the Poles would be justified in refusing. Their illegal exodus prejudices the position of refugees who are in real danger, and if they stayed it should be possible to emigrate them legally later. In all the circumstances we doubt whether we can fairly ask the Polish Government not to turn back refugees who have no proof that they are in danger or that they are on the British or other lists."

On 28 April, leaders of the BCRC and the Jewish refugee organisation, Emerson and Bunbury agreed that a further 700 refugees from Poland would be selected from among the following, listed in what appears to be a descending order of priority: (a) Sudetenland refugees; (b) old Reich refugees; (c) refugees because of post-Munich boundary adjustments; (d) other political refugees (e) "By selection, having regard to suitability for emigration or other means of livelihood or support in England". This last category offered the only chance for non-political Jews not included in the previous categories. Julian Layton and Maurice Baron, representing Anglo-Jewry, visited Poland, to select refugees to recommend for visas, and reportedly agreed that Jewish economic refugees should not be encouraged to enter Poland from Czechoslovakia. BCRC workers co-operated with Jewish representatives over refugee selection in Poland, and

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83 Kennard to Halifax, 25 Apr 1939, PRO T 160/1324/F13577/05/9.
84 Randall to Emerson, 28 Apr 1939, PRO T 160/1324/F13577/05/9.
85 'Revised memorandum of decisions of meeting held on 28th April', 1 May 1939, PRO HO 294/52.
86 Kennard to Halifax, 25 Apr, already cited; Randall to Emerson, 28 Apr 1939, already cited; see also Ormerod to Hailey, 5 May 1939, PRO T 160/1324/F13577/05/9.
investigation of applicants involved consultations with Czech political groups, leading to the removal of some names from visa lists, for political and personal reasons.\(^7\)

Refugees not accepted for UK visas faced expulsion by the Poles. Randall reported to Waley in mid-June that Ormerod said that the BCRC could not object to these expulsions. She claimed that many the BCRC had rejected were neither refugees "in the proper sense of the word", nor covered by the January agreement. Despite opposition to this view from a local BCRC representative, the Consul in Katowice and the Ambassador, Randall's view was that the government should not oppose Ormerod, but that she might be asked to make some additions to her selection and that the situation should be explained to the Poles.\(^8\) Waley replied that the government should not let the BCRC determine what course of action to adopt with the balance of the Fund, but that it was also necessary to remember that the Committee had many friends in Parliament. He stressed the need to establish facts, saying that the Jews in Poland whom the BCRC did not wish to help appeared to dispute the Committee's view that they were economically motivated and in no danger.\(^9\)

The urgency of the plight of refugees in Poland and the British government's wish to maintain good relations with the Polish government produced Foreign Office pressure to

\(^7\) See e.g. "CM"(BCRC) to Clare Hollingworth in Katowice, 17 Jul 1939, Layton to Ormerod, Bracey and Gillies, 3 Aug 1939, PRO HO 294/57.

\(^8\) Randall to Waley, 15 Jun 1939, enclosing copy Kennard to Halifax, 8 Jun 1939, PRO T 160/1324/F13577/05/12.

\(^9\) Waley to Randall, 16 Jun 1939, PRO T 160/1324/F13577/05/12.
prioritise Polish cases over those in Czechoslovakia\textsuperscript{90}. Emerson had given an undertaking to the Polish authorities that the BCRC would undertake responsibility for a large number of families in Poland. The dilemma over how to balance aid to refugees who had fled abroad against aid to those who remained in Czechoslovakia was complicated by the fact that visas issued to refugees in Poland went largely to illegal emigrants, while visas for refugees in Prague were issued in a process of lawful emigration. The German authorities had threatened to stop BCRC work in Prague if its representatives did not desist from support to refugees who left illegally\textsuperscript{91}.

At a meeting on 13 June 1939, an effort was made to resolve controversy over whether Trust funds should be used to support illegal emigration networks. Maxwell made a proposal designed to make concessions to Committee pressure for continuing help to the "illegals", a concern he shared\textsuperscript{92}. He suggested that the Fund be reserved for legal emigration, as regards future commitments, but would cover all existing commitments to both "illegal" and "legal" emigrants. He also offered £100,000 from the Fund, to set up a new committee to take on new "illegal" cases, but this was rejected as

\textsuperscript{90} Mounsey to Maxwell, 24 May 1939, PRO T 160/1324/F13577/05/10.

\textsuperscript{91} Stopford, memorandum, 20 Jun 1939, PRO T 160 1324/F13577/05/12.

\textsuperscript{92} Minutes of meeting on 13 Jun 1939, PRO T 160/1324/F13577/05/12; BCRC, minutes of meeting, 21 Jun 1939, PRO HO 294/50; in April Stopford had suggested that the BCRC use its own funds for "illegals" and the balance of the Gift Fund for legal emigrants. Waley to Maxwell, 12 Apr 1939, enclosing note 'Negotiations in Prague', PRO T 160/1324/F13577/05/8.
inadequate by the BCRC\textsuperscript{93}. Stopford rejected BCRC prioritisation of Czech political cases as an appropriate policy for the Trust. His view was that the Fund should not be used directly to help a small number of Czech politicals, who could only leave illegally, if this endangered work for the original refugees and other persons whom the Trust had already pledged to help, including Jews\textsuperscript{94}. The whole question was left in an ill-defined state, which in practice enabled some assistance to "illegals" to continue. Stopford managed to help both legal and illegal emigrants: he maintained good enough relations with the Germans to work with them on legal emigration, while providing discreet support for British workers and others involved with illegal emigration networks.

**Home Office priorities**

Both legal and illegal emigrants were subject to Home Office willingness to issue immigration visas. Prior to the invasion, arrangements were made for the Home Office to authorise visas by telephoning the PCO in Prague, and for the PCO to grant block visas on lists of names supplied by a local BCRC representative\textsuperscript{95}. The German occupation and the installation of the new regime temporarily halted legal emigration. BCRC representatives managed to get a group of 450 people on a train out of Prague on the eve of the

\textsuperscript{93} BCRC, minutes of meeting on 21 Jun 1939, PRO HO 294/50.

\textsuperscript{94} Waley, draft memorandum sent to Sir R Hopkins, 29 Jun 1939, Stopford, memorandum, 20 Jun 1939, PRO T 160/1324/F13577/05/12; qualms were felt in the Treasury over whether Trust money should be used for such unlawful purposes as bribery, Trend to Cooper, 19 Jun 1939, \textit{ibid.}

\textsuperscript{95} BCRC, Report of the Executive Committee meeting held on 15 Mar 1939, PRO HO 294/50.
occupation, but after this the resumption of regular emigration took two months. Visas became obligatory from 1 April, the earliest date on which the Home Office could re-introduce them. The change delayed a group of refugees who had no visas at Oldenzaal on the Dutch frontier, until a BCRC representative arrived and arranged their admission in transit. After the occupation, the Home Office suspended the issue of authorisations, pending release of the Trust Fund. Stopford played an important part in negotiating over restarting emigration with Czech officials and the country's new German masters, and participated in British discussions on the future of the Trust Fund.

Guide-lines for refugee selection in future were agreed between the voluntary organisations and the Home Office at a meeting on 13 April. In a letter confirming the agreement, Lord Hailey of the Co-ordinating Committee said efforts would be made to avoid bringing Czech refugees to the UK and to arrange direct emigration overseas instead. Arrangements for the "systematic selection" of refugees in Prague and adequate arrangements for the settlement of those already in Poland were needed. It had been agreed that, first preference should be given to persons who,

either for political or other reasons, were in immediate danger from action taken by the German Government, or of being sent back to Germany by Poland. In the selection of others, and in particular in the selection of Jews, preference should be given to those who might be considered

96 General Council meeting minutes, 5 Apr 1939, PRO HO 294/50.

97 See Stopford to Waley, 14 Apr 1939, enclosing memorandum of 13 Apr on negotiations in Prague, PRO T 160/1324/F13577/05/8.

98 Hailey to Maxwell, 14 Apr 1939, PRO HO 294/39.
suitable for emigration or for whose maintenance in Great Britain satisfactory guarantees were forthcoming.

At subsequent meetings between BCRC representatives and Maxwell and Cooper, it was agreed that the BCRC should be slow to accept fresh responsibilities, but might make a commitment to a limited number of new refugees, mostly political cases. Further admissions of political cases from Poland were agreed in June.

Home Office policy was not to encourage mass emigration of Czech Jews, and to ensure careful selection of Jewish entrants. In late April Cooper reviewed the exceptional circumstances which had led the government to depart in the Czech case from the policy of not assuming any financial obligation to assist refugees, and discussed future priorities. He conceded that the only emigration which the Germans were likely to allow in future would consist almost entirely of Jews. He thought, however, that it would be an ironic conclusion to the history of the Free Gift if it were diverted from its original purpose, to finance Jewish emigration from Czechoslovakia "and nothing else", and it would be "entirely incongruous and anomalous" to give preference to Jews from only one part of Greater Germany. He thought any remaining balance in the fund should be used first to finance emigration, including transport expenses and landing money, and second, for the administrative expenses of voluntary organisations in Britain, in respect of refugees coming from all parts of Greater Germany - a

99 Layton to Cooper, 18 May 1939, PRO HO 294/52; 'Czech Refugees', minutes of meeting, 23 May 1939, PRO T160/1324/f13577/05/9.

100 Maxwell to Layton, 7 Jun 1939, PRO HO 294/52.
suggestion reflecting concern over the voluntary sector's ability to carry on its work unaided\textsuperscript{101}.

Maxwell discussed future policy with the Home Secretary, and sent a sketch of his ideas to Waley in mid-May\textsuperscript{102}. He opposed entrusting selection of refugees to the Refugee Institute in Prague (set up with funds from the Czech loan but now under Nazi authority), since the persons permitted to leave, "would be mainly Jews or undesirables whom the police wish to get rid of", although he expected that the Committee could weed out undesirables. He wished to use the greater part of the money to help refugees who left illegally, "because refugees of the political type for whom the money was originally intended are unlikely to get out at all unless they get out illegally." He intended that the bulk of cases selected would be political opponents of the Nazi regime liable to persecution because of their past political record. Although concerned that Communists would be included in this group, he acknowledged that, while the British authorities wished to avoid the admission of people "prepared to compass their political ends by lawless methods", they could not, by refusing to accept Communists, force the Poles to send them back to persecution in Czechoslovakia. A certain number should therefore be accepted, but not persons guilty of crimes of violence. The BCRC should also be asked to "limit their selection so far as is practicable to persons who are suitable for emigration". As regards persons who wished to leave

\textsuperscript{101} Cooper to Maxwell, 29 Apr 1939, PRO T 160/1324/F13577/05/9.

\textsuperscript{102} Maxwell to Waley, 15 May 1939, enclosing memorandum 'Czech refugees', PRO T 160/1324/F13577/05/9.
Czechoslovakia, because they were destitute there and wished to make a living elsewhere, a consideration which he claimed would apply largely to Jews, Maxwell said:

Jewish organisations here agree that it would be a bad policy to encourage a general Jewish emigration from Czechoslovakia, and while we cannot entirely exclude Jews, we ought, I think, to say that those who have left Czechoslovakia merely for economic reasons should not be selected for assistance.

Waley accepted the principles in Maxwell's draft, and agreed to Maxwell's request that the Trustees could now start to function.

The achievements of the BCRC, the transition to the CRTF, and the last days of peace

Home Office figures for admissions to the UK show that 1,103 persons holding Czech passports were given leave to land between 1 October and 12 November 1938. Nearly all the 350 special visas agreed in October 1938 were authorised by early November. The BCRC continued to apply for visas for Sudeten and a smaller number of German and Austrian heads of families. It took on a further 200 cases in January 1939; in February, 1,200 more visas were sanctioned by the Home Office, partly as a result of provisions in the Anglo-Czech agreement, which reduced pressure on voluntary funds by providing emigration expenses and £200 resettlement grants. Sanction had been obtained for the admission of some 2,900 persons in all by the date of the German takeover in March 1939. By 1 May some 2,146 of these persons had arrived in the UK: roughly one fifth had left for Canada by early May.

103 Waley to Maxwell, 16 May 1939, *ibid.*
105 Layton to Jagelman, 11 Jul 1939, PRO HO 294/52.
The BCRC also took responsibility for a total of 1,200 persons who became refugees as a result of the occupation. These included persons already in the UK and people who arrived soon afterwards with inadequate or no guarantees, but limited responsibility only was accepted in many cases. As a result of discussions with the authorities in April and May 1939, the Committee applied for 2,300 additional visas for persons whose immigration would be financed by the Fund, including 700 to be taken from Poland, 300 from elsewhere, mostly head of families, and a total of some 1,300 family members still in Slovakia or the Protectorate.

The numbers of visas were limited by the amount of money available for the support of Czech refugees. Before 15 March 1939, the limit had been largely determined by the number of guarantees the BCRC was able to obtain. Afterwards, the quantity of money remaining in the Trust fund was the main limiting factor for BCRC-sponsored cases. By 15 May the BCRC had undertaken liability for an estimated 7,100 persons (or 3,400 families) plus some 1,500-2,000 who had taken refuge in other countries. The liabilities amounted to approximately £2 million. A further £500,000 had been set aside for the emigration of Jews to Palestine. In addition, allowance had to be made for claims for the £200 resettlement grant to which refugees who re-emigrated would

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106 See correspondence between BCRC and Home Office, PRO HO 294/7 and Visa Committee papers, PRO HO 294/52.
be entitled. The estimation of such liabilities was an inexact art, charged with great significance, since existing commitments, to the extent that they consumed the funds available, precluded future activity. The Home Office was holding up decisions on new applications pending clarification of existing liabilities. Bunbury emphasised that to bring expenditure down, the new organisation should put resources into training, employment and emigration, and made a heartfelt plea for employment of staff who would ensure efficiency.

The two-tier system of priority for cases was reflected in the organisation of casework. Overwhelmed by the flood of applicants after the German occupation, when the BCRC office was instructed to open its doors to refugees from Czechoslovakia who were in England, many of them Jews, members of the BCRC's casework committee suggested in early April that the work of the case department be split into two separate operations. This would facilitate a possible handing over of cases of the "racial refugees" to the GJAC, if and when it was able to take responsibility for them.

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107 See Bunbury, memorandum, Liabilities in respect of Refugees from Czechoslovakia, 15 May 1939, PRO HO 294/39. Bunbury suggested that, in view of the difficulties of immigration by infiltration, especially for Jews, and the smallness of the Czech quota to the USA, liabilities for maintenance might have been underestimated. He suggested adding a £100,000 "reserve against non-emigratability", and other provisions totalling £70,000.

108 Waley to Maxwell, 16 May 1939, PRO T 160/1324/F13577/05/9.

109 Layton to Cooper, 8 Jun 1939, PRO HO 294/52.


111 Minutes of Case Committee meeting, 5 Apr 1939, PRO HO 294/52.
However, the GJAC maintained its refusal to undertake this role, leading the Co-ordinating Committee to suggest that, as neither the GJAC nor the BCRC was prepared to take responsibility for Jewish refugees from Czechoslovakia, a separate organisation be created for them\textsuperscript{112}. No new organisation was ever set up, but the Committee's work was split into casework on BCRC-sponsored visa cases, and on Jewish immigration, carried out at different locations.

A memorandum on the work of the late BCRC, prepared for the trustees at the beginning of August 1939, explained how the Committee's paid staff of 100 had handled immigration cases\textsuperscript{113}. Cases sponsored for "Committee visas", which were "practically confined to the cases of refugees who are in danger on political grounds", were selected by a Visa Committee after consultation with Czech leaders of the various political groups, and sent to the Home Office\textsuperscript{114}. The numbers of these visas was controlled by numerical limitation by the Home Office, who gave block authorities to the Committee from time to time, subject to the subsequent submission of individual names.

"Ordinary visas", on the other hand, which were not financed from the Fund, were obtained from the Home Office after examination by the BCRC's Immigration Department, based at Bloomsbury House alongside the other refugee committees.

\textsuperscript{112} Bunbury, 'The Problem of Jewish Refugees from Czechoslovakia', 5 Apr 1939, PRO HO 294/39.

\textsuperscript{113} CRTF, memorandum, 'Short account of the work to be taken over from the late British Committee for Refugees from Czechoslovakia', 1 Aug 1939, PRO HO 294/5.

\textsuperscript{114} The Visa Committee started to function in May 1939. Circular to members of the Visa Committee, Layton, 4 May 1939, PRO HO 294/52.
Such cases were covered by Home Office conditions "which apply generally to persons seeking refuge in this country"\textsuperscript{115}. The BCRC produced a leaflet for such cases listing categories similar to those for refugees from Germany and Austria\textsuperscript{116}. Children were applied for by the Children's Movement, the Committee taking financial responsibility: the general pattern of division into guaranteed and non-guaranteed cases was followed\textsuperscript{117}. The BCRC also set up an expert advisory panel of businessmen to advise on guarantees\textsuperscript{118}. In addition the Committee made arrangements for emigration\textsuperscript{119}.

Selection of Jewish refugees from Czechoslovakia thus proceeded along similar lines as for Jews from Germany and Austria, and they were also regarded as temporary residents\textsuperscript{120}. The BCRC performed similar functions to the larger GJAC, and encountered many of the same problems, such as domestic entrants who proved unsuitable\textsuperscript{121}. Many Jewish refugees failed to comply with Home Office guidelines. In

\textsuperscript{115} Ibid.


\textsuperscript{117} Finance Committee minutes, 4 May 1939, PRO HO 294/50.

\textsuperscript{118} Layton to members of visa committee, 4 May 1939; Layton to Col SF Newcombe, 11 May 1939, Newcombe to Layton, 14 May 1939, PRO HO 294/52; See Cooper to Layton, 23 Jun 1939, for decision-making on BCRC-sponsored cases and privately guaranteed cases, PRO HO 294/52.

\textsuperscript{119} The BCRC Emigration Committee did not meet for two months after the German occupation, Layton to Newcombe, 11 May 1939, PRO HO 294/52.

\textsuperscript{120} Cooper to Waley, 9 May 1939, PRO T 160/1324/F13577/05/9.

\textsuperscript{121} Case Committee minutes, 19 Jul 1939, PRO HO 294/52.
June, for example, Elizabeth Acland Allen, secretary of the BCRC's Visa Committee, criticised the inclusion of Jewish professional men in a list of visa candidates forwarded by the Lord Mayor's Fund, saying that the Home Office had "already written to us about the undesirability of applying for professional people, as they are very difficult to emigrate". The majority of the cases would have to wait for submission to the visa committee when it next met, as "most of the refugees were really all economic" and not any more in danger than thousands of others. Since the Home Office had not granted the BCRC any visas for Czechoslovakia for the past two months, there was no point in submitting the cases until the whole question of new visas had been cleared up.\(^{122}\)

A survey of BCRC visa allocation policy in a memorandum by Allen in late August 1939, offers further insights into Committee priorities and attitudes to Jews; it also conveys something of the plight of refugees in Western Europe as war approached.\(^{123}\) Allen divided refugees into "POLITICAL and RACIAL/Jewish", explaining that the term "political" covered members of a wide range of bodies, including trades unions, women's, peace, and youth organisations, in fact, any refugee "who was organised, and - or - in consequence of his public activities - is in danger"; she included writers, artists and actors whose work was considered obnoxious by the German authorities. Naturally, a large number of Jews

\(^{122}\) Allen, memorandum, 'Candidates for Visas, forwarded by the Lord Mayor's Fund', 6 Jun 1939, PRO HO 294/52.

\(^{123}\) Allen, 'Memorandum on emigration to the United Kingdom pending final settlement of persons coming from Czechoslovakia', 20 Aug 1939, PRO HO 294/52.
were included under these headings: Allen estimated that among political refugees coming from Poland at least three quarters were Jews "according to the Nurnberg laws". The term "racial refugee", on the other hand, was used, "to cover purely Jewish refugees": it did not include those endangered through their activities in Jewish organisations or in the Jewish communities, who were included among political refugees.

Allen concluded that there was now little chance of "getting any real political refugees out of the Protectorate". Permission to emigrate was now no longer obtainable except for Jews who had taken no part in public life. Most of the political Sudetens, Germans or Austrians had either come to the UK, or were in prison in Czechoslovakia, or awaiting visas in Poland or other countries. Some visas should be kept for people who escaped from the Protectorate or were released from prison, or managed to leave illegally. The BCRC had received applications for visas for a group of 100 assorted Sudetens, German, Austrian and Czech political refugees, all of them Jews, but they would only be allowed to leave "if their political activities are not considered of sufficient importance to outweigh the desire that all Jews should leave". Allen claimed that in Slovakia the demand for visas for persons who had been active politically was very low, as most had left after the September crisis.

Some 5,000 Jewish refugees of various nationalities were

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124 Ibid.; Willi Wanka, London representative of the Sudeten Germans, agreed in June that few cases remained in Bohemia, but submitted a new list of cases in Poland. He objected to suggestions that old Reich refugees might be given priority over Sudeten Germans. Correspondence between Wanka and Layton, mid-June 1939, PRO HO 294/15.

125 Allen, 'Memorandum on emigration', already cited.
registered there, but their political status was not known and would be difficult to investigate; some 200,000 Slovakian Jews, now under similar threat to those in the Reich, would have to emigrate - the Committee was collecting information about leading figures in Jewish communities there.

Refugees currently in other countries were also seeking UK visas. These included people recently arrived in Latvia, many of whom had previously registered with the BCRC in Poland, but after investigation "were considered unsuitable either for moral or physical reasons or because there was better material already there". More Czechs were expected to escape to Yugoslavia. Czech refugees had entered eight other named European countries, all of which had expelled refugees. In the south of France some 800 persons who had fought in Spain, and were unable to return after the March occupation, were housed in camps, in appalling conditions. Allen put forward this group as "really good material for emigration": Eleanor Rathbone was willing to help find hospitality for them in Britain.  

The Committee had obtained visas at the request of a wide range of British and international organisations, including church associations, Co-operative movement groups and trades unions, and groups interested in education, world peace and friendship. The BCRC's selection procedure involved preliminary investigation by the Arbeitskreis (the General Council of the Refugees from Czechoslovakia). Applicants not recommended by organisations were carefully investigated.

126 Ibid.
The visa committee then selected cases, "on the basis of a. endangerment, b. contribution to public life, c. suitability for further emigration, i.e. age, profession etc." From time to time, it also decided in what proportions to allocate visas to refugees in Poland, the Protectorate and elsewhere.

Most wives and children of men brought to Britain by the Committee, if still abroad, either had visas or were expected to obtain them shortly, but there was still a need to apply for visas for some 60 families in Germany and Austria. Allen concluded that the categories for whom the government's grant had been originally and primarily intended had been very largely dealt with. Two classes remained: Czechs (in other words, Czech Jews), whose requirements she said it was not possible to estimate owing to the uncertain situation in the Protectorate, and the men in the camps in France, who had had no help at all.27

Thus, when the BCRC was dissolved at the end of July, the main task of rescue it had set itself had been largely completed. The Committee was formally wound up on 27 July, and its liabilities and assets transferred to the Trustees of the CRTF, which had been created when the Trust Deed was signed on 21 July.28 The establishment of the Trust generated a new effort to get a grip on commitments, including attempts by Bunbury to restrict the definition of

127 The BCRC's Visa Committee decided in June to apply for a block of visas for people in the French camps. Minutes of Visa Committee meeting, 23 Jun 1939, PRO HO 294/52.

128 General Council minutes, 27 Jul 1939, PRO HO 294/50; for the Trust Deed, see PRO HO 213/297.
eligible refugees. Interpretation of the terms of the Trust turned out to be a contentious area. Stopford had pressed for inclusion of Czechs, Jews and stateless persons in the definition of refugees covered by the Fund. In April, the new German authorities in Prague had told him that they were anxious for the work of the Fund to continue, but one of their conditions for allowing this was that Czech Jews were included in the definition of eligible refugees. On his return from a visit to London, Stopford had told the German authorities, on the instructions of the Treasury, that his government was prepared to include Czechs and Czech Jews within the scope of the Trust, but added that the original refugees were the principal concern of the British government. It became necessary for Stopford to remind Bunbury in late July 1939 that the government "is committed to the principle of including Czech Jews". When he returned to London, leaving behind an "understudy" to approve cases in Prague, Stopford told Waley of his concern that the trustees might not wish to assist Czech Jews "whom we have agreed to assist in limited numbers at Creighton's discretion".

129 Bunbury claimed that the trustees had no authority to act as yet under Category (iv) of the Trust Deed, (which covered such groups as the Home Secretary might prescribe), but that Creighton, Stopford's deputy in Prague, was nevertheless admitting up to 20% Czech Jews. He was concerned that this would require retrospective sanction. Bunbury to Stopford, 11 Aug 1939, PRO T 160/1324/F13577/05/16; Stopford replied that Creighton acted as the Treasury's representative, not the Trustees', and that the Jews were covered by category (iii) in the Trust Deed, Stopford to Bunbury, 14 Aug 1939, ibid.

130 Bunbury to Culpin, 7 Jul 1939, PRO HO 294/7; Stopford to Bunbury, 31 Jul 1939, PRO HO 294/70.

131 Stopford to Waley, 3 Aug 1939, PRO T 160/1324/F13577/16.
In the last days of peace, relations between certain refugee workers in Prague and the BCRC leadership and Trustees in London deteriorated, as workers in the field made commitments to help more persons than was thought proper in London. Allegations were made by refugee workers that events which obliged several of their number to leave Prague were the result of machinations by the British authorities; certain individuals who wished to return to Prague to continue their work were prevented from doing so.\textsuperscript{132}

The work of rescue continued up to, and in some cases well after the start of the war.\textsuperscript{133} BCRC workers remained in central Europe, and in late 1939 and the first half of 1940 Home Office agreement was obtained to the admission of further refugees. They were mostly people who had fled eastwards to avoid the German advance through Poland, in many cases ending up in Vilna, a Polish town which became part of Lithuania. For example, the Trust obtained visas for some 35 persons from Lithuania in early January 1940, on the basis that they had made contact with Committee or Trust representatives before the outbreak of war.\textsuperscript{134}

\textsuperscript{132} Rathbone to Bunbury, 9 Aug 1939, PRO HO 294/7; see also unsigned memorandum by a BCRC worker, suggesting the Gestapo was prepared to continue working with BCRC workers in Prague but that British representatives had engineered their removal, \textit{ibid.}

\textsuperscript{133} See correspondence between Allen and Visa Committee members, Jul-Aug 1939, PRO HO 294/52.

\textsuperscript{134} See correspondence between Trust and Home Office, Nov 1939-Jan 1940, PRO HO 294/46.
CHAPTER 6:
WAR-TIME POLICY: 1939-1942

This chapter examines refugee policy from the outbreak of war in September 1939 until late 1942. It looks at the way in which the British government balanced the needs of refugees in Britain, or seeking entry to Britain, against the goal of victory. The chapter shows how the impact of the war changed refugee policy and procedures; more generally, it establishes that by the time the government faced pressure to take action to rescue Jews menaced by the Nazi programme of mass murder, British refugee policy had already been cast in a negative mould.

The war led to important changes in the government's conduct of policy on refugee matters. Tightly-defined Cabinet policies left the Home Office with much less discretion than before and diminished the scope for decision-making by officials. Humanitarian aid to refugees was continually limited by reference to the changed conditions of war-time and the paramount importance of the war effort, which provided the criterion of national interest against which possible aid to refugees was judged, as immigration policy had done before the war. The refugee committees also underwent changes, becoming increasingly linked to the Home Office through financial subsidies and supervision. The horizons of both the Home Office and the refugee organisations became more limited: their attention was directed inwards, towards the management of refugees in Britain, rather than at possible further immigration from abroad. For refugees, the outbreak of war meant that their nationality, or the lack of it, took on new significance.
Aliens were now additionally classified by the government as enemy, friendly or neutral, and were subject to special wartime restrictions.

The chapter shows that the consequence for refugee policy of the transition to wartime priorities was to rule out further alien refugee immigration to the UK, other than for purposes connected with the war. No more help would be given to potential refugees to leave enemy-controlled territory. Furthermore, refugee emigration from the UK would be maximised. In war-time, aliens in the UK, especially enemy aliens, posed security problems. Initially these were dealt with by classification by aliens tribunals. Internment was used only in a very few cases, but, in May 1940, mass internment was introduced, followed by mass deportations of internees to the dominions. The government was also confronted in late 1939 by the financial collapse of the Jewish refugee organisation, and finally decided to subsidise its administrative expenses, and refugee maintenance and emigration. The Home Office fostered refugee emigration, while debating whether to let refugees remain after the war. Refugee admissions to the UK, which are dealt with in the latter part of the chapter, were subject to the general ban on humanitarian admissions, to which there were limited exceptions. However, in 1940 "war refugees" were admitted in large numbers. The Foreign Office secured certain categories of "political" admissions, in many cases at the instance of governments-in-exile. Admissions for employment were also possible in principle, if they furthered the war effort. The government affirmed its restrictive policy when it was confronted by new pressure for admissions during the Holocaust period.
The transition to war-time priorities

The outbreak of war ended the large-scale entry of Jewish refugees. All unused visas granted to enemy nationals immediately became invalid. Henceforth, alien admissions were evaluated with reference to the requirements of a country at war. Purely humanitarian admissions of civilian refugees, whether of British or alien nationality, were rejected as a luxury which a nation fighting for its survival could not afford. Even before war broke out, the refugee organisations, their resources stretched to the limit, felt unable to undertake financial responsibility for new refugees and decided that they would no longer approve fresh admissions.¹

The considerations of immigration policy which had determined Home Office restrictions on refugees in peacetime were still present, but the overriding necessity, as laid down by the Cabinet, was to win the war. The Home Office was obliged to concede considerable authority over admissions policy to other departments of state, which had their own war-time reasons both for bringing aliens to the UK, and for excluding them. The administration of admissions remained the province of the Home Office, but there was far greater involvement of the security services in casework. Possible refugee movements over land borders or sea also had implications for military and economic warfare. The possibility of refugee admissions to the UK affected departments concerned with the home front, such as the Ministries of Health and Labour.

On 25 September 1939, the Cabinet Committee on the Refugee Problem met. It was necessary to review policy on the IGC, in preparation for an IGC conference in Washington, planned before the outbreak of war and still taking place, since the USA did not share British expectations that the IGC would be put "in cold storage" once the war began. The forthcoming conference largely dictated the agenda and the terms of the Committee's discussion. Emerson, the IGC's director was present.

Within the Cabinet there was a consensus that British resources could no longer be spent in helping refugees. The immediate task was therefore to dispose of various remnants of pre-war policy. The Treasury had recently rejected any new financial commitments not directly related to the prosecution of the war, and, in deciding how to deal with refugee questions, British policy-makers aimed to avoid adding to the UK's burdens, and to lighten existing burdens. Refugees in the UK were regarded as a financial burden on the economy, but participants in the meeting...

2 Summary of Conclusions and Conclusions, War Cabinet, Committee on the Refugee Problem, CRP(39) 6th mtg, 25 Sept 1939, PRO CAB 98/1.

3 See B Trend (Treasury), minute of conversation with Mr Harsch (US Govt) and Lord Winterton, FO to Lothian, No. 468, 2 Sept 1939, Randall, minute of conversation with Lord Winterton, 4 Sept 1939, PRO FO 371/24078, W13064/45/48, f.92; Lothian to FO, No. 421, 4 Sept 1939, PRO FO 371/24078, W13077/45/48, f.98.

4 Emerson had written two of the briefing papers for the meeting, 'The Present Position of the Refugee Problem', CRP(39)15, 'The Objects of the Intergovernmental Committee', CRP(39) 16, ibid.; see also 'Foreign Office Note on the present position of the Refugee Problem', CRP(39)17, ibid.

expected that the burden would be reduced in countries at war with Germany, such as Britain and France, by a combination of internment, employment and settlement overseas.

No suggestion of further refugee admissions to the UK was made at the meeting, in which Home Office representatives played a minimal role. Home Office policy of seeking to maximise refugee emigration from the UK had been reiterated by Cooper in a memorandum circulated towards the end of August. Emerson, in a memorandum dealing with the refugee problem as it stood since the outbreak of war, gave re-emigration of Jewish refugees from countries of first refuge far higher priority than assisting Jews to depart from German territory, an approach in which his loyalty to the British government was more evident than his mandate as Director of the IGC. He proposed that the first duty of the European countries of first refuge, including the UK, was to deal with the estimated 150,000 refugees within their borders. The two immediate priorities were to ensure the maintenance and support of the refugees and to secure emigration from countries of refuge to permanent homes. He surveyed possible refugee emigration from enemy territory. He estimated that a total of 250,000 confessional Jews remained in Germany and 63,000 in Austria: he concluded that of these perhaps 167,000 would have wished to emigrate before the war, plus some 127,000 of the remaining 190,000 non-Aryan Christians in both countries. He claimed that the persons most suitable for emigration had already gone, and

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that those left were "poorer in material resources and weaker in personal qualifications". In addition, an estimated 215,000 Jews and non-Aryans were present in the Protectorate and Slovakia, the majority Czech nationals; the IGC's mandate, however, did still not include Czech Jews, so Emerson could only take a formal interest in non-Czechs of whom there were 15,000 to 20,000. He assumed it unlikely that the UK would be able to admit any more refugees of enemy origin, and therefore left this question on one side. He also assumed that the UK would not become involved in helping refugees to leave German-occupied territory for other destinations, and furthermore that there could be no such role for the IGC while the UK remained a member.

Emerson's assumptions were in keeping with the views of ministers, and were reflected in the decisions of the Cabinet Committee. Ministers agreed that the government would withdraw its recent offer to take a lead in financing schemes of settlement overseas, communicated to the IGC in July. Winterton would explain in Washington that the outbreak of war with Germany meant that this offer could no longer be fulfilled. The conference would be told that the energies of the British government were now concentrated upon the eradication of the root cause of the refugee problem, namely, the existing regime in Germany, and that must be regarded as now being their contribution to the solution of the refugee problem.

British policy was that, having become a belligerent, the UK could not be expected to make a new effort for refugees, but

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7 Emerson, 'The Present Position of the Refugee Problem', CRP(39)15, PRO CAB 98/1.

8 Summary of Conclusions and Conclusions, CRP(39) 6th mtg, 25 Sept 1939, PRO CAB 98/1.
that countries not caught up in the war could still assist refugees, and should do so. The pre-war emigration scheme itself could not, in any event, be implemented as originally planned, because the refugee organisations were unable to make their financial contribution to developing the project. The UK would, however, express its preparedness to provide facilities for an experimental settlement in British Guiana, provided finance came from other sources.

The Committee meeting agreed that, for the purposes of British policy, refugees were now divided into two categories. These were "potential refugees", who were still in territory under German control, and "actual refugees", who had left German-controlled territory, and were now in countries of first refuge, including the UK. "Potential" refugees were thought to pose a threat to the war effort:

It was felt generally that any refugees who might be permitted by the German Government to leave Germany would be persons whose entry into other countries was desired for reasons connected with the war.

Persons from territory under German control could therefore no longer be given assistance to depart. The UK could not "assist in any way the exodus of the nationals of a country with which it was at war", nor could it differentiate between refugees and other German nationals. These rulings applied to enemy-controlled territories, as well as to Germany proper. Furthermore, German and Austrian Jews could no longer be accepted for entry to the UK if they had been in German-controlled territory subsequent to the outbreak of war, even if they later reached neutral or friendly territory. The meeting also resolved that the UK would

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withdraw from the IGC if it should propose to help potential refugees, and would only remain a member if the organisation confined itself "to assisting the settlement of refugees who had reached countries of refuge at the outbreak of war". Any negotiations with Germany over refugees were, it was agreed, out of the question.

British policy was thus that IGC assistance for refugee emigration should henceforth be confined to the encouragement of emigration from neutral countries and countries of refuge, and that this should not involve the UK in new burdens. Generally, the Foreign Office view of the IGC's war-time role was that the USA might develop the IGC if it wished, and that Britain would continue to use the IGC as a means of nurturing Anglo-American relations. The IGC itself would be left in a state of semi-suspension: it was not expected to achieve anything spectacular. Henceforth, when British representatives faced unwelcome demands for relief or refuge, they would say that the UK had done much for refugees, but now the commitment to victory came first. Exceptions were made, however, particularly for cases which could be viewed as contributions to the war effort.

The UK, both as a belligerent, and as a country of first refuge, expected to be a net exporter of refugees to countries of permanent settlement, and for this reason retained an interest in possible emigration prospects.

10 'Foreign Office Note', cited n. 3 above.
11 Conclusions, CRP(39) 6th mtg, PRO CAB 98/1.
12 The Foreign Office note for the meeting (see n. 10 above) envisaged the possibility of admitting selected refugees from neutral territory.
overseas. The objective of reducing the numbers of Jewish refugees in the UK was achieved. During the war the number of refugees in the country more than doubled, but only a small proportion of the new entrants were Jews. According to a Home Office estimate of March 1945, the numbers of Jewish refugees had been reduced by at least 13,000. The government contributed greatly to this reduction, by pressing refugees to re-emigrate, by financial support for re-emigration of refugees to countries of settlement such as the USA, Palestine and the Dominican Republic, and by deporting internees to the dominions.

At the Washington conference in October 1939, Holland, Belgium and France were promised help from IGC member nations in reducing the numbers of refugees in their countries, but the UK delegation did not request such priority. In December Winterton deplored the fact that he was not instructed to do so, on hearing the Home Office's advice that, notwithstanding past precautions, public funds would after all have to be spent on refugees in the UK. On 8 December the Cabinet Committee's eighth (and last) meeting accepted that the long-predicted exhaustion of the British Jewish refugee organisation's resources necessitated Cabinet consent to allocation of public funds for refugees. The decision to inject government funds - subsidising the costs

13 Robinson, 'Alien Refugees', 30 Mar 1945, PRO HO 213/1009.

14 CRP(39) 7th mtg, 8 Dec 1939, PRO CAB 98/1; for Home Office fore-knowledge of the straits of the refugee organisations, see: Cooper, memorandum, 20 Sept 1939, n. 1 above; Cooper, 'Refugee Conference in Washington', n. 6 above; his remarks to the CID Sub-committee on the Treatment of Aliens in Time of War, 25 Aug 1939, PRO CAB 16/211.

15 CRP 7th mtg, 8 Dec 1939, PRO CAB 98/1; Sherman, op. cit, p. 258.
of maintenance and emigration of refugees and the administrative expenses of the Jewish refugee organisation - provided a new incentive to seek countries to receive refugees from the UK\textsuperscript{16}. The decision is dealt with in more detail later in this chapter.

Some of the consequences of the failure of the IGC to mitigate the conditions of refugee emigration were foreseen by Cooper in August 1939. He warned that, instead of orderly emigration from German territory there would be more Gestapo pressure of the worst type, resulting in mass flight, forced voyages to Shanghai, attempts to land illegally in Palestine, etc. with the result that the receiving countries might almost be driven to abandon the whole problem if they saw all their plans thrown out of gear by both the open and subversive activities of the German Government\textsuperscript{17}.

Much as Cooper had predicted, a chaotic Jewish exodus, urged on by German pressure, continued during the early part of the war, accompanied by strenuous British efforts to curb illegal emigration from Europe\textsuperscript{18}. The scope for legal emigration was extremely restricted. British action to help Jews leave Nazi Europe had been ruled out. Furthermore, if other countries accommodated such emigrants, Jews from enemy-controlled territory would use up opportunities of permanent settlement which could otherwise be taken up by persons temporarily in countries of refuge such as the UK, where their presence was seen as burdensome. Jews in European countries of first refuge were thus in competition

\textsuperscript{16} E.g. Winterton's suggestion of using conditions in any War Trade Agreements to press South American states to accept refugees. CRP 7th mtg, 8 Dec 1939, PRO CAB 99/1.

\textsuperscript{17} Cooper, memorandum, 'Refugee Conference in Washington', cited n. 6 above.

\textsuperscript{18} Wasserstein, \textit{Jews of Europe}, op. cit., pp. 40-80.
for emigration opportunities with Jews remaining in enemy territory. This was illustrated when the Americans re-allocated part of the USA's German immigration quota to the UK, denying escape to desperate Jewish applicants in Germany, but enabling thousands of German Jews in the UK to depart for the USA.\(^\text{19}\)

No active consideration took place of the need for refuge for Jews in Europe, nor did any department have responsibility for raising this issue. Even existing responsibilities risked neglect, because of the absence of a coherent inter-departmental division of responsibility for refugee policy and its execution. Cooper had pointed to this danger shortly before the outbreak of war, warning that "Departments may be disinclined to shoulder as much responsibility as perhaps they should, with the result that work which ought to be done may be left undone."\(^\text{20}\)

The Cabinet Committee on the Refugee Problem had done little to make up for the lack of a systematic approach to refugee policy, and after 8 December 1939 it never met again. A gap of over three years went by before another Cabinet Committee concerned with refugees was set up, in response to new demands for rescue and refuge. Meanwhile, individual government departments worked on refugee matters according to their own priorities. Co-ordinating functions were performed by Foreign Office officials in the Refugee Section within the General Department, who received requests concerning individuals and dealt with foreign governments-


\(^{20}\) Cooper, 'Refugee Conference in Washington', already cited; see also DP Reilly, minute, 29 Aug 1939, PRO FO 371/24078, W12458/45/48, f.75.
in-exile, and who had their own political objectives\textsuperscript{21}. It was not the duty of any government department to help refugees, yet limited scope for humanitarian activity on behalf of refugees still existed.

**Control of aliens in war-time Britain**

On the outbreak of war all unused visas and authorisations were invalidated. The tide of refugee arrivals stopped, although a small number of Jewish refugees who had been granted permission to come to the UK before the war were still admitted\textsuperscript{22}. The immediate question, however, was the security headache posed by large numbers of refugees in the UK who were now enemy aliens.

**Preparations for controlling aliens in war-time**

When war broke out, a comprehensive set of regulations for the control of aliens in war-time was ready for immediate introduction\textsuperscript{23}. Soon after the First World War a sub-committee of the Committee of Imperial Defence (CID) had discussed the form such controls would take\textsuperscript{24}. During the Czech crisis of September 1938, when war seemed imminent, a draft amended Aliens Order containing additional war-time powers, and circulars to police and immigration officers,


\textsuperscript{22} Wasserstein, *Jews of Europe*, op. cit., p. 81.

\textsuperscript{23} Hinsley, *op. cit.*, pp. 21-31.

\textsuperscript{24} Report, Proceedings and Memoranda of CID Standing Sub-Committee on the Treatment of Aliens in Time of War, Apr 1920-Jul 1924, PRO CAB 15/10.
were prepared\textsuperscript{25}. The arrangements were finalised under the direction of a new inter-departmental Sub-committee on Control of Aliens in Wartime (CAW), set up by the CID in January 1939, under Cooper's chairmanship\textsuperscript{26}. The main functions of CAW were to ensure adequate co-ordination, to review the Home Office War Book, in which special war-time instructions were set out, and to finalise the new aliens regulations contained in the draft Order in Council, which was approved in April 1939\textsuperscript{27}.

A reduced number of ports would be approved for immigration purposes, each with a security control officer, and a contingent of military police, to assist immigration and customs officers. A CAW sub-committee planned the establishment of several Passport and Permit Offices, whose duties included the grant or refusal of permission to leave the country\textsuperscript{28}. An outward flow of aliens before war broke out would avoid the problems of feeding them and of interning male enemy aliens, and limited measures designed to encourage aliens to depart were authorised by the last CAW meeting before the war; on the outbreak of war aliens,  

\textsuperscript{25} Circular, FJ Ralfe (HM Chief Inspector of Immigration) to Officer in Charge, 20 Sept 1938, and enclosures, Maxwell, Circular to Chief Constables, 20 Sept 1938, PRO HO 144/21254/700450/13.

\textsuperscript{26} Hinsley, op. cit., p. 30.

\textsuperscript{27} For proceedings and memoranda of CAW see PRO CAB 16/211; see CAW first report, (also CID paper number 1543-B), 1 Apr 1939, CAW 21, ibid.; see extract from 352nd meeting of CID on 6 Apr 1939, PRO HO 144/21262/700470/2. These events are wrongly described as taking place in 1938 instead of 1939 in Peter and Leni Gillman, 'Collar the Lot!'. How Britain Interned and Expelled its Wartime Refugees', London 1980, p. 25.

\textsuperscript{28} 'First Report of the Advisory Committee on the Passport and Permit Office', (as amended by CAW on 14 Mar 1939), Appendix II to first report of CAW (see previous n.) CAW 21, PRO CAB 16/211.
including enemy aliens, would be encouraged to embark, without the need for exit permits. Detention would be necessary in certain cases, but there was no intention of preventing the departure of enemy aliens who were unlikely to be of particular value to the enemy. Once the initial exodus of aliens had taken place, all travel abroad would be restricted, and require exit permits. To conserve manpower, departures would as far as possible be restricted to people regarded as a drain on war-time resources.

It was intended that the entry of aliens would be greatly restricted. Enemy aliens arriving at the ports would be refused leave to land unless the Home Office had approved their visas. They could be detained, examined, and disposed of, by internment or otherwise. The authorities wished to avoid the burdens which would result from the admission of "war refugees", but, since the UK might be forced to admit some, the Ministry of Health was asked to make contingency plans for their accommodation. The aliens registration regulations were made more stringent, including a


30 'First report of the Advisory Committee on the Passport and Permit Office', already cited, para 7.

31 See 'War Instructions to Immigration Officers', Apr 1939, CAW 26, PRO CAB 16/211.

32 Jeffes, Passport Control Department, 'Special Instructions regarding the Grant of Visas for the United Kingdom in the Event of an Outbreak of War', 12 Apr 1939, CAW 24, PRO CAB 16/211.

33 First Report of CAW, 1 Apr 1939, CAW 21, PRO CAB 16/211, para. 14.
requirement that all aliens aged 16 or over register immediately with the police.\(^{34}\)

The definition of "enemy alien" was a source of confusion, since many refugees who had been German and Austrian nationals were now stateless, either legally or effectively. The UK authorities required strict proof of statelessness, which was not often obtainable; yet, even if such proof was accepted and the person registered as stateless, the police could still apply to the Home Secretary for authorisation to subject the individual to any of the restrictions applicable to enemy aliens.\(^{35}\) The problem of refugee statelessness was posed more sharply after the German government passed a new law in November 1941, removing German nationality from certain classes of person, including Jews who resided abroad or were going to reside abroad\(^{36}\). The Home Office sought advice from the Law Officers of the Crown as to the legality of the internment - past, present and future - of German Jews who could now claim to be stateless. They were reassured that it would be contrary to public policy to recognise the power of enemy legislation to rescue persons who were enemy subjects at the outbreak of war from a

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\(^{34}\) Hinsley, op. cit., p. 23.

\(^{35}\) See e.g. Prestige to Latham, 12 Dec 1940, PRO FO 371/25244, W8040/7848/48, f.326.

\(^{36}\) See correspondence, minutes and legal advice, Dec 1941-May 1942, PRO HO 213/160; the German law was the Eleventh Ordinance of the Reich Nationality Law, of 25 Nov 1941, made by virtue of article 3 of the Reich Citizenship Law of 15 Sept 1935, Reichgesetzblatt part I, p. 1146; paras. 1 and 2 deprived Jews (as defined in the Nuremberg laws) of nationality.
disability such as internment, but the advice came with the proviso that it was not certain\textsuperscript{37}.

Arrangements for internment and internment camps had been proceeding since 1938. In April 1939, approval was granted for the War Office to earmark accommodation for 18,000 internees. Immediate mass internment was not envisaged, but it was accepted that the step would probably become inevitable at an early date\textsuperscript{38}. In August 1939, a Home Office official suggested that certain of the internment camps be set aside for refugees, and administered by the Home Office, rather than the War Office, which would only be responsible for camps for hostile aliens; detailed discussion of these plans left the War Office with responsibility for the initial stages of refugee internment camps\textsuperscript{39}. However, on 29 August, in a major policy change, the Home Office decided to try to avoid mass internment of refugees. Plans to intern the 3,000 male refugee occupants of Richborough transit camp were therefore suspended and the Home Office told the War Office that there would be no cause to place inmates of the camp under restraint unless a general order for the internment of male enemy aliens was made, although arrangements should be kept in readiness for such an

\textsuperscript{37} Advice, DP Maxwell Fyfe and DB Somervell, 4 May 1942, PRO HO 213/160; this question was considered in \textit{R v the Home Secretary, ex parte L, and others, [1945] 1 KB 7.}

\textsuperscript{38} CAW First Report, 1 Apr 1939, CAW 21, PRO CAB 16/211, paras 6-9, see n. 27 above.

\textsuperscript{39} The plans were raised by Russell at the CAW meeting of 25 Aug, CAW, 6th mtg, 25 Aug 1939, PRO CAB 16/211; see Gillman, \textit{op. cit.}, pp. 27-28.
eventuality. Maxwell wrote to Sir Vernon Kell, head of MI5, setting out the new Home Office plan of avoiding mass internment by setting up tribunals to evaluate refugees, both for labour and security purposes. Maxwell said that Hoare "had always wished to avoid any general measures of internment", and had that morning decided that it would be better, on the outbreak of war, to set up tribunals to review all cases of male enemy aliens over 16. The proposed tribunals would be chaired by barristers, assisted by Ministry of Labour and Home Office representatives, and would consider whether aliens prohibited from taking employment could be allowed to do so, and whether any ought to be interned or subjected to general restrictions. The Home Secretary would thus be able to say that he was not leaving dangerous enemy aliens at large, and was only letting German refugees take employment if the Ministry of Labour agreed. The scheme would not interfere with arrangements for interning at once enemy aliens regarded as dangerous; it also offered the extra advantage of providing an immediate general review of the cases of enemy aliens, which would have been delayed by the "very expensive and troublesome" alternative of wholesale internment, with release after review.

Only four days earlier, on 25 August, Maxwell and Cooper had discussed the position of the Richborough camp refugees on the outbreak of war with Bentwich and Sir Robert Waley-

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41 Maxwell to Kell, 29 Aug 1939, PRO HO 144/21258/700463/41. See Gillman, op. cit. pp. 28-30, where the labour aspect of the scheme is not mentioned.
Cohen, former managing director of the Shell company, who was chairman of the camp's organising committee. A memorandum from the Council for German Jewry, probably by Waley-Cohen, proposed the use of the camp as a "controlled centre", from which refugees could be drafted out daily in work parties, returning at night. When Waley-Cohen suggested that the camp could be taken over as an internment camp, with the refugees in it, Maxwell agreed that this was possible, but said he hoped there would not be any internment. At the meeting the Jewish representatives pointed to the range of skills within the camp, including medical doctors who were not even allowed to treat fellow inmates, and stressed the refugees' anxiety to put their expertise at the service of the nation. Any connection between this meeting and the change of policy four days later remains a matter of inference. The Gillmans might be right to suggest that the new plan owed more to Home Office officials than to Hoare, but there is no evidence of this in the files they cite. Maxwell had offered to talk with Kell about the proposed tribunals; Hinsley records that "MI5 expressed general agreement" with the policy. Less than a week later, war broke out.

42 Cooper memorandum, 26 Aug 1939, PRO HO 144/21258/700463/40.
44 Ibid. and see Bentwich note (on CGJ notepaper), 'Kitchener Refugee Camp', 25 Aug 1939, ibid.
45 The author has seen the closed files relating to this period cited by the Gillmans. These authors also refer to an open file, stating (op. cit., p. 301) that Hoare "is minuted" in (open) file PRO HO 45/20206, yet the file in question contains no such reference, nor does it "contain the history of Regulation 18B" (p. 308).
46 Hinsley, op. cit., p. 31, citing a closed file not shown to this author: PRO HO 144/21258/700463/4.
Controls following the outbreak of war: Aliens Tribunals and employment

Sir John Anderson, who became Home Secretary on 4 September, announced that he was instituting an immediate review of all Austrians and Germans in Britain, and that a special tribunal would conduct a similar review of all Czechoslovaks. When details of the Aliens Tribunals were announced, they consisted of nearly 100 lawyers, sitting in various parts of the country, but, for reasons which this study has failed to discover, lacked any element of classification for labour purposes: they were concerned only with the decision of who could be left at large, and who should be interned or subject to other restrictions.

Refugee organisations co-operated with the Home Office over the tribunal arrangements, providing liaison officers to assist. The voluntary organisations even supplied a list of names of certain refugees they considered to be undesirable characters; a suggestion made by Lord Reading that the Home Office should intern such persons without waiting for tribunals met with a non-committal response from Maxwell at a meeting on 14 September.

Home Office instructions to tribunals stated that the onus lay on the alien to show that he could be properly exempted from internment, that good character in itself was not a


49 Ibid.

50 Home Office memorandum of meeting on 14 Sept 1939, PRO HO 213/452. Peake was present; Reading was accompanied by Schiff and Emerson.
reason for exemption from internment, and that doubts should be resolved in favour of national security\textsuperscript{51}. Refugee representatives later congratulated Home Office officials and tribunals on the sympathetic manner in which the tribunals had been conducted\textsuperscript{52}. The tribunals determined whether enemy aliens should be interned (Category A), be left at liberty but subject to the new restrictions in the amended Aliens Order (Category B), or be exempted from both internment and special restrictions (Category C). Some 569 persons were placed in Category A, and interned; 6,782 persons were placed in Category B; 64,244 persons in Category C. Of 73,353 persons examined by tribunals 75\%, were classified as refugees\textsuperscript{53}.

Restrictions on refugees placed in the intermediate Category B made it almost impossible for them to get employment\textsuperscript{54}. In December 1939 Ralph Assheton MP, Parliamentary Secretary to the Ministry of Labour, complained to the Cabinet Committee on the Refugee Problem that Category B refugees "against whom nothing was known", were subjected to restrictions, for example, on travelling, which hampered them in finding work\textsuperscript{55}. A relatively large number of domestics were put in category B: Kushner reports that out of a sample of 9,642

\textsuperscript{51} Anderson, memorandum, 'Control of Aliens', WP (G)(40) 115, 29 Apr 1940, PRO CAB 67/6.

\textsuperscript{52} Emerson(COR) to Cooper, 28 Dec 1939, PRO HO 213/455; Cecil Weir (Chairman, Scottish National Council for refugees) to Under Secretary, 28 Dec 1939, \textit{ibid}.

\textsuperscript{53} Anderson, memorandum, 'Control of Aliens', WP (G)(40)115, 29 Apr 1940, PRO CAB 67/6.

\textsuperscript{54} Francois Lafitte, \textit{The Internment of Aliens}, (original publication 1940), London 1988, pp. 62-65.

\textsuperscript{55} CPR(39)7th mtg, 8 Dec 1939, PRO CAB 98/1.
domestics only 6,132, or 64%, were in Category C, a much lower proportion than among refugees generally\textsuperscript{56}. New regulations facilitated the entry into the armed forces and into employment of refugees who were not restricted by the tribunals; had Home Office plans to classify aliens for labour purposes been implemented, the process might perhaps have been faster. Refugees were allowed to register for employment, but were advised not to accept employment until their cases had been considered by tribunals\textsuperscript{57}. Cooper had warned CAW in late August that refugee organisations expected unemployment among domestics once war started, and that it appeared inevitable that some government provision should be made for them\textsuperscript{58}. A large proportion of refugee women working as resident domestics had lost their jobs, and thus also their accommodation, because of the war. In mid-September Emerson estimated the numbers of out-of-work domestics at 8,000: between one third and one quarter of the job losses were apparently due to "the not unnatural prejudice against retaining enemy aliens in service"\textsuperscript{59}. The Jewish refugee organisations were maintaining some 3,000 unemployed domestics, as well as many people whose sponsorship arrangements had collapsed. On 14 September Reading requested government help to find accommodation for newly homeless former resident domestics; Peake opposed

\textsuperscript{56} Kushner, 'An Alien Occupation', op. cit., p. 573.

\textsuperscript{57} Home Office memorandum of meeting on 14 Sept 1939, PRO HO 213/452. Maxwell afterwards explored the possibility of finding accommodation for dismissed servants.

\textsuperscript{58} CAW 6th mtg, 25 Aug 1939, PRO CAB 16/211.

taking immediate action, saying the job market was expected to revive, and that, after classification by tribunals, people would get new jobs.\(^\text{60}\)

**The financial plight of the refugee organisations and emigration policy**

The new situation did not meet the previous expectation of the refugee organisations that, once the war started, the pressure on their resources would lessen as most refugees would be interned, absorbed by war-time employment, or re-emigrate. Instead, the Jewish refugee organisations found themselves maintaining large numbers of unemployed, destitute refugees, who were still at liberty, at a cost approaching some £15,000 per week. They had come to the end of their resources and finally admitted that they could no longer honour the guarantee. Kept afloat temporarily by their bankers, and with prospects of fund-raising greatly reduced by the war, the Jewish organisations approached the government for funds to cope with existing commitments.\(^\text{61}\)

Home Office officials accepted that many refugees would remain in Britain for the whole of the war, and that it was inevitable that much of the burden of refugee maintenance would fall on public funds. Overall, however, re-emigration of refugees remained a priority: every transmigrant who left for a permanent destination abroad diminished the scale of the problem awaiting the authorities at the war's end. The policy of the Home Office was to ensure the departure of as

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\(^{60}\) Home Office memorandum, see n. 60 above.

\(^{61}\) For the negotiations, see PRO HO 213/294 and 295.
many aliens as possible, and its spokesmen refused to make any commitment during the war regarding the ultimate disposal of refugees who remained in the country. The need to spend public funds on rescuing the refugee organisations added an extra motive for boosting refugee re-emigration.

In December 1939 the Home Office, having rejected the unpalatable alternative of having refugee relief on the rates, proposed that the government should sustain the work of the refugee organisations by giving them a grant to cover a percentage of their expenses. The Cabinet accepted the plan. The government's contribution was paid monthly to a new Central Committee for Refugees (CCR). The Home Office was able to subsidise emigration, by including in the grant an additional sum for emigration expenses. The Treasury agreed to the scheme as a whole, on the basis that in the long term it would lighten the burden on public funds, but wished the emigration subsidy to be restricted to refugees not required in the UK for the war effort. State subsidy of the costs of emigration was an especially sensitive issue because the immigration laws of the USA, the destination of most refugee transmigrants, prohibited payment of an immigrant's passage by outside bodies, including foreign governments. All references to the emigration subsidy were

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62 Anderson, memorandum, 'Refugees in the United Kingdom', 8 Dec 1939, CRP(39)18, annexed to report by Secy of State for the Colonies 'Refugees in the United Kingdom', 9 Dec 1939, CPR(39)19, (also WP(G)(39) 138), PRO CAB 98/1; WM 112(38)5, 12 Dec 1939, PRO CAB 65/2; see also Anthony de Rothschild to Waley, 5 Dec 1939, de Rothschild to Simon Marks, 22 Dec 1939, Rothschild Archive, XI/35/19.

63 For Treasury views, see memoranda and correspondence, 6 Dec 1939–6 Jan 1940, PRO T 161/997/S45629/1; for the Home Office side of negotiations with the Treasury, see PRO HO 213/295 and 296.
therefore omitted from declarations submitted to the US immigration authorities\textsuperscript{64}. Maxwell, instead of including details of the emigration component of the grant in his official correspondence with the refugee organisations, chose to put it in what he termed a "semi-official" letter to Emerson, now director-designate of the new CCR\textsuperscript{65}. Cooper included in a ministerial brief the warning that the emigration aspect of the scheme "cannot be disclosed in the House of Commons", explaining that the Americans appeared ready to turn "a blind eye" to the subterfuge "so long as it is not broadcast"\textsuperscript{66}. Government financial support helped emigration from the UK to reach record proportions in 1940: the numbers would have been even higher, had the shipping space been available\textsuperscript{67}. The lengths to which Home Office officials and ministers were prepared to go to achieve a revival of emigration reflect their anxiety to reduce refugee numbers, even at the price of not telling the House of Commons about this item of public expenditure.

The new arrangements depended on the continued survival of the refugee organisations and the machinery they offered for channelling government funds into emigration. Thus, when the finances of the Jewish refugee bodies became even shakier in

\begin{itemize}
\item \textsuperscript{64} Maxwell to Tribe, 5 Jan 1940, (mis-dated 1939), Tribe to Maxwell, 6 Jan 1940, Maxwell to Emerson, 11 Jan 1940, PRO T 161/997/S45629/1, Maxwell to Emerson, 2 Jul 1940, PRO HO 213/298.
\item \textsuperscript{65} Ibid.
\item \textsuperscript{66} Cooper, 'Brief for Supplementary Estimate. Grant-in-Aid to Central Committee for Refugees', 5 Nov 1940, PRO HO 213/299.
\item \textsuperscript{67} See correspondence and memoranda, 16 Feb-17 Oct 1940, PRO T 161/998/S45629/2; Cooper, memorandum, 18 Apr 1940, PRO HO 213/297; Cooper, memorandum, 29 Aug 1942, PRO HO 213/1347, para. 14.
\end{itemize}
1941, the Home Office loaned further funds to cover their contribution to the expenses of emigration and administration. Both loan and repayments were again made through an intermediary body, to disguise the fact that the government was lending money to the Jewish organisations. Maxwell derived ironic satisfaction from the fact that the scheme would "reverse the historic practice by which governments have borrowed money from the Jews and...introduce a new procedure by which the Government will lend some money to the Jews". Under the agreement, which was secured on outstanding debts, mostly under covenants, owed to the Jewish organisations, advances of about £38,500 were made between April 1941 and December 1942; it was terminated in late 1944, all sums lent having been repaid.

Before the war plans had been made to prevent the departure in war-time of alien technicians whose skills might be valuable. The potential loss to manpower resources from refugees who re-emigrated produced conflict between ministries which wished to conserve manpower and the Home Office, which wished to get rid of refugees. The Home Office succeeded in surmounting initial Ministry of Labour objections that subsidising emigration involved the risk of

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68 The agreement was dated 12 Jul 1941 and was prepared by the Treasury Solicitors, see PRO TS 27/500; see PRO HO 213/298 and 299 for the Home Office side of the negotiations.

69 Maxwell to Barnes, 3 Dec 1940, PRO TS 27/500; see also Maxwell to Secretary of State, 11 Jul 1941, PRO HO 213/298.


71 'First Report of the Advisory Committee on the Passport and Permit Office', see n. 27 above.
losing refugees who would be useful in industry\textsuperscript{72}. Nevertheless, disputes about the wisdom of exporting potentially useful refugees were a source of recurrent conflict, as Ministry of Labour officials exercised their powers of objecting to the issue of individual exit permits\textsuperscript{73}. When officials failed to reach agreement over a procedure for resolving such interdepartmental conflicts, the Minister of Labour took the matter up with the Home Secretary\textsuperscript{74}. Conflict continued in 1944 over the emigration of refugees admitted under the auspices of the refugee children's movement\textsuperscript{75}.

The introduction of mass internment

After the German invasion of Norway in April 1940, the possibility that the UK might be invaded became a pressing concern. In the second week of May 1940, as the Germans advanced into the Low Countries, the British government resorted for the first time to mass internment, amid panic about "fifth column" activity\textsuperscript{76}. The Home Secretary and leading Home Office officials soon found themselves obliged

\textsuperscript{72} See Morgan (Ministry of Labour) to Williams, 8 Jan 1940, Maxwell, memorandum of discussion on 10 Jan 1940 with Peake, Emerson, and Assheton and Gould from the Ministry of Labour, PRO HO 213/296.

\textsuperscript{73} For conflict over German nurses wishing to go to the US, see correspondence between Ministry of Labour, opposing their departure, and the Home Office, Dec 1942-Jun 1943, PRO LAB 8/86.

\textsuperscript{74} Bevin to Morrison, 16 Jul 1943, Morrison to Bevin, 17 Aug 1943, PRO LAB 8/86.

\textsuperscript{75} See correspondence, including case of Abraham Gornicki, Mar-May 1844, PRO LAB 8/86.

\textsuperscript{76} Hinsley, op. cit., pp. 47-63.
to authorise and implement internment\textsuperscript{77}. The harsh view of
Anderson's role in Francois Lafitte's 1940 study, \textit{The
Internment of Aliens}, has since been modified by the release
of documents showing the efforts of Anderson and his
officials to oppose mass internment and to slow down its
implementation\textsuperscript{78}.

The grounds for Home Office opposition to mass internment
were set out for the War Cabinet in a paper dated 29 April,
in which Anderson defended existing policy\textsuperscript{79}. He resisted
pressure for stricter controls on aliens, rejecting a recent
suggestion from the Deputy Chiefs of Staff (DCOS) that this
would prevent sabotage: he argued that persons of German and
Austrian nationality were less likely than non-enemy aliens
to be enemy agents. He added that the government already
possessed comprehensive controls over aliens, and that the
numbers of dangerous enemy aliens at large in the UK had
been greatly reduced, partly through internment of known
Nazi adherents on the outbreak of war. Anderson reported
that both he and his predecessor had concluded that to
intern on the mere ground of enemy nationality either German
and Austrian refugees or long term residents who had thrown
in their lot with Britain, was "unnecessary on security
grounds and inexpedient on grounds of general policy".
Settlement of large and unknown numbers of Germans who might
wish to assist the enemy had been prevented since 1914 by

\textsuperscript{77} Gillman, \textit{op. cit.}, pp. 69-129.

\textsuperscript{78} See Lafitte, introduction, 'Afterthoughts Four
Decades Later' to \textit{The Internment of Aliens}, London 1988
(original publication 1940), p. xiii; this author has not
been granted access to closed Home Office material on the
period Sept 1939-Jun 1940.

\textsuperscript{79} Anderson, Memorandum, 'Control of Aliens', WP (G)
(40) 115, 29 Apr 1940, PRO CAB 67/6.
immigration controls. He defended the current policy of individual examination of aliens, saying that the Aliens Tribunals had done their work rigourously and with a bias towards internment in doubtful cases, as they had been instructed. Some decisions to intern had been based on suspicions shown by subsequent reviews to be baseless, and further reviews were in hand. Moreover, the Home Office could, if necessary, use administrative action to intern an enemy alien immediately. He concluded that a policy of mass internment of Germans and Austrians had no justifiable basis, was open to grave objections and should not be adopted merely because they possessed enemy nationality and without regard to what was known about them individually. If enemy aliens could show that they could safely be left at liberty, they should not be interned merely because there was a large number of them. Internment would also be a waste of manpower, and offend opinion in Britain and abroad\(^{80}\).

Anderson circulated his memorandum to the ministers for the armed forces, asking if they wished for any material changes in policy\(^{81}\). On 8 May the First Lord of the Admiralty, Winston Churchill, replied that the Admiralty did not require wholesale internment. He confined his doubts regarding existing policy to a complaint that Home Office re-classification of aliens from Category B to C was unduly lenient, but said that this criticism would be less

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\(^{80}\) The Americans had made representations against mass internment at the outbreak of war, and had been reassured on this score. *Ibid.*

\(^{81}\) Anderson to Churchill, 29 Apr 1940, PRO ADM 1/18894.
important if an Admiralty request for additional protected areas was granted.82

Two days later, on 10 May, as Germany overran the Low Countries, Chamberlain finally resigned.83 Churchill became Prime Minister. The same night, the Home Office lost the battle with the Chiefs of Staff to prevent the start of mass internment.84 Anderson reported to the first War Cabinet meeting under Churchill's leadership the next day that if this course was pressed "on military grounds" he would agreed to it.85 On the night of 10-11 May, Anderson authorised the "temporary" internment of male enemy aliens between 16 and 60, other than the infirm, in the east and south east coastal areas. As a result some 2,000 men were detained. Reporting and travel restrictions and a curfew were imposed on other male aliens in the same age group who chose to remain in those areas. Following a Cabinet meeting on 15 May, in which Churchill said he wished for "a very large round-up of aliens and suspected persons", Anderson authorised the extension of internment to all remaining male category B enemy aliens in the same age group.86 Anderson appears to have remained of the view that German and Austrian refugees within the country were not a security

82 Churchill to Anderson, 8 May 1940, PRO ADM 1/18894, Churchill was adopting the advice of Rear Admiral John Godfrey, Director of Naval Intelligence.

83 WM 119(40)5, 10 May 1940, PRO CAB 65/7. In the context of preparations for a possible invasion Anderson had raised the need to move the German refugees in British uniform from Richborough camp to a more suitable location. WM 119(40)4, ibid.

84 Hinsley, op. cit., p. 49; Gillman, op. cit. pp. 91-95.

85 WM 119A(40)4, 11 May 1940, PRO CAB 65/7.

86 WM 123(40)15, 15 May 1940, PRO CAB 65/7.
Yet on 19 May he opposed the entry of war refugees, and warned that fifth column activists might enter in this guise.

The extension to include category B males and arrangements to intern Italian males who were members of the Fascio or had less than 20 years' residence in the country, should Italy enter the war, did not end pressure for further detentions from the Chiefs of Staff and within the War Cabinet, led by Churchill. On 22 May Mosley and 33 British Union of Fascists (BU) leaders were detained, against Anderson's advice, after amendment of the defence regulations to cover the lack of evidence of links to fifth column activities. Although the Chiefs of Staff were seeking general internment of enemy aliens, Anderson succeeded on 24 May in gaining War Cabinet acceptance of his lesser recommendation of internment all Category B German and Austrian women, subject to similar exceptions to those for previous round-ups of men; stricter controls were also imposed on all other aliens.

Further pressure from Chiefs of Staff and county Chief Constables led on 31 May to authorisation of selective internment of Category C enemy aliens, if the police felt they had good grounds for doubts.

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87 See Anderson's down-playing of fifth column activities, when advising on further measures in conjunction with Attlee and Arthur Greenwood. WP(G)(40) 131, 17 May 1940, PRO CAB 67/6; Hinsley, op. cit., pp. 49-50; Gillman, op. cit., pp. 112-113.

88 WP(G)(40) 132, 19 May 1940, PRO CAB 67/6.

89 Hinsley 49-51; for the Chiefs of Staffs' views, see COS(40) 359, 16 May 1940, PRO CAB 80/11.

90 Hinsley, op. cit., pp. 50-51.

91 COS(40) 359, 16 May, COS(40) 366, 18 May 1940, PRO CAB 80/11; Maxwell to Chief Constable, Circular, 24 May 1940, PRO FO 371/25244, W7848/7848/48, f.8.
June saw yet more extensions of mass internment. A new committee, the Home Defence (Security) Executive (HD(S)E), chaired by Lord Swinton, an ex-Cabinet minister, with representatives from the Home Office, the security services, and the Commander in Chief Home Forces, had been set up by Chamberlain, now Lord President of the Council, to consider all questions relating to defence against the fifth column. On 10 June, the HD(S)E decided against further steps to intern enemy aliens. However, Italy entered the war on that day, and Churchill gave the signal to intern Italians, over 5,000 of whom were detained. Internment of BU members was also stepped up and other Fascists included. The HD(S)E was concerned about internment camps as a threat to security, and the Chiefs of Staff renewed demands for internment of all enemy aliens and for most to be shipped overseas. On 19 June the Home Office concluded that all Category C Germans and Austrians must be interned: instructions were issued for internment of all male German and Austrians in three stages. By the end of July, the peak figure was reached of about 27,000 persons in internment, including 4,000 Italians.

The possibility of sending internees and prisoners of war to the dominions was raised in late May by the Chiefs of Staff, concerned about the presence of enemy aliens, whether or not in detention. The solution they favoured was for all enemy aliens "about whose bona fides there was any doubt" to be

92 The records of this committee are closed: references to its activities are drawn from Hinsley, op. cit., p. 52 and post.

93 WM 174(40)13, 21 Jun 1940, PRO CAB 65/7.
removed abroad, perhaps to Canada where they might assist with such work as the wheat harvest. Alternatively, internment camps should be relocated in sparsely populated areas in the west and north, or even the island of St Helena. The latter having been rejected as impracticable, Ministers chose the option of removal to the dominions. Canada agreed to accept internees, and efforts were made to despatch as many as possible. On 2 July the War Cabinet received a report from Chamberlain on the progress of the deportation policy, which he was keen to continue and expand. Two ships had already left for Canada, the first leaving on 21 June carrying Category A Germans and German prisoners of war. The Arandora Star had sailed on 30 June carrying 734 "Italian Fascists" and 479 Category A Germans, but it had just been learned that the ship had been torpedoed: there were an estimated 599 dead, most of whom were Italians. Two further ships would take 858 category B Germans and 1,000 Germans aged 16 to 40, mainly Category B but also C cases. By the end of the week a total of 7,874 persons would have left for Canada and Newfoundland; with sailings to Australia and New Zealand covering a further 9,500, a total of some 17,500 were included in current arrangements. Future shipments would consist of Category B or C Germans or Austrians: no more Italians would be

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94 COS(40) 396, 24 May 1940, PRO CAB 80/11; COS(40) 154th mtg, 27 May 1940, PRO CAB 79/4.
95 Hinsley, op. cit., pp. 53-54.
96 Massey to Caldecote, 11 Jun 1940, PRO FO 916/2580, KW5/5.
97 Chamberlain, 'Internees and Prisoners of War', WP(G)(40) 170, 2 Jul 1940, CAB 67/7.
98 Naturalised British subjects, illegally detained or removed, were among the internees. See below.
deported to the dominions. Anderson wished to select only suitable internees for deportation, excluding men needed for war production, interned in error, or married with families in the UK, and also to ensure Jews were not mixed with Nazis and Fascists; however, Chamberlain advised against delaying departures for Canada for such weeding out, which might make it impossible to fill the ships, but he contemplated it as possible for sailings to Australia.

Release from internment, and emigration

Public opposition to mass internment was mounting by mid-July. The policy of mass deportation of internees came under attack, fuelled by news of the Arandora Star disaster. On 17 July a small War Cabinet meeting chaired by Chamberlain re-affirmed existing policy, which implied that the release of many category C aliens was unlikely, as it "could only be justified to the extent that the services which they could render to the State outweighed the potential danger of their being at large." Yet the next day the War Cabinet decided on a shift towards a policy of releasing internees. Chamberlain and Anderson spoke of the privations, distress and mistaken detentions caused by the implementation of internment. Chamberlain advocated a change of policy on release. The Cabinet agreed on the release of enemy aliens known to be actively hostile to the enemy regimes or whom it was undesirable "for other sufficient reasons" to keep interned. It also launched an enquiry into

99 Hinsley, op. cit., p. 58.
100 Wasserstein, Jews of Europe, op. cit., pp. 96-108.
101 WM 206(40)1, 17 Jul 1940, PRO CAB 65/8.
the selection of the *Arandora Star* deportees and decided to turn over the administration of internment camps to the Home Office\(^2\). The change to a policy of more releases also greatly reduced pressure to continue with the deportation policy, whose disadvantages had been highlighted by the *Arandora Star* disaster.

A White Paper published at the end of July set out new grounds for freeing internees\(^3\). It listed categories eligible for release, subject to security objections. Among the release categories were the aged and sick, and persons engaged in work of national importance, many of whom had been locked up, notwithstanding Home Office instructions to the police not to detain them. Within three months over 5,500 aliens regained their liberty\(^4\).

The internment process was suspended at the end of July, for lack of accommodation, and mass internment was never resumed. The War Cabinet set up an Advisory Committee attached to the Home Office, to review internment policy and individual cases; it also set up an Advisory Council attached to the Foreign Office, to watch over the welfare of

\(^{102}\) WM 207(40)12, 18 Jul 1940, PRO CAB 65/8.

\(^{103}\) Home Office, *German and Austrian Civilian Internees: Categories of Persons Eligible for Release from Internment and Procedure to be Followed in Applying for Release*, Cmd. 6127, Jul 1940; this was followed by *Civilian Internees of Enemy Nationality: Categories of Persons Eligible for Release from Internment and Procedure to be Followed in Applying for Release*, Cmd. 6223, Aug 1940; a revised version (Cmd. 6233) appeared in Oct 1940.

aliens generally\textsuperscript{105}. Plans to utilise alien manpower for the war effort were extended to include released internees and non-interned aliens\textsuperscript{106} and recruitment plans extended to the possible use of enemy aliens\textsuperscript{107}.

Parliamentary criticism and the failure to uncover evidence of fifth column activity - a danger the Prime Minister now said had been exaggerated - are thought to have caused ministers to press for a relaxation of policy, notwithstanding the invasion threat and public fears\textsuperscript{108}. During August, criticism of internment continued, but Anderson defended the policy in Parliament, and warned Churchill of the political dangers in suddenly abandoning the policy and releasing all Category C cases at once. Opposition to sudden implementation of the policy of relaxation also came from MI5, concerned about the burden of vetting people for release\textsuperscript{109}.

The introduction of an additional ground for release in November 1940 was calculated to increase enlistment. It created pressure on internees of military age to apply to join the army, by denying them eligibility for release

\begin{footnotes}
\item[106] WM 207(40)12, 18 Jul 1940, PRO CAB 65/8; WP(G)(40) 195, 20 Jul 1940, PRO CAB 67/7.
\item[107] WP(G)(40) 192, 20 Jul 1940, PRO CAB 67/7; WM 211(40)1, 24 July 1940, PRO CAB 65/8.
\item[108] Hinsley, op. cit., p. 59.
\item[109] MI5 objected to a new proposed category of release, on grounds of sympathy to the Allied cause, for this reason. Hinsley, op. cit., pp. 59-60.
\end{footnotes}
unless they did so and were rejected. It was also designed for administrative convenience, since it prevented an unmanageable flood of applicants for release and limited the burden of vetting internees. The new category, which was expected to produce some 2,000 applicants, had been proposed by the Advisory Committee on Internment, and was introduced in the face of opposition from MI5, the Joint Intelligence Committee and the Chiefs of Staff. It conferred eligibility for release on aliens aged 18-50 who applied to enlist in the Auxiliary Military Pioneer Corps (AMPC) and were rejected on medical grounds, who could be released if their loyalty was not in doubt. Herbert Morrison, who became Home Secretary in October, supported the policy of making men of military age earn their release in this way, rather than giving them a right to liberty merely because they did not represent a security risk. There could, he argued, be "little ground for complaint" about the continued detention of aliens who did not offer themselves for enlistment; a display of unconcern which suggests that his support for a policy of "greater liberality", to which Jones and Donoughue allude in their biography of Morrison, was highly selective. The onus of applying for release was on internees in nearly all cases. Not all of them understood this. For example, an internee who was a former inmate of Richborough camp, where he had been classified C, had applied to join the Pioneer Corps in September 1941 and been


rejected on medical grounds, but, when he approached Jewish refugee organisations for help, it emerged that he had failed to apply for release. Once this was done, his release under the new ground was authorised in May 1942\textsuperscript{112}.

The story of the introduction of the new ground illustrates several broader aspects of the policy of internment and release. For the Home Office, internment of the majority of refugees had not been regarded as a necessity on security grounds since late August 1939. By late 1940, the immediate threat of invasion and the panic over spying and sabotage which had led to mass internment were past, public opinion had turned against large-scale internment, and Home Office control had been largely re-asserted. It was thus possible to proceed in practice on the basis that, if the presence of enemy alien refugees had ever been a security issue, it was so no longer. Yet the new situation did not produce a policy of releasing persons whose continued detention appeared to serve no security purpose. Instead, most internees had to prove that furtherance of aims connected with the war effort would flow from their release. As a result, persons who presented no threat whatsoever to security remained in internment because their release seemed to offer insufficient advantage.

Internment receded as a security issue, but continued to be an administrative problem. The manpower to investigate cases of individual internees, and deal with the associated welfare problems, was in scarce supply, so the Home Office

\textsuperscript{112} Correspondence from Joseph Friedensohn, Jul 1941-May 1942, Chief Rabbi's Emergency Fund case files 1939-46, section FR-FRI, Schonfeld papers, Parkes Library, University of Southampton.
enlisted the services of volunteers, refugee organisations, and internees themselves - one internee found that a Jewish refugee organisation had applied for his release on condition that he continued to work in the camp\textsuperscript{113}. The Home Office was in a position to control the timetable of the process of classifying internees for release, as it had not been during the earlier phase of hurried detentions. Release from internment also provided opportunities for control of alien entry into the armed services and the labour force. The threat of continued internment became in part an instrument of manpower control. Home Office policy on the release of internees was, for example, designed to direct internees to gaining release through joining the Pioneer Corps, rather than by obtaining better paid civilian work, for which the Ministry of Agriculture wished to recruit them\textsuperscript{114}. (Shortly before the introduction of mass internment, the Jewish refugee organisations, anxious to avoid the maintenance costs of refugees themselves, sensitive to the suggestion that refugees were prepared to remain idle or live in luxury while the nation fought a struggle for its very existence, and concerned about failure of refugees to enlist, had decided to put financial pressure on refugees to join the Pioneer Corps)\textsuperscript{115}.

The internment episode was incorporated into Home Office policy of reducing refugee numbers through emigration. Home

\textsuperscript{113} Leo Kahn, IWM Tape 004300/06; Kahn, interview with this author, 12 Apr 1988.

\textsuperscript{114} See inter-departmental meetings and correspondence for Nov 1940-Jan 1942, PRO MAF 47/76.

\textsuperscript{115} See 'Refugees and the Pioneer Corps', item 73, Minutes of Executive Committee of the Jewish Refugees Committee, May 7 1940, Rothschild Archive XI/35/19.
Office instructions to the police when mass internment began had included the categories they were not to detain, including persons who could produce firm evidence that they had permission to emigrate; this exemption was, however, largely lost sight of during the hurried implementation of internment, so that many refugees with advanced re-emigration plans were placed in detention. Among the categories now eligible for release under the July White Paper and its successors were persons "about to embark for emigration overseas"\textsuperscript{116}. The regulations at first stated that release was not authorised pending emigration, but that facilities would be given for the attendance of internees with US quota numbers at the US Consulate for visa interviews, and that once both a visa had been granted and a passage obtained the alien would be taken to the port of departure; later, the October 1940 regulations stated that once a visa and an exit permit had been obtained the alien would as a rule be released to make final departure arrangements\textsuperscript{117}. The Home Office provided continued support for emigration by giving facilities within the internment camps for emigration casework, much of it performed by internees. At least 10,000 refugees emigrated in 1940\textsuperscript{118}. The departures were "voluntary", but the circumstances were in many cases hard to distinguish from deportation. The Jewish refugee organisations supported the policy of re-emigration; the Overseas Settlement Committee of the JRC

\textsuperscript{116} The emigration ground was Category 17 in Cmd. 6217 and both its successors, Cmd. 6223 and 6233, already cited.

\textsuperscript{117} For policy on re-unification of children with mothers coming from Isle of Man camps to London for visa interviews at the US Embassy, see correspondence 5-27 Aug 1940, PRO HO 215/365.

\textsuperscript{118} Cooper, 'Memorandum on Post-War Problems', 29 Aug 1942, PRO HO 213/1347, para. 14.
shared Emerson's view that refugees able to emigrate and not doing so should not be supported\textsuperscript{119}. The literal deportation to the dominions of some 8,000 interned refugees, some of whom "volunteered" to go, further reduced the numbers in the UK\textsuperscript{120}. Later in the war, some deportees were permitted to return.

The inclusion of alien children in arrangements to evacuate children to the USA encountered difficulties in the summer of 1940, because of quota restrictions. The British government therefore offered the Americans an undertaking that a return visa would be granted if the application was made within six months of the termination of hostilities and the child was under 16 at the date of leaving the UK\textsuperscript{121}. Frank Newsam of the Home Office said at an interdepartmental meeting in August that it was government policy to get rid of as many aliens as possible, and that if the US would accept children over 16 they should be allowed to go\textsuperscript{122}. He pointed out that a return visa only guaranteed the children's return to the UK, and that they could subsequently be sent back to their country of origin. In the subsequent years of the war emigration continued at a lower rate. The Home Office pressed children and adults to take up

\textsuperscript{119} Minutes of meeting of JRC, 11 Jun 1940, Rothschild Archive, XI/35/19.


\textsuperscript{122} Minutes, 17th Mtg of Overseas Travel Committee, 16 Aug 1940, PRO FO 371/25251, W9558/8261/48, f.476.
offers of re-emigration, stressing that there was no certainty that they would be allowed to stay on in the UK at the end of the war\textsuperscript{123}.

The Home Office devoted substantial resources to the welfare of refugees during the war. Home Office representatives had shown their sympathy for refugees in the UK in their opposition to mass internment, and, drawing on the knowledge about refugee attitudes gained in the immigration process, had argued that since so much was known about the refugees, they did not present a security risk. However, Home Office representatives did not feel a sense of responsibility towards persons abroad who were seeking refuge, but whom they did not already know, whose circumstances they had not investigated, and who, because they were not in the country, were not the problem of the Home Office. Home Office spokesmen opposed any substantial increase in the numbers of such persons in Britain, and in doing so, were prepared to use security arguments. After Cabinet policy changes of 18 July 1940 the Home Office began to regain control over policy towards aliens already in the country from the military establishment, the security services, and Churchill, who, sharing their suspicions of refugees, had pressed for more internment once he became Prime Minister, only changing his position when the tide of opinion turned against government policy.

\textsuperscript{123} For Home Office policy and practice on children and young people, see minutes and correspondence, Feb-May 1944, esp. HHC Prestige (Cooper’s successor) to Mrs DM Hardisty (General Secretary, Refugee Children’s Movement) 9 Mar and 21 Apr 1944, Prestige, circular, ‘Emigration of Refugee Children’, 25 May 1944, PRO HO 213/994.
Repercussions of internment

The internment episode left an unhappy legacy. Alongside publicly voiced criticisms of internment was a body of highly critical opinion within the civil service, including officials in positions which enabled them to work to mitigate the impact of internment on refugees. RTE Latham of the Foreign Office Refugee Section, for example, proposed new advisory committees to watch over aliens and internment, and was energetic in the secretariat of the Lytton Council, as the Advisory Council on Aliens was known, keeping a critical eye on the adequacy of its machinery and its members; he was particularly concerned that the excesses of MI5 should be curbed. In a private letter, the economist John Maynard Keynes, who took up the cases of several interned economists, called the government's behaviour toward refugees, "disgraceful and humiliating....rather disconcerting to find that we have such obvious fatheads still in charge". Keynes reported that his sources pointed to the War Office and not the Home Office as the department which should be held mainly responsible, and claimed that he had "not met a single soul, inside or outside government departments, who is not furious at what is going on". Individuals who worked directly or indirectly for the government, including Bunbury of the CRTF, were among supporters of the group Political and Economic Planning (PEP) which commissioned Lafitte's denunciatory

124 See Wasserstein, Jews of Europe, op. cit., p. 95; Latham, minutes and memoranda, Jan 1941, PRO FO 371/29180, W962/3/48.

125 Keynes to Francis C Scott, 23 Jul 1940, Donald Moggridge, ed., The Collected Writings of John Maynard Keynes, Vol XXII, Activities 1939-1945, Internal War Finance, Cambridge 1978, p. 191. For Keynes' intervention on behalf of interned economists, see ibid, p. 190.

Compensation claims

Many areas were excluded from the scrutiny of the multiplicity of committees set up to monitor internment. One of these was policy towards potential claims for compensation on behalf of men who had been wrongfully detained and deported. Alongside thousands of deported enemy aliens, including men who died in the Arandora Star disaster, had been British subjects who had been illegally deported. In certain cases their detention had itself been illegal. Two such cases concerned naturalised British subjects of Italian origin, Antonio Mancini and Gaetano Pacitto, who both perished with the Arandora Star, both having been mistakenly interned under the Royal Prerogative (which authorised internment of aliens but not British subjects), and then deported.\footnote{Maxwell to Secretary, 20 Sept 1940, enclosing copy Treasury Solicitor’s minute, 29 Aug 1940, PRO T 161/1081/S47357.} The question of what compensation their families should receive arose. The issue was complicated by the fact that the full extent of the illegality was not known to the dead men’s representatives. Were the fact that the detention itself was illegal to be revealed, the result would undoubtedly be an increase in the sum claimed; a further complication was that, if compensation was paid in these two cases, other claims would follow, in respect of persons both living and dead. Three
other men with potential claims had been drowned in the *Arandora Star*, two of them naturalised British subjects. One of the two deceased British subjects, a man of German origin named Hildesheim, whose case Lady Halifax took up, had been lawfully interned under regulation 18B, but illegally deported, in contravention of a decision that 18B cases were not to be sent overseas. His case was similar in this respect to that of ten other men who had not gone down with the ship; in further cases British subjects and at least one friendly alien had been improperly interned under the Prerogative; furthermore, between 20 and 25 persons from other nations, plus one whose nationality was not yet established, had been lawfully detained, but illegally transported. The government was bringing back illegally deported persons, and it was not intended to raise questions of compensation until this had been done.

Pacitto, who left a widow and nine British-born children, had previously been regarded as a Fascist sympathiser; although naturalised in 1939, he was arrested in June 1940, on the mistaken assumption that he was still an Italian citizen (and thus subject to internment under the Royal Prerogative). When his case was raised in parliament, Morrison admitted that mistakes had been made, and stated that the government was "prepared to pay proper

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128 A decision not to deport 18B cases was taken on 17 Jun, *ibid.*; Newsam to HR Foyle, 7 Oct 1940, *ibid.*; Rumbelow(HO) to Foyle, 30 Nov 1940, enclosing memorandum, 'Particulars of cases in which the question of payment of compensation for illegal transportation has arisen, or may conceivably arise' [n.d.], *ibid.* This referred to persons of British or alien (friendly, neutral and enemy) nationality: 5 drowned on the *Arandora Star*; between 32 and 37 deported and detained in the dominions, all but one of whom had been deported twice, first in the *Arandora Star*; 11 sent to the Isle of Man and two alleged Hungarians interned in England.
compensation"\textsuperscript{129}. The claim was settled, following the issue of proceedings, for £2,000, plus agreed costs\textsuperscript{130}.

Mancini had come to the UK in 1893, aged 8. The security services had known since 1936 that he was a contributor to the funds of the Italian Fascist party, but had failed to inform the Home Office, and he was naturalised in 1938. When Italy entered the war in June 1940, he was arrested as an enemy alien under the Prerogative, since his name had not been deleted from MI5's list of Italian Fascists. He left a widow, also a British subject (by virtue of his naturalisation), and six British-born children. No formal claim had been submitted by his relatives. In December 1940 an inter-departmental meeting agreed, following standard practice, to make no offer in cases in which no claim was put forward. Representatives of the Treasury and the Treasury Solicitor also opposed offering compensation in Mancini's case, pointing to the absence of a formal compensation claim. Soon afterwards, Maxwell objected that such a course would be discreditable since the death resulted from "a series of administrative blunders", and he pointed to the intention to pay compensation in the Pacitto case\textsuperscript{131}. It then emerged that, within weeks of the disaster, solicitors had written seeking particulars of Mancini's death; a letter which mentioned compensation had also been


\textsuperscript{130} See correspondence between Treasury Solicitor and Treasury, 6 Nov 1940-4 Apr 1942, PRO T 161/1081/S47357. Earlier offers of £1,000 and £1,500 were refused; the government had paid £2,500 into court.

\textsuperscript{131} Foyle, memorandum of inter-departmental meeting, 2 Dec 1940, Maxwell to Secretary, 21 Dec 1940, James to Foyle, 15 Jan 1941, \textit{ibid.}
received from a body named the Anglo-Italian Club, but the letters had previously been overlooked as a result of administrative blunders within the Home Office. AF James of the Treasury said, however, that neither letter could be regarded as being in the nature of a claim, and argued that to offer compensation which had not been asked for would cause a great deal of avoidable trouble. G Grey in the Treasury Solicitor's department agreed, adding that,

in Mancini's case the real fault of the H.O lay not so much in deporting a British subject, as in granting British nationality to a Fascist who would otherwise very properly have been deported.

The Treasury accordingly rejected any compensation in respect of Mancini, justifying this course on "grounds of expediency", because it risked other claims "which, even if without foundation in law it might be embarrassing to refuse", and also because of the circumstances in which Mancini had obtained British nationality. James subsequently concurred with GH Curtis of the Treasury Solicitor's office in dismissing Lady Halifax's interest in Hildesheim's case as a "fishing enquiry": Lady Halifax was now in America with her husband; the Home Office was told that the case did not call for further action. The passage of the Isle of Man (Detention) Act in 1941, which gave power to deport persons detained under the Defence Regulations and the Aliens Order, threatened to highlight the illegality of previous transportations of interned

132 A Tudor (HO) to Foyle, 1 Jan 1941, ibid.
133 James to Grey, 18 Feb 1941, ibid.
134 Grey to Barlow, 24 Feb 1941, ibid.
135 RV Hopkins (Treasury) to Under Secretary of State, Home Office, 1 Mar 1941, ibid.
136 See correspondence between Treasury, Treasury Solicitor and Home Office, 7-21 Apr 1941, ibid.
British subjects to the Isle of Man. Richard Stokes MP, who asked a parliamentary question on behalf of five such persons in May 1941, did not appear to realise that in three of the cases the arrests themselves were also illegal. The Home Office proposed to indicate readiness to consider cases where loss or damage had resulted, but after James had expressed concern at any admission of breaches of the law, the reply to Stokes was reworded to refer to the authorities' "inadvertence" rather than to mistakes.

In the cases of illegal detention and transportation discussed above, the majority of those affected were of alien birth and origin. In several cases they were persons who had links with foreign organisations, including Fascist organisations, of which the authorities were suspicious. The foreign origins and associations appear to have given them, in the eyes of certain officials dealing with their cases, something less than a full claim to the rights of the subject. In consequence, their dependants, including British-born children, were denied full compensation, or received none at all. The plight of the victims of administrative error was thus subordinated to the saving of funds, and the limitation of possible claims: Home Office officials showed some concern to compensate individuals who had suffered for administrative mistakes, but gave way to pressure from the Treasury and Treasury Solicitor. The cases reveal the extent to which government agencies had acted on wrong or out-of-date information, and show how lack of co-

137 Newsam(HO) to FP Robinson (Treasury) enclosing Home Office note on Stokes question with draft reply [n.d.], with details attached of five cases, ibid.

138 James to Barlow, 13 May 1941, Barlow to James, 14 May 1941, ibid.
ordination between the security services and the Home Office, as well as within the Home Office itself, caused mistakes with very serious consequences.

Enemy aliens interned under the prerogative had no legal claims for redress, but administrative means were adopted to resolve certain of the worst consequences of their detention. The Home Office sent envoys to the dominions to work on the problems of deported internees. Julian Layton spent four years in Australia, ensuring that compensation was paid to internees ill-treated and robbed in transit; he also arranged their release, return to Britain, and, in a few cases, re-emigration to Palestine. In July 1941, Alexander Paterson, HM Commissioner of Prisons, reported on the tribulations of internees sent to Canada, most of whom were Jewish refugees; the report led to the easing of conditions and the return of several hundred internees to the UK during the war. Return, however, did not necessarily mean release. A Jewish internee wrote to the Chief Rabbi in December 1942 complaining bitterly at his continuing imprisonment; he was one of a group which had come from Australia for reconsideration of their cases; he claimed that some fellow internees had not been given reasons for their detention, and had not had a single hearing, or only one in three years. He himself spent nearly three years in detention prior to his release in 1943.

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141 Arnold Fraenkl to Chief Rabbi, 23 Dec 1942, Chief Rabbi's Emergency Fund case files, section FR-FRI, Schonfeld papers, Parkes Library, University of Southampton.
The impact of internment on the re-emigration of refugees was often catastrophic. The authorities in the UK, Australia and Canada, who wished to deny refugees opportunities to settle, were reluctant to allow internees to be at large, even when their detention on security grounds was no longer desired. This reluctance was well known to, and cynically exploited by the Americans, under Secretary of State Breckenridge Long, in order to exclude intending immigrants\textsuperscript{142}.

Would refugees be allowed to stay in the UK after the war? Once the war began, Home Office officials and ministers seemed to have forgotten that many refugees had been admitted for eventual settlement. Indeed, the justification put forward by the Home Secretary in November 1938 for the policy of making refugees wait abroad for the completion of cumbersome investigations had been the need to scrutinise the applications of potential permanent residents with great care. Even Cooper, in a memorandum written soon after the outbreak of war, allowed the concept of temporary refuge to blur the distinction between cases of people truly in transit and cases of people who had been admitted subject to immigration conditions, but in the expectation that they would, if all went well, ultimately be allowed to stay\textsuperscript{143}.

Cooper claimed that the estimated 49,542 refugees in the UK

\textsuperscript{142} For the US authorities' response over the cases of internees and deportees, and the case of Hermann Bondi in particular, see Gillman, \textit{op. cit.}, pp. 269-73; for Canadian policy, see \textit{ibid.}, pp. 275-76.

\textsuperscript{143} Cooper, memorandum, 20 Sept 1939, see n. 1 above; Hoare, \textit{Hansard}, \textit{op. cit.}, 21 Nov 1938, vol. 341, cols. 1463-1475.
had been "admitted on the assumption that they would eventually re-emigrate". This conclusion was inconsistent with the particulars he gave of the categories under which the admission of the refugees had been authorised.

Particulars of nearly 30,000 refugees - nearly two thirds of the total - showed that they had been admitted in the expectation of eventual settlement: these were 28,685 persons whom Cooper described as "refugees for settlement in the United Kingdom, e.g. doctors, dentists, architects, businessmen, merchants, manufacturers, nurses, teachers, independent persons, etc.", and 877 elderly persons "admitted for permanent residence". Cooper put the numbers of refugee domestic servants at only 4,461, (a gross underestimate) and did not categorise them either as temporary admissions or as settlement cases, but since the Home Office had for months been admitting refugee domestics without time conditions, they were hardly birds of passage. The categories of persons who were expected to emigrate constituted less than a third of the 49,542 total: these were 1,707 "persons awaiting emigration"; 9,028 children; 2,493 "young persons for agricultural and technical training"; and 1,700 in Richborough Clearing Camp.

To categorise three fifths of the refugees as settlement cases, and to say simultaneously that all had been admitted on the assumption of eventual re-emigration, was confusing and contradictory. Cooper's statement that the majority were in all likelihood "marooned in this country for the duration of the war", reflected the same assumption. Cooper would later argue that most refugees should be allowed to stay,

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144 Cooper was aware that his figures would need revision.
but no evidence has been seen that either he, or anyone else in the Home Office, noticed that the emphasis they placed during the war on the temporary nature of the admission of all refugees stood in flat contradiction to the Home Office's pre-war emphasis on the need to scrutinise applicants to ensure their suitability for absorption; nor did they appear to appreciate that it would be unfair to disappoint the legitimate expectations which their pre-war policy had created in the minds of many refugees.

The need for a Home Office policy on the question of the disposal of refugees and other foreigners in Britain at the end of the war was raised by the Home Secretary, Herbert Morrison, in August 1941\textsuperscript{145}. In February 1942, after informal discussions between Morrison, Maxwell and his deputy Frank Newsam, Newsam produced a memorandum on the issue, putting the number of non-resident aliens (out of a total of about 250,000 including long-established residents) at 110,000. The figure included the influx of 15,000-20,000 refugees of all nationalities when Western Europe was overrun in 1940: these he presumed would be repatriated. He estimated German and Austrian refugees at 50,000-60,000, saying the bulk had been admitted on the understanding that they would re-emigrate, and proposed a policy of either repatriating ex-enemy nationals or requesting them to emigrate as soon as possible\textsuperscript{146}. Persons previously accepted as more or less permanent residents, however, should be allowed to remain, subject to the powers of conducive

\textsuperscript{145} Morrison to Under Secretary of State, 2 Aug 1941, PRO HO 213/1347.

\textsuperscript{146} Newsam, 'British attitude and policy in relation to refugees and other foreigners after the war', 6 Feb 1942, PRO HO 213/1347.
deportation. It might be in the national interest to allow the residence of other refugees, such as persons whose skill Britain might advantageously use, "with a view to exploiting the new industries which they have established". Peake expressed agreement with Newsam's approach, and added that temporarily admitted aliens who had volunteered and served in the armed forces had claims for special consideration. Morrison's reaction to the proposals was terse:

Seen. 250,000 aliens is a biggish figure. Pl see the matter is again considered at an appropriate time. I am sure there will be trouble if all possible refugees &c do not go after the war.

The matter was due to be raised again in six months: in the interval, Cooper collected statistics, and, in late August 1942, produced a lengthy memorandum on post-war refugee problems. The three main options for dealing with German, Austrian, Czech and Polish refugees in the UK were repatriation, absorption and migration. Cooper rejected compulsory repatriation, arguing that, although the rights of Jewish and other minorities would presumably be guaranteed in the post-war European settlement, it "would, humanly speaking, be out of the question" to repatriate to Germany Jewish refugees whilst any uncertainty existed. He thought that more Austrians than Germans would be willing to return (he displayed extraordinary ignorance of antisemitism in Austria), and that even more Czechs would

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147 Peake, minute, 10 Feb 1942, PRO HO 213/1347.
148 Morrison to Peake and Maxwell, 6 Mar 1943, PRO HO 213/1347.
150 Ibid., paras. 12 and 13.
probably wish to do so, but argued that no pressure should be brought on unwilling refugees to return until the situation became clearer. He added a reminder that German refugee families were scattered all over the world, and that since the outbreak of war the German Government has been pursuing the policy of sending Jews from all parts of the Reich, and even from occupied countries, to Poland where they are being forced into ghettos, which have been established by the Nazi power, and there starved to death and subjected to mass murder, no doubt with the deliberate intention of exterminating that section of the Jewish race over whom the German Government exercises any control.  

Cooper's arguments for generous treatment of refugees included certain consequences of the Nazi policy of mass murder. He said, for example, that many of the parents of refugee children in the UK would be dead or untraceable, and that they could not be returned to European countries with no parents to receive them. He also opposed Home Office interference with arrangements for refugee children to stay permanently with foster-parents, so long as any natural parents consented. Other groups of refugees whom Cooper regarded as candidates for absorption were those in the armed forces, civilian war workers, merchants and industrialists allowed to establish enterprises before the war, as well as refugees of independent means and the elderly, for whom he said adequate financial provision existed. Decisions would also be needed on cases of refugee men who had married British women, many of whom would not wish to live abroad. The cases of the small number of refugees in internment who were not being held for security reasons should, he said, be dealt with in the same way as

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151 Ibid., para. 13.

152 He said over 1,000 British women had married men in the Polish forces.
those of non-interned refugees. Some 10,000 German refugees had emigrated in 1940, mostly to the USA, and, if shipping problems had not intervened, perhaps double that number would have left by the end of 1941, and the refugee problem, "would then have been well on the way to a satisfactory solution" 153. However, emigration could not be expected to revive speedily in the immediate post-war period, when priorities like relief and reconstruction would come first.

Cooper's recommendation of a generous Home Office policy towards refugees did not find favour with Morrison. Discussing the question with Maxwell, Cooper and Peake in November 1942, Morrison clung to the view that at the end of the war the Home Office should require all persons admitted as "refugees" to leave 154. He hoped that those who could not get to America or elsewhere could be required to return whence they came, not even excepting refugees who had served in the armed forces. Afterwards, Maxwell asked Newsam to assemble figures on refugees, which Morrison had requested in order to facilitate the enforcement of a general policy of requiring refugees to leave the country; Maxwell also requested figures showing the difficulty refugees would face in gaining admission to their countries of origin, and notes on those for whom exceptional treatment might be necessary, such as children admitted without their parents. He asked rhetorically,

Can we send back...a man of 19, who was admitted here as a child aged 14, and has no parents, or whose parents cannot be found, and who may have been adopted more or less by an English family? 155.

153 Ibid., para. 14.
154 Maxwell to Newsam, 17 Nov 1942, PRO HO 213/1347.
155 Ibid.
Maxwell's position was thus closer to Cooper's than to Morrison's, and he was collecting ammunition to counter a policy of compulsory repatriation. Figures assembled in early 1943 indicated that in March 1942 there had been 113,502 refugees in the UK on temporary conditions, of whom 62,466 belonged to categories in which the "hard core" of Jewish refugees was located; of these, some 40,000 might be expected to apply to remain after the war. Some refugees would emigrate: these would include persons who had possessed US visas but been unable to depart because of shipping shortages.

Morrison, having dismissed Cooper's suggestions in late 1942, continued to express his opposition to letting refugees stay in Britain, repeatedly claiming that, if Jewish refugees were allowed to remain after the war, this would lead to outbursts of antisemitism and public disorder. Cooper's private thoughts on these questions remain obscure, but his actions in the following months suggest that perhaps his profound differences with

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156 Mathews, note and table, 26 Feb 1943., PRO HO 213/1347; Mathews thought certain categories should be singled out for favourable treatment, and envisaged the setting up of a tribunal to consider claims.

157 These had numbered 2,646 in 1940 alone. New US government regulations made in 1941 had invalidated previously granted visas, so by March 1943 there were only 250 persons in possession of valid visas, who were expected to obtain passages shortly. Ilse Haigh (Central Office for Refugees Overseas Settlement Department) to Cooper, 23 Mar 1943, PRO HO 213/1347. By Jun 1943 most had left, a further 42 of the old visa cases had left, and there was now a steady flow of new US visa approvals, as well as a small and continuing flow to South American countries where people had relatives. Movement to Palestine appeared to be at a standstill. Haigh to Cooper, 18 Jun 1943, ibid.

158 See Kushner, Persistence of Prejudice, op. cit., pp. 152-162,
Morrison's approach overcame any wish to remain longer in
the Home Office. In June 1943 Cooper circulated copies of
his nine-month old memorandum, sending one to Randall in the
Refugee Department, with the warning that the document
should be used with discretion, as it represented a personal
view, but asserting that his views had not changed in the
months since he had written it. Cooper met Randall's
enquiries about the extent to which the memorandum
represented official Home Office policy by saying that he
was retiring from the public service the following week, and
that this would now be a matter for his successor. Sir
Herbert Emerson, to whom Cooper also sent a copy of the
memorandum, expressed his appreciation of "the liberal view
you have taken about refugees in this country. I am
particularly glad that you share my view that compulsory
repatriation will not be feasible." Cooper retired, and
began to work for the Central Office for Refugees (COR).
In November 1944, he produced a lengthy memorandum,
containing a draft COR policy on the treatment of refugees
in the UK after the war, in which he presented the case
against a restrictive policy, echoing the opinions contained
in his memorandum written within Whitehall two years

159 Cooper to Randall, 11 Jun 1943, Randall to Cooper,
13 Jul 1943, PRO HO 213/1347.

160 Randall, minute, 6 Jul 1943, PRO FO 371/36695,
W8849/124/48; Randall to Cooper, 13 Jul 1943, Cooper to
Randall, 15 Jul 1943, PRO HO 213/1347.

161 Emerson to Cooper, 18 Jun 1943, PRO HO 213/1347.

162 Cooper, a widower, re-married at the age of 62, a
German refugee, Gertrud Eleanor Isabella Kallmann, aged 43,
at the Romford Register Office, on 5 Apr 1946. He died on 13
Nov 1948, in Hampstead. Certified copies of entries of
marriage and death, General Register Office, London.
before\textsuperscript{163}. The list of categories which he now put forward for sympathetic consideration for absorption was more extensive, including doctors and dentists who had been allowed to practice pre-war, domestic servants, as well as nurses and midwives, whose applications for exit permits, he pointed out, had been refused by the Ministry of Labour during the war, and whose services it "would seem incredible folly" to lose now, in view of known shortages. He also argued the claims of agricultural workers, on grounds of shortage, but, showing that he had not lost the instincts acquired during a lifetime in the Home Office, he suggested that both agricultural and domestic workers might be subjected to an employment condition. His language was more emotive than in 1942: he wrote, for example, of the reluctance which Jews who survived Nazi persecution might feel about remaining in the country "which has inflicted such unspeakable and inhuman cruelties upon them", and stated that if the Home Office uprooted refugee children and required them to emigrate according to plan, this would be a "cruel fate"\textsuperscript{164}. He also suggested providing government finance to help refugees emigrate.

Within the Home Office, memoranda produced by Cooper's successor, Prestige, presented similar views, which were shared within the department up to the Permanent Under Secretary, Maxwell, but found no favour with Morrison\textsuperscript{165}. In

\textsuperscript{163} Cooper, Central Office for Refugees, 'Proposals in regard to refugees from Nazi Oppression in the United Kingdom after the War', Nov 1944, Rothschild Archive, XIV/35/109.

\textsuperscript{164} Ibid, p. 2.

\textsuperscript{165} See records of inter-departmental and internal discussions in PRO HO 213/1009(Aug 1944-Apr 1945) and PRO HO 213 1008(May-Oct 1945).
the last months of the war Morrison insisted that not even successful refugee industrialists, whose potential as exporters the Department of Overseas Trade wished to retain, could be offered formal assurances which might dissuade them from leaving in search of more welcoming surroundings\textsuperscript{166}. Morrison's two successors in office, Somervell and Chuter Ede, also avoided making any general policy decision in 1945 about whether refugees could be permitted to settle\textsuperscript{167}. The need to formulate and announce Home Office policy on this question and the arguments in favour of a generous policy, were thus recognised and pressed by officials, but ministers did not act on their recommendations.

The Home Office, anxious to reduce refugee numbers in the UK, was unlikely to view further admissions with enthusiasm; the extent to which refugee admissions were permitted in war-time is the subject of the remainder of this chapter.

**Refugee admissions**

The government's policy of not admitting refugees to the UK merely on humanitarian grounds was established at the war's outset and faced no serious political challenge in the first three years of the war, although events in 1940 led to the arrival of unwanted numbers of war refugees. After mid-1942, however, British policy-makers faced unprecedented pressure


\textsuperscript{167} See records cited in n. before last.
to rescue Jews from planned mass murder in occupied Europe. Notwithstanding the pressure, the policy of not allowing humanitarian admissions remained substantially the same. However, the need to deal with political pressure led policy-makers to devote far greater effort to the defence of existing policy.

The restrictive basis of admissions policy was repeatedly confirmed at Cabinet level. Admission of Jews - or any other class of aliens - purely for asylum or rescue, would have been inconsistent with Cabinet rulings against humanitarian admissions. Refugees could normally be admitted only in cases fitting within the authorised categories of non-humanitarian admissions, which generally meant admission for purposes connected with the war effort. Jewish refugees were admitted to contribute to the war effort: to enter civilian employment or the armed forces, or for political reasons. The admission of close relatives was seen both as a humanitarian matter and as having the value of boosting the morale of persons engaged in the war effort; certain Jewish refugees were permitted to come to join relatives, but the case generally had to fit within the Home Office's very narrow conception of family unification. Small numbers of Jews were also admitted as war refugees. The authorities also made rare discretionary decisions to admit individuals on an exceptional basis. Certain officials gave a generous interpretation to the authorised categories of entry, facilitating the entry of Jewish and other alien refugees; other officials discouraged or rejected the entry of aliens even if they came within the permitted categories. The various avenues of admission are considered below.
**Humanitarian admissions**

*Persons from enemy territory.*

The Cabinet Committee ruling of 25 September 1939 against the admission of persons who had been in enemy-controlled territory since the outbreak of war was subject to exceptions. Within just over a week, an exception to the rigid policy that potential refugees could not be helped was made by the Colonial Secretary, Malcolm MacDonald, in a decision which reflected readiness in principle to admit Jews to Palestine. At the 25 September meeting further admissions to Palestine had been envisaged: however, all visas granted to enemy nationals were already invalidated, and the meeting agreed not to assist the exodus of persons from territory under Nazi control. The cases of people who had immigration certificates for Palestine, but were still in German-controlled territory when war broke out, were explicitly included in the ban. Nevertheless, on 3 October, MacDonald decided that persons holding Palestine immigration certificates for the half-year ending September 1939 who had been unable to leave Germany before war began would be allowed to enter Palestine. The decision showed that - at least where Palestine was concerned - the rule against potential refugees could be broken by a minister.

The Colonial Secretary's decision was not merely a by-product of the transition from peace to war: throughout the war, entry to Palestine produced the most numerous exceptions to the policy on potential refugees. In addition many "actual" refugee Jews from neutral and Allied

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territory, including the UK, Australia and Spain, were admitted to Palestine with British support. In contrast, authorisation for Jews to enter the UK was very rare if they came from enemy territory, whether or not they had been granted visas before the war; "actual" Jewish refugees were hardly more welcome. The difference in policies for the UK and Palestine suggest that the government's concern was less over the nature of the refugees, than over their destination. The exception made in October 1939 for pre-war Palestine certificates was in part a transitional provision, but it also reflected current provision for Jewish admissions to Palestine in the White Paper immigration quota. Subsequent agreement to the admission to Palestine of persons coming from enemy territory were also justified - and limited - by reference to the quota 169. On the other hand, there were neither quotas nor any other policies authorising new immigration to the UK, which continued to claim that it was not a country of immigration.

The British government, having decided to exclude all inessential immigrants, had little incentive to make exceptions to such rules as the ban on admissions of persons coming from enemy territory. Persons who had reached neutral territory were in a better position since ministers had agreed on 25 September 1939 that persons who had reached neutral territory before the war might be admitted. Persons who reached neutral territory at a later date were included by the Home Office in more generous arrangements operated prior to the German invasion of Western Europe in May-June 1940 which allowed the grant of visas in neutral territory

169 See Wasserstein, Jews of Europe, op. cit., generally.
to certain classes of enemy alien refugees, even if they had left enemy territory after the start of the war; however, from late 1939 this policy was not advertised. The position therefore was that Jews seeking to leave Germany could not obtain British visas while they remained there. If applicants somehow reached neutral territory, they might obtain a visa, but they were not told this by the Home Office, and it was in practice impossible to obtain transit visas in enemy territory in order to travel to neutral territory to submit an application for a British visa.

The operation of the rule against persons in enemy territory is illustrated by the fate of a request for temporary admission pending re-emigration, made by a woman refugee in the UK, on behalf of her 71 year-old German-Jewish father, who was still in Germany. The daughter, a Miss Gertrud Sekel, came to the UK before the war, seeking a guarantor for her father's emigration to the USA. A guarantor was found, but in February 1940 the British authorities told Miss Sekel that, since her father was still in Germany, he could not be granted a visa to join her in the UK, pending completion of the emigration arrangements. The daughter feared that both her parents would be interned in Germany; her father had been detained once in a concentration camp; her mother, who was with him, although British-born and regarded as a British subject, so that she did not require a visa for the UK, did not wish to leave her husband to come alone, nor did the Home Office wish to encourage her.

170 See correspondence and minutes, Feb-May 1940, PRO FO 372/3358, T1520/T3878/1520/378, f.304.

171 See KG Davies (Home Office) to FH Cleobury (FO), 6 May 1940, PRO FO 372/3358, T3878/1520/378, f.312.
Foreign Office officials and the Director of Passport Control hoped the Sekel case might receive sympathetic treatment on humanitarian grounds. However, the Home Office was not prepared to make an exception: it had done so in another case, but this was not treated as a precedent\textsuperscript{172}. Justifying refusal, an official reported that the Home Office "recognised the case as a hard one but there are many other refugees in this country who would like to get their parents out of Germany"; she also pointed to the unlikelihood that such old persons would be accepted as immigrants to the USA\textsuperscript{173}. The Home Office had previously stated that the case could be considered if the parents were in a neutral country, but the difficulty lay in getting there. Neutral countries, as Miss Sekel found after applying to Holland, Belgium and Switzerland, refused to grant transit visas to persons with no visa for their ultimate destination. The Foreign Office considered it had no standing to intervene, even to help the mother obtain a transit visa while resident in German territory, since she was a German as well as a British national.

The Sekel case shows the limited nature of the benefits which flowed from such exceptions as the Home Office was prepared to make. An important new exception to the rule had been contemplated in December 1939, when Maxwell and Cooper proposed a scheme for promising visas to deserving pre-war applicants in enemy territory, who were wives or children of refugees in Britain, if they could reach neutral

\textsuperscript{172} The case concerned a Dr Feygl. Latham, minute, 8 Apr 1940, \textit{ibid.}

\textsuperscript{173} See Davies to Cleobury, cited in n. before last.
territory. (No concession was contemplated in relation to adult males, whom it remained Home Office policy to exclude). To Maxwell's regret, Peake, who had initially been sympathetic to the proposal, ruled against it, fearing a flood of applicants once persons in Germany were admitted. He argued that people in Germany should be helped by neutrals: "the duty of playing the good Samaritan rests more heavily on a neutral than a belligerent country".

Home Office policy remained that applicants might be considered for visas if they reached neutral territory, but the practice of stating this in letters to applicants was discontinued. It was decided to grant visas in exceptional cases, considering fresh applications as well as those made pre-war, and treating as irrelevant the fact that a visa was authorised or granted prior to the outbreak of war. The existence of exceptional hardship unless a family was reunited was one factor giving rise to special consideration: family unity extended here only to the reunion of spouses and minor children joining parents. The second factor was the availability of private funds for support: Cooper established that guarantees from third parties would be acceptable. Total numbers would be kept down. Less strict treatment could be given to cases in France, which did not entail a drain on Allied resources, since France was a co-belligerent. Letters refusing applicants in Germany would have two alternative forms of

175 Maxwell, memorandum, 18 Dec 1939, ibid.
176 Peake, memoranda, 18 and 19 Dec 1939, ibid.
177 Cooper to Maxwell, 19 Dec 1939, ibid.
wording: in cases "of the refusal type" it would be said that the Home Office was unable to authorise any facilities for the applicant to proceed to the UK; in cases regarded more favourably it was stated that visas could not be granted to proceed to the UK from enemy territory. It must be doubted whether these subtle distinctions can have meant much to applicants.

New regulations in April 1940 formally ruled out the grant of entry facilities to nationals of enemy countries or stateless persons normally resident there if they were in enemy territory, but nevertheless made provision for the admission of such persons, if they were refugees in neutral countries or France. The regulations included persons who might have come from enemy territory. Only three classes of applicant were eligible: wives joining husbands in the UK; minor children joining parents, or a sole surviving parent or (in the case of orphans) next of kin or other close relatives; lastly, in very exceptional cases, elderly mothers without relatives abroad joining children in the UK. There was also provision for male refugees in France, aged 60 or over, who were husbands or fathers of one or more persons in the UK, and dependent on remittances from the UK, and for whom adequate guarantees were given - a rare exception to the general exclusion of males. In no case would entry be permitted if there was a danger of a charge

_178_ Grant to Cooper, 1 Jan 1940, _ibid._; Aliens Department, Visa Instructions, 'Refugees from Germany, Austria and Czechoslovakia', 19 Feb 1940, _ibid._

_179_ The regulations covered persons resident in Germany, Austria, Czechoslovakia, Danzig or the Memeland. Circular, VR 21, 'Admission to the United Kingdom of Refugees from certain Central European countries', 25 Apr 1940, PRO FO 371/29158, W5467/3/48.
on public funds, and prior authority for the grant of a visa had to be obtained. The new regulations had only a short life, however, because, as the German invasion spread through Western Europe, further regulations in mid-June 1940 drastically restricted refugee admissions, confining them to cases of children joining parents, and then only if the application had been approved prior to the war, if the child had succeeded in reaching neutral territory and the case had been scrutinised by a PCO or Consul\(^\text{180}\).

Jews seeking to leave Germany were thus generally unable to gain admission to the UK. In this period the generality of Jews were not prevented from departing by the German authorities, who employed a variety of measures to support the continuation of Jewish emigration, whether legal or illegal. The Germans left the "J" off passports of Jews attempting illegal emigration to Palestine in cases where it might cause difficulties over transit visas. A belief held within British government circles was that German agents had been helped to emigrate in the guise of Jews, with the Jewish "J" marked in their passports. Captain Liddell of MI5, who regarded all German Jews who were able to renew their passports as being under some form of German control, advised that such persons should be refused facilities to travel through British territory. The Passport Control Department, however, warned against regarding any German with a "J" in his passport as an enemy agent. Accordingly, a consular query from Shanghai, about the propriety of affixing visas to passports of German Jews marked with a

\(^{180}\) Regulations dated 15 Jun 1940, ibid.
"J", was resolved by the Treaty Department in the affirmative, subject to safeguards.\(^{181}\)

**War refugees**

In the early months of the war a small number of "war refugees" entered the UK. A policy for the admission of Poles in October-November 1939, was regarded as having worked well and was later adopted for Finnish subjects when Finland was attacked\(^{182}\). The policy was broadly against the grant of visas for the UK, but the door was left "a little open", giving scope to consider a limited number of special cases in exceptional circumstances, subject to guarantees and referral\(^{183}\).

The main influx came with the fall of Western Europe to the Germans in May-June 1940. Despite the government's pre-war reluctance to admit war refugees, plans had been made for the eventuality that some admissions might be unavoidable. The preparations envisaged the reception of up to 300,000 war refugees: 100,000 direct from Holland and Belgium; 100,000 via France, plus a possible additional 100,000 from

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\(^{181}\) See Greenway(Shanghai) to FO, No. 104, 31 Jan 1940, Foreign Office minutes, Jan-Mar 1940, RT Parkin, memorandum, Jeffes to Dunbar, 22 Feb 1940, Liddell(MI5) to Jebb, 29 Feb 1940, FO to Greenway, No. 209, 11 Mar 1940, PRO FO 372/3358, T2474/T3186/2474/378, f.319.


\(^{183}\) Grant, Minute, 20 Dec 1939, PRO HO 213/448.
France. However, as the situation in Western Europe worsened, these arrangements were suspended. Anderson, in a memorandum of 19 May, advised the War Cabinet that arrangements for examination of refugees, either on arrival, or beforehand by the French authorities, who could also regulate the flow, had largely broken down, since shipping was needed for shuttle services to the Continent.

Refugees were arriving in large numbers, causing congestion at ports and reception centres. The French were seeking the entry of more than the previously agreed 200,000 from French territory, where refugees from Belgium were interfering with military operations. However, to admit even 200,000 would nearly double Britain's existing alien population of 240,000. Without machinery to vet entrants to exclude undesirables or fifth columnists, it would be impossible to guarantee the exclusion of ill-disposed persons. Anderson commented that if the UK admitted persons about whom nothing was known, this would be "somewhat of an anomaly" viewed against the elaborate precautions being taken against enemy aliens, about whom so much was known. He proposed that if it was decided still to accept the 200,000, this should be the upper limit, and that entry should be limited to a maximum rate of 10,000 a day, to avoid clogging the machinery for examining and accommodating them. He planned to obtain Belgian assistance for interrogation, to arrange reception under escort and to subject refugees to the restrictions on enemy aliens. Prior vetting by the French, though desirable, seemed unrealistic. The burden might be mitigated by the

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184 MacDonald to Hankey, 21 May 1940, PRO CAB 63/133; Anderson, 'Dutch and Belgian War Refugees, WP(G)(40) 132, 19 May 1940, PRO CAB 67/6.
185 Ibid.
agreement of the Eire government to take 1,000; there were also plans to find out enough about the refugees to be able to utilise their services in agriculture and elsewhere.

Anderson's views on the question coincided with the Service chiefs' recommendations. On 20 May the War Cabinet decided to suspend the existing plan for the admission of war refugees and that further admissions were impossible for the time being, although the French were to be told that the British commitment had not been repudiated. Refugees were massing in Belgium and northern France, evacuation from the coast was under way; the government decided that British ships would have to be used to evacuate the British Expeditionary Force. Dunkirk could not be used for refugee evacuation because of bombing, and the priority was to get food ashore for the troops, so it was decided to reject French requests for the removal of refugees who were blocking troop movements. When the French Prime Minister, Daladier, suggested using food ships on their return journey to evacuate refugees, the British government maintained that further admissions were impossible for the time being. Further French requests for large-scale rescue were rejected by both the UK government, pleading military necessity, and by the Americans, citing quota restrictions.

186 WM 131(40)12, 20 May 1940, PRO CAB 65/7.
187 Hankey to Burroughs, 22 May 1940, Burroughs to Hankey, 22 May 1940, PRO CAB 63/133.
188 Campbell to Foreign Office, Foreign Office to Campbell, 22 May 1940, PRO CAB 63/133.
189 Llewellyn Woodward, British Foreign Policy in the Second World War, Vol. I, London 1970, p. 265. The Foreign Office Departmental Records Officer has informed the author by letter that the documents cited by Prof Woodward in this passage have been destroyed.
A substantial war refugee influx nevertheless took place in May-June 1940. More people arrived without visas than with them. Persons were refused leave to land, but no records have been seen suggesting actual removal. The new arrivals were largely of Norwegian, Dutch, Belgian, French and Polish nationality, and not many Jews were among them. British consular officials who remained on the Continent until late in the evacuation process were in a position to authorise entry of civilian refugees to the UK. The scattered anecdotes recording such decisions include the recollections of General Sir Edward Spears, who was in Bordeaux on 15 June as French resistance collapsed. In his memoirs of the Fall of France, Spears recalled with mixed sympathy and contempt, seeing "men turned to jellies by fear"; he saw Jews with every justification for apprehension as to their fate at the hands of the Nazis...so transfigured by fear as to be totally unrecognisable. I saw two large flabby white fellows I knew whom I described to Campbell [Sir Ronald Campbell, Ambassador to France] as looking like a couple of blancmanges pursued by a Sunday-school treat. Some arrogant, aggressive men I had never thought were Jews came to beg for passages, proclaiming themselves as such, having ceased to be either arrogant or aggressive. Everything was done to try ensure the escape of those most justified in their fear of

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190 See Home Office and Foreign Office correspondence, Jun 1940, PRO HO 213/556; for a description of immigration procedures on arrival of war refugees, see Roche, op. cit., pp. 133-136.

191 See statistics compiled by Cooper up to the end of March 1942, PRO HO 213/1347; many of the Poles had escaped from Poland to Romania and Hungary and thence to France.

192 See e.g., reports dated 15-24 May 1940 on the recent evacuation of British and alien nationals from Holland, PRO FO 371/24462, C6990/6990/29.
falling into Nazi hands, but the shipping space was far short of the demand.

The pleas of Jewish refugees to be allowed to board boats taking people to the UK from French ports were often in vain. In late June 1940 it was alleged that, while French, Czech and Polish refugees had been given preference on British vessels leaving French shores, Austrian and German refugees had been refused entry on to British evacuation boats. The issue was raised with Clement Attlee, the Lord Privy Seal, by John Parker MP, who forwarded a list of prominent refugees on French soil, including members of the International Brigade, who it was feared might fall into enemy hands. Attlee gave the curious reply that France was "now completely in the hands of the Germans and there is no way in which we can get these people out, especially as there is no indication of where they are." Yet South-East France remained unoccupied for the next two and a half years, and until America entered the war US consular representatives and refugee organisations functioned there, enabling numerous refugees to leave France for destinations abroad, but few came direct to the UK.

The recollections of refugees contain examples of cases where British consular representatives authorised the escape of Jewish refugees to the UK. Margaret Czellitzer, in a memoir which vividly portrays the plight of refugees during

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194 Parker to Attlee, 25 and 27 Jun 1940, PRO CAB 118/78.

195 Attlee to Parker, 28 Jun 1940, ibid.
the fall of western Europe, reminded her two grandsons that the family owed their lives to the forethought of the boys' German-Jewish mother, who had flown to London from Berlin shortly before each of them was born, to ensure that they acquired British nationality by birth in the UK. (The author has been told that numerous children of German-Jewish parents acquired British nationality in this way; such children were sometimes described as "Made in Germany")

Three generations of the family, the Jewish "J" marked on their passports, had found refuge in Holland before the war; in May 1940 they decided to flee from the German advance, hoping to find refuge in England. They went first to Belgium, where the children's father was detained in Antwerp. The grandfather was arrested by the police in La Panne and interned. His wife never saw him again; in 1943 he was deported from Westerbork camp to the east. The women and children continued to France, and made for the British consulate in Dunkirk, where the consul was persuaded by the boys' birth certificates to grant their mother a permit to board an evacuation ship; eventually he agreed to include the grandmother and two other female relatives. With bombs and shells exploded around them, they left on the destroyer HMS Keith, landing in Folkestone, where Mrs Czellitzer and the boys' mother were interned. Mrs Czellitzer spent 15 weeks in Holloway prison, and was later moved during the Blitz to join the boys and their mother on the Isle of Man. Later in the war the family continued on to the USA where they were reunited with the boys' father, who had escaped

196 Margaret Czellitzer, 'Story of your childhood', (n.d.), written about 1948, ME 429, Leo Baeck Institute, New York.

197 Werner Rosenstock, interview with this author, already cited.
from an internment camp in the South of France and had come via Cuba. The experience of this family and other cases suggest that a family tie with a British subject was treated by consular officials as a significant factor in deciding whether to include alien Jews in the evacuation process.\(^{198}\)

By early 1941 transitional admissions had long ceased and the mass influx of war refugees was past. Requests for humanitarian admissions to the UK were now largely confined to neutral territory, particularly Portugal. TM Snow, head of the Foreign Office’s Refugee Section, concluded that Home Office policy ruled out the admission of "qua refugees, any more foreigners, whether Allied or not": a comment made in course of considering the suggested admission of Jews from occupied Luxemburg, a possibility which, it seems, was not even raised with the Home Office prior to refusal\(^{199}\). By this date British policy was that any approaches regarding humanitarian admission of refugees to the Empire should be made to the dominions and colonies, and not to the UK.

**Political admissions**

Political considerations favoured the admission of certain individuals or categories of refugees. Most political admissions were the province of the Foreign Office, which had to take account not only of British interests, but of requests by governments-in-exile for admission of their

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198 A Jewish refugee of Polish nationality and his British wife have recalled how they were permitted to leave together on a British ship when Ostend was evacuated. Mr and Mrs Bradshaw, interview with this author, 26 Jun 1988.

nationals. Foreign Office officials showed great solicitude for the *amour-propre* of the impoverished governments-in-exile, and regarded priority for friendly aliens as a matter of principle and courtesy. Thus, in late May 1940 Makins criticised Home Office slowness to co-operate over making distinctions between Category C aliens and friendly and Allied aliens, as

quite indefensible & likely to cause the maximum of resentment, particularly among the French, the Belgians & the Dutch. The tenderness of the H.O. for the German and Austrian refugee is inexplicable and excessively dangerous. It would not matter how strict the regulations were, provided the regulations for enemies were stricter than regulations for friends.  

The Foreign Office wished not only to accord Allied nationals the distinction of better treatment than enemy aliens, but also to discriminate in favour of Allied nationals, as against neutrals. Efforts to secure such favourable treatment covered the spectrum of aliens controls, including admissions, treatment on arrival, access to protected areas and exemption from internment. Foreign Office officials were frustrated by the grudging responses of the Home Office and MI5. Latham detected in the lower reaches of M.I.5....some quite crude xenophobia", but claimed that this could usually be overcome.

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200 Makins, Minute, 24 May 1940, PRO FO 371/25244, W8028/7848/48, f.139.

201 For protected areas see 'Note of a meeting held at the Home Office on the 8th June 1940' and subsequent minutes, PRO FO 371/25245, W8350/7848/48, f.129; for exemption from restrictions see Home Office agreement to "tip the wink to the police not to interfere with French nationals", Foreign Office minute, 11 May 1940, PRO FO 371/25244, W7848/7848/48, f.8; for treatment on arrival see Norwegian complaint discussed below.

202 Makins, Minute, 10 Jun 1940, PRO FO 371/25245, W8530/7848/48, f.129.

203 Latham, Minute, 11 Jun 1940, *ibid.*
Refugees in difficulties, whether in the UK or abroad, enjoyed considerable advantages if they had an accredited national representative able to use diplomatic channels to deal with the British government. Officials in the Foreign Office displayed concern over complaints from Allied governments at harsh treatment of their nationals. In September 1940 Laurence Collier of the Foreign Office claimed in a letter to Desmond Morton of the Prime Minister's Office that

the arbitrary proceedings of M.I.5. and the Home Office against Allied nationals in this country have, for months past, created a strong sense of grievance in the minds of the Norwegian, Dutch and Belgian Governments, who have bombarded the Foreign Office with protests and enquiries in cases in which their nationals have been hauled off to prison and kept there without explanation.204

Morton was dealing with a Norwegian complaint which concerned several torpedoed Norwegian seamen, rescued by a British ship in June, and on arrival thrown into prison, where they had been ever since. The diplomatic nexus with the Norwegians benefited certain refugees of enemy nationality, since the Norwegians also felt obliged to take up the plight of some German and Austrian refugees, evacuated in June with the Norwegian government, who had suffered a similar fate to the seamen205. The cases were investigated, and in October a meeting took place between Norwegian representatives, the Home Office and the Foreign


205 See correspondence, Sept-October 1940, ibid.
Office, which set up arrangements for future liaison and co-operation 206.

Refugees could also benefit from representations by neutral governments. For example, the Romanian Legation in London asked the Foreign Secretary to enquire into the internment of a Jewish refugee of Romanian nationality. Latham could not resist remarking, "Considering the way Rumanian Jews are treated at home, this is cool!"; nevertheless, Foreign Office officials dutifully processed the complaint and looked for a plausible explanation 207. The man in question had come to Richborough camp, and was classified "C"; he was interned in error along with other inmates of the camp; by the time the Home Office was ready to order his release, he had been illegally transported to Canada. It eventually emerged that he was reluctant to return to the UK.

No such contacts were available to help the mass of refugees of enemy nationality. They, however, unlike non-enemy aliens, had the advantage of an appeal procedure to challenge internment. This anomaly was soon corrected by the establishment of the Lindley Committee, first as a secret body, later as a formal tribunal, to investigate cases of detained friendly aliens 208.


The Foreign Office found itself championing persons whose entry was desired by exile governments against the reluctance of the Home Office. Thus, in November 1940, the Refugee Section responded sympathetically to a request for asylum for 300 adult Poles in Romania and Yugoslavia who had been involved in intelligence or political work, and some 180 Polish boy scouts. The feeling within the Foreign Office was that political and humanitarian considerations made a favourable response desirable, and that help from the government would give a lead to the dominions and colonies. Halifax and senior officials agreed that the UK was "the most unsuitable of all places of refuge", apart from the fortress colonies and actual scenes of land operations, but argued that the government could not wash its hands of the fate of this group. However, when Morrison at the Home Office expressed full agreement with some presumably negative conclusions reached by the HD(S)E in early December 1940, Halifax turned to the Empire 209. The Colonial and Dominions Offices and the governments of India and Burma were asked to offer asylum for some 3,000 to 4,000 refugees; he stressed the unsuitability for the reception of refugees of the UK, as an advanced war area exposed to blockade, bombardment and invasion, and needing housing for troops, war evacuees and air-raid victims210.

The Home Office and the security services had by December 1940 established a policy of refusing to admit any more refugees, making it all the harder for the Foreign Office to


210 Halifax to Secretaries of State for the Dominions, the Colonies, India and Burma, 24 Dec 1940, ibid.
satisfy pressure from Allied governments for help for their refugees\textsuperscript{211}. The Foreign Office was not prepared to challenge the policy when it considered a request to provide refuge for some 700 members of the Jewish population of Luxemburg, who had been expelled by the Germans. The desperate plight of the Luxemburg Jews was raised with the Foreign Office in December 1940 at the request of the Luxemburg government-in-exile\textsuperscript{212}. The Foreign Office did not even mention the matter to the Home Office. In January 1941, in accordance with existing policy, the British government ruled out suggestions that the Luxemburg Jews might go to Tanganyika, or be admitted to the UK on compassionate grounds alone, and explained that, while possibilities of admissions to the Empire were being explored, nothing had yet been agreed.

Latham concluded that "next to nothing" could be done for the Luxemburg Jews. Apart from the Home Office prejudice against people from enemy territory, the government could not admit any more people into the UK "merely on humanitarian grounds". He recognised the "pitiable plight" of the Luxemburg Jews, but categorised them as "hardly war refugees in the sense that they are in danger because they have fought against the Germans but simply racial refugees"; he did not think, therefore, that they qualified for exceptional treatment from the Home Office or the Colonial

\textsuperscript{211} Snow, minute, 11 Dec 1940, PRO FO 371/25243, W12102/7614/48, f.593.

\textsuperscript{212} AF Aveling(Belgian Embassy) to Halifax (enclosing a letter from the Luxemburg Minister of Foreign Affairs), 17 Dec 1940, PRO FO 371/25254, W12667/12667/48, f.487; for the episode see Wasserstein, Jews of Europe, op. cit., pp. 108-110, including quotation from Snow's minute cited above.
Nevertheless, despite the negative ruling on admissions, and despite Latham's reservations, once doubts about Luxemburg's status as a full ally had been laid to rest, Latham and his colleagues advocated making an exception to the rule against refugees from enemy-occupied territory for the Luxemburg Jews. The exception would permit the admission to the UK of Luxemburg nationals, if they could escape to Portugal, as some had already done, and were otherwise eligible for a visa. Professor SJ Davies, a Ministry of Labour expert, would shortly visit Lisbon in connection with a labour recruitment scheme, which was limited to nationals of Allied governments with their headquarters in London. It was agreed that Allied nationals among the Luxemburg group (but not Jews coming from Luxemburg, but not of Allied nationality) might be eligible for inclusion in the scheme. The PCO in Lisbon was instructed to contact a man who had a dossier on Jewish emigrants from Luxemburg, and to submit to Davies details of any with high technical qualifications. Latham envisaged that persons who seemed suitable to Davies would be unofficially encouraged to go to Lisbon. The PCD decided to dispense with Home Office and MI5 concurrence, on the basis that such refugees were not getting exceptional treatment beyond the preference given to nationals of countries overrun by the enemy. These well-meaning efforts made no difference to the fate of the majority of the Luxemburg Jews.

213 Latham, minute, 24 Dec 1940, ibid.
214 Ibid; Jeffes, minute, 31 Dec 1940, Snow, minute, 2 Jan 1941, IY Mackenzie, minute, 3 Jan 1941, Parkin(PCD), minute, 8 Jan 1941, FO to Campbell, 11 Jan 1941, Snow to Aveling, 13 Jan 1941, ibid; the scheme is discussed again in the employment section of this chapter.
The response to the Luxemburg Jews illustrates the advantages of having accredited representatives, but it also shows the limits of what such representatives could achieve for Jews seeking refuge. The decision that only Jews of Luxemburg or other Allied nationality, but not Jews from Luxemburg as such, were eligible for preferential treatment as allies, shows the importance of Allied nationality in admissions policy, whether or not an Allied government supported the case. The episode also illustrates the point that the ban on humanitarian admissions meant that persons seeking entry needed to fit into a "war effort" category, if they failed to qualify on political grounds. It shows, moreover, that the policy was so firmly established that Foreign Office officials did not think it worth raising the plight of the Luxemburg Jews with the Home Office.

Another instance of favourable treatment for Allied nationals demonstrates the particularly close relationship between British and Czech representatives. The case for the entry of Czechs in danger of being overtaken by German influence in Europe was raised by Jan Masaryk in October 1940 and again in January 1941. Masaryk sought in particular the adoption of a benevolent attitude towards cases of Czechs who had reached Lisbon. He received assurances of British sympathy, and was told that, although admission of Czech refugees to the UK was not possible, the prospect of havens in the Empire was being explored. He was also told of Professor Davies' labour recruitment

215 See Snow to Aveling, 13 Jan 1941, ibid.
mission\textsuperscript{217}. Subsequently, as chapter five has shown, the government modified its policy towards Czechs, deciding in 1941 to make a grant from CRTF funds for a special scheme to fund the rescue of Czech nationals in Europe. The administrative instructions for this scheme, notified to Lisbon in September 1941, presumed that Lisbon was "in danger of German occupation or subject to German influence" - a presumption which enabled the Czech government to reclaim from the CRTF the cost of evacuating its nationals. The existence of the scheme did not create an obligation to grant British visas, but it was envisaged that a number would be granted, in some cases for immediate evacuation\textsuperscript{218}.

In May 1941 the Home Office agreed in principle to the admission of potentially useful political refugees, in appropriate cases, and their wives and children, but generally not more remote relatives\textsuperscript{219}. Refugees of enemy nationality were expressly included in these arrangements. All applications were to be referred to the Home Office, Foreign Office and Security Services: the Home Office would rely on Foreign Office assessment of the usefulness of the persons concerned. This scheme was not viewed by the Home Office as an exception, but as coming within the overall policy of granting visas only in cases shown to be in the national interest. Formal instructions for the

\begin{itemize}
\item \textsuperscript{217} Snow minute, 27 Jan 1941, Eden to Masaryk, 29 Jan 1941, \textit{ibid}.
\item \textsuperscript{218} Randall to Campbell, 5 Sept 1941, PRO FO 371/29193, W8548/112/48; for queries regarding the scope of the Fund, see Delevigne to Cooper, 4 and 14 June 1941, Cooper to Randall, 10 Jul, 13 and 19 Aug 1941, PRO FO 371/29193, W8696/W10009/112/48.
\item \textsuperscript{219} Newsam to Cadogan, 6 May 1941, PRO FO 371/29158, W5467/3/48, (with reference to Cadogan to Newsam, 25 Apr 1941), PRO FO 371/29158, W4950/468/G.
\end{itemize}
identification and processing of such cases, circulated in July 1941, emphasised that the new scheme overruled previous bans on the grant of visas to enemy nationals. In future all apparently well founded applications "from persons who claim or are believed to be political refugees of some importance (whether their importance is due to their former public eminence or to their ability in special activities, etc.)" should be immediately referred to London220.

By the end of 1941 the Foreign Office had largely delegated to Allied governments-in-exile the judgement of the usefulness of the admission of their nationals, only examining the merits of cases where the government concerned did not make a strong favourable recommendation. Thus, in December 1941, the Belgians asked for help in coping with an embarrassing accumulation of Belgian refugees in Portugal, claiming that in many cases they were of a type not essential to the war effort; Makins made it clear that his government would support a Belgian plan to let it be known that only persons who would be admitted to the UK were those eligible for the armed forces, government officials, persons whose lives were in danger and civilian technicians. The Foreign Office did not wish to become involved in such details, but sent instructions to Passport Control in Portugal and Spain to grant visas to persons strongly supported by Allied governments on grounds that they were active officials, or on war effort or personal danger grounds. People not strongly supported, but stated by the government in question to be of some value, would be

assessed on war effort and humanitarian grounds; those stated to be of no value were likely to be refused\textsuperscript{221}. In early 1942 a similar arrangement was made concerning Polish nationals: it was agreed, with Home Office concurrence, that when and if an emergency arose, UK visas might be granted to Polish nationals in Portugal who were active officials or persons in danger and of value to the war effort; those the Poles did not accord priority status would be dealt with on their merits\textsuperscript{222}.

The Foreign Office also supported schemes for Polish Jews to sail from Portugal to Jamaica. The reason for such support was the desire to evacuate a "hard core" of some 200 Polish Jews, whose continued presence in Portugal was an excuse for the Portuguese to refuse transit visas for Polish and Czech technicians wanted in the UK\textsuperscript{223}. The Home Office did not object to the grant of visas for some of the Poles to go to Jamaica, and in early 1942 refugees of several nationalities were allowed to sail from Portugal to Jamaica. British agreement to such schemes invariably involved insisting that the Allied government whose nationals were concerned undertook to take financial responsibility and to accept the persons in question at the end of the war; special guarantees were obtained for persons of doubtful

\textsuperscript{221} Makins, minute, 5 Dec 1941, Randall and Jeffes, minutes, 6 Dec 1941, PRO FO 371/29159, W14699/3/48.


\textsuperscript{223} FO to Lisbon, No. 396, 6 Mar 1942, PRO FO 371/32655, W2580/205/48.
nationality\textsuperscript{224}. The AJDC provided much of the necessary financial assistance and organisational work, guaranteeing 12 months' maintenance in Jamaica for Polish refugees, and in February 1942 extending this to cover up to 200 refugees of Allied nationality who might receive Jamaican visas\textsuperscript{225}. Colonial Office agreement to admission to the colony was necessary: it was withheld for a group of Austrians whom Archduke Robert of Austria wished to include in the Jamaica sailings\textsuperscript{226}.

Foreign Office officials were intent on extracting from such schemes a compensating benefit for Britain, especially an improvement in escape opportunities for technicians and others whose admission to the UK was desired: they were ready to drop the schemes as soon as such benefits were lacking\textsuperscript{227}. Alan Walker of the Foreign Office said that the Colonial Office did not wish Jamaica to be used as a "dumping ground":


\textsuperscript{225} See copy Schwartz(AJDC) to Garran, 11 Feb 1942, ibid.


Neither do we - unless the Portugese will allow more Czechs and Poles from unoccupied France who could be used either here or in Canada for the war effort, and not merely Jews for whom we appear to arrange a clean getaway to the States without any compensating advantage - to enter Portugal.

Walker expressed irritation over the case of a group of Luxemburg Jews who succeeded in sailing for Jamaica just before the Foreign Office had planned to refuse them; he demanded an explanation from the PCO at Lisbon²²⁸.

The rejection of British involvement in assisting people to escape for purely humanitarian reasons was consistent with Cabinet policy of expecting a return for the war effort on any investment in help to refugees. The incentive for British involvement in such schemes was often that the removal of refugees from neutral countries, such as Portugal, Spain and Turkey, appeared important to maintain such countries' readiness to function as escape routes. The punctilious emphasis by officials who arranged such schemes on protecting Britain from financial, immigration and security liabilities was the antithesis of mass rescue. It was also a great source of delay: the elaborate checks operated by British representatives before they would issue visas to assist Jewish refugees to leave European territory for other destinations were the war-time counterpart of the Home Office emphasis on pre-selection for UK admission. A system of priorities which required that the advantage to Britain must be established first, however long this took, dictated a corresponding lack of emphasis on the urgency of the need to help people escape.

Admissions for employment

"Owing to its scarcity, manpower became the vital factor - perhaps the most vital factor - in the planning of the war effort", wrote Sir Godfrey Ince, former Permanent Secretary to the Ministry of Labour and National Service in the years 1944-56. Requirements for manpower during the war "always outstripped the numbers available", and a succession of measures were taken by the Ministry of Labour to maximise labour mobilisation. Scarcities of skilled labour, technicians and scientists were particularly acute; shortages of medical manpower included doctors, and increasingly nurses and midwives.

Refugee admissions from abroad for employment during the war were ostensibly decided by reference to a manpower policy which aimed to make particularly good use of scarce skilled labour. The official history of manpower during the war devotes four pages to the topic of friendly alien manpower, alongside Irish, Colonial, and prisoner of war manpower, under the broad heading of manpower from "extraneous sources". Irish and Colonial labour was recruited and brought from abroad specifically for manpower purposes; the presence in the UK of prisoners of war and friendly aliens had different origins. The manpower study reflects the differences in its discussion of the latter groups, by concentrating on their utilisation on and after arrival; it says little about recruitment of friendly alien manpower.


230 Ibid. p. 42; see *ibid.*, pp. 40-6 summarising measures to maximise labour mobilisation in the 1939-45 war.

from abroad, except in relation to the armed forces. The statistics provided of non-resident aliens registered after aliens labour registration was introduced in 1941 do not distinguish between persons who arrived before the war and those who arrived later. Almost all the 23,320 women and 13,913 men of German, Austrian and Italian nationality registered, and many of the Czechs (4,259 women, and 5,948 men), would have been pre-war arrivals. The remainder would have been predominantly war-time arrivals: Belgians (5,938 men, 4,907 women); Dutch (2,430 men, 1,507 women); French (2,059 men, 2,361 women); Norwegians (1,247 men, 616 women) and Poles (5,998 men, 4,615 women). The approach adopted, as is to be expected in a work of this type, is mainly to provide a record what actually happened, focussing on persons admitted, present, registered and utilised. There is no discussion of policy-making on whether or not aliens should be brought to the UK for manpower purposes.

This study, on the other hand, is concerned with policy on alien entry to the UK for manpower objectives, and seeks to look at what might have happened as well as what did happen. The focus here is therefore on recruitment, processing of applications and the response to offers of assistance, looking at persons and groups who were not admitted to the UK, as well as those who came. The picture that emerges shows interdepartmental differences, omissions and missed opportunities, which are not included in the official history. Recruitment efforts from overrun western Europe in 1940 and from neutral Lisbon in 1941 will be discussed first; then follows an examination of the response to offers 

232 Ibid, p. 344.
of help from abroad, and the role of the Committee for Overseas Manpower.

Recruitment from overrun western Europe
The government had long been conscious of the resources of skilled labour in western Europe. As early as September 1939, the prospect of recruiting skilled technicians if Germany should overrun Holland and Belgium had been raised, and in October 1939, Hankey, Minister without Portfolio in the War Cabinet, was made responsible for planning for this eventuality. Certain large employers in the engineering industry were keen to recruit foreign workers immediately: although he encouraged the Ministry of Labour to set up an organisation to recruit refugees if the time came, this was not Hankey's primary concern. His plans included saving as much as possible of key industries, such as the machine tool industry, and destroying the rest, in order to deny them to the enemy.

During the German advance in May 1940, Hankey tried to co-ordinate efforts to recruit Belgian refugees before they became too scattered. Members of the Cabinet thought this

233 Chatfield, memorandum, WP (39) 72, 27 Sept 1939, PRO CAB 63/129; WM 40(39)6, 7 Oct 1939, PRO CAB 65/1.

234 See correspondence between MOLANS officials and Hankey 28 Nov 1939, 19 Jan 1940. Sir Charles Craven, of Vickers Armstrong Ltd, was enthusiastic; a report obtained by the government from Craven's brother showed that there were thousands of skilled and semi-skilled unemployed engineering workers in Belgium, PRO CAB 63/130.

235 WP (39) 95, 23 Oct 1939, PRO CAB 66/2.

236 Hankey to Bevin, 23 May 1940, Bevin to Hankey 24 May 1940, PRO CAB 63/130. Hankey had been given responsibility for co-ordinating the work of different departments in relation to the refugee problem, WM 132(40)14, 21 May 1940, CAB 65/7.
measure was a sufficiently valuable contribution to supply requirements, to outweigh fears about security and the risk of opposition from anti-alien opinion, then running at a high level\textsuperscript{237}. On 13 June 1940, War Cabinet ministers decided in favour of the admission of Belgian labour. Herbert Morrison, then Minister of Supply, stressed the need to convince British workers of the rightness of this course, by showing that it was in the national interest for shortages of skilled workers to be filled, and assuring them that the Belgians would be sent back after the war. It was agreed to bring over some 600 workers, and to make a similar approach to the French; the French and Belgian authorities were to be asked to sift the workers carefully before despatch\textsuperscript{238}.

Efforts to save both the products of industry and the producers from the German advance met with some success. At the last minute, British efforts helped to bring out a haul which included machine tools, and diamonds from Belgium whose value was estimated in millions, together with some leading Belgian diamond merchants, as well as some French and Belgian professors and technicians, with expertise in

\textsuperscript{237} See record of interdepartmental meeting on 11 June 1940, at which Newsam, representing the Home Office, expressed anxieties about anti-alien opinion, and about security, also a concern of the MI5 representative. PRO CAB 63/130.

\textsuperscript{238} War Cabinet. Machine Tools: Employment of Belgians, S.50/7/3, 13 Jun 1940, PRO CAB 63/130; See also WM 162(40)9(5), 12 Jun 1940, PRO CAB 65/8; Record of meeting between Hankey, Dalton (Minister of Economic Warfare), Prof Hall, Ministry of Economic Warfare (MEW) regarding the possible collapse of France, 12 Jun 1940, PRO CAB 63/132. MEW asked Hankey to try to secure the evacuation of certain skilled Belgian die-drillers urgently needed in the UK for work in connection with the cable industry, who had been evacuated from Brussels with the help of MI6.
fields such as explosives and tanks. The government encouraged the entry of diamond manufacturers and workers into the UK in order to prevent stocks of diamonds falling into the hands of the enemy, and in the hope of dollar earnings from the export of cut diamonds to the USA.

Plans made in June 1940 envisaged that officials would go over to France to collect diamond merchants, taking precautions against the inclusion of undesirables; the merchants' families would have to be included, but it was agreed that "the essential thing was that they should bring the diamonds with them". In subsequent months, numerous refugee diamond workers who had been working in Holland and Belgium were admitted to Britain; among them were many Jews. Penniless refugees, in possession of loose and partly cut diamonds which they claimed were unsaleable, posed new complications for Assistance Board officials seeking to assess their resources. The diamond manufacturers who entered were all from Antwerp, according to Paul Brind of the International Labour Branch (ILB) of the Ministry of

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239 Stanley Irving, (Commercial Counsellor) to Sir R Campbell (Tours), 13 Jun 1940, memorandum, 'Action taken to secure evacuation of war material, skilled personnel, and transfer of French contracts in USA', 26 Jun 1940, PRO CAB 63/130.

240 Brind to Marshall, 21 Oct 1941, PRO LAB 8/100.

241 Minutes of inter-departmental meeting at Board of Trade on 17 Jun 1940, PRO BT 11/1322.

242 See Assistance Board correspondence and memoranda, May-Oct 1940, esp. AC Burgess (Area Officer, Kingston), memorandum, 'War Refugees Possessing Diamonds', 17 Jun 1940, AH Sheffield to Area Officer Hackney, 27 Jun 1940, PRO AST 11/75'; In early July the Board of Trade asked the Assistance Board to continue payments to Dutch and Belgian refugees pending settlement of "important questions" regarding disposal of stocks of diamonds, Somervell (BOT) to Mather, 5 Jul 1940, ibid.
Labour and National Service (MOLANS), but the majority were Dutch and Polish Jews\textsuperscript{243}.

British enthusiasm for the admission of refugee diamond workers was founded on a mixture of short and long-term aims: not only did industrial diamonds have military importance, but the UK scarcely possessed a diamond industry, and there was a shortage of skilled diamond workers. Thus the development of diamond cutting and polishing in war-time Britain could lay the foundations for a diamond industry after the war\textsuperscript{244}. Diamond workers therefore became an elite, who were reserved as essential from call-up by Dutch and Belgian conscription; their wage demands sometimes reflected awareness of their scarcity value, and caused complaints from employers and concern to the authorities\textsuperscript{245}.

Diamond workers could obtain admission to Britain where others could not. In September 1940, a Foreign Office official stated that if 200 Dutch and a few hundred Belgian diamond workers, mostly polishers, reported to be in Toulouse could be brought to the UK "they would be welcomed with open arms by the Ministry of Economic Warfare and the

\textsuperscript{243} Brind to Cartwright, 23 Dec 1941, PRO LAB 8/100.

\textsuperscript{244} HC Bull (MEW) to USS, 18 Jul 1940, PRO FO 371/24286, C8046/8046/4.

\textsuperscript{245} Board of Trade note, 23 Mar 1941, and CH Maddison (Chief Conciliation Officer), report of joint conference between employers' and workers' representatives on 9 Jul 1941, PRO LAB 8/100; for a Birmingham employer's complaint to MEW about wage demands, see copy JC Ginder to Bull, 16 Jun 1941, \textit{ibid}.
diamond industry. In the summer of 1941, a Jewish refugee from Belgium, employed as a diamond polisher, was able to arrange the grant in Lisbon of UK visas to family members from occupied France, including several children and a brother who was also a diamond polisher. Sir Colville Barclay explained the policy considerations involved:

From Refugee Dept’s point of view the answer would be that we don’t want any more refugees here, but perhaps the enhancement of Mr Niewiazi’s morale by having his children & the addition of a diamond cutter may make it worth while our pressing this request.

Home Office and Ministry of Labour agreement was obtained, after over four months. The demand later diminished, and by the end of January 1942 the Home Office was refusing visas for diamond cleavers, but was granting them to diamond polishers, although it appeared in April that cleavers were still in demand. By May 1942 the Ministry of Labour was no longer doing anything to encourage the importation of additional diamond workers.

Ministry of Labour recruitment from Portugal

Portugal remained neutral during the war, and from the summer of 1940 the country became a focus for refugees. The MOLANS-sponsored recruiting mission of Professor Davies to Portugal in early 1941, which has already been mentioned, led to the recruitment on his recommendation of a number of

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248 Fitzgerald(Home Office) to Brind, 30 Jan 1942, Henderson(Board of Trade) to Fitzgerald, April 1942, enclosing memorandum(n.d.)'Aliens in the Diamond Trade', PRO LAB 8/100.

249 Brind to Wieczorek(Polish Ministry of Labour and Social Welfare), 12 May 1942, ibid.
skilled refugees for the civilian war effort. Davies interviewed 79 persons of various nationalities, of whom roughly two thirds, including 47 professional engineers, mostly Poles and Belgians, and a handful of Czechs and French, were accepted\textsuperscript{250}. He also saw diamond workers and other persons whose services might be used in the UK. The scheme had a mixed reception from employers and civil servants. In late January, during an interdepartmental discussion of the report Davies made on his return, the Home Office agreed that a recommendation from Davies would establish the national interest of a case; yet a request from the PCO in Lisbon for permission to grant visas without reference to persons who seemed to meet Davies' criteria, was rejected after MI5 objections\textsuperscript{251}. In response to expressions of concern over delays in processing referred cases, the Home Office representative claimed that, because of improved communications, applications from Lisbon could now be processed faster than previously estimated. Such discussion of delays gave the MI5 representative an opening to oppose the whole scheme, suggesting that delays gave the Germans time to "'get at'" applicants waiting in Lisbon; he advocated sending them to Canada, where potential sabotage would have less effect. He also proposed that persons admitted to the UK under the scheme be subjected to a condition not to change employment or residence without the MI5 concurrence: the Home Office representative raised


\textsuperscript{251} 'Minutes of meeting held on 29th January, 1941, to discuss the Recruitment of Foreign Technical Personnel from Portugal for employment in Industry in the United Kingdom', PRO FO 371/29194, W2036/115/48.
objections, but agreed to explore this idea, reporting later that it was not feasible.

Refugee recruits were hindered in finding work after arrival by restrictive endorsements in their passports, in some cases of a severity which the Home Secretary later acknowledged to be outdated\textsuperscript{252}. Jews among this group encountered prejudice from both employers and officials in the UK. After complaints about the difficulties faced by some of the Belgians, Lady Cheetham reported that TT Scott, who had replaced Davies at the Ministry of Labour, had discovered that only two were "real Belgians", the rest were Russian Jews naturalised Belgian. The two "real" Belgians had refused good offers of employment, while the naturalised Russian Jews faced the problem that employers did not want to engage Jews: a Russian Jewess had been refused a job at Bradford for this reason. Scott had said he thought that it was a great mistake that Professor Davies had recommended these people for visas and expressed the opinion that there was a great deal of "bunk" about it all\textsuperscript{253}.

In August 1941, Randall, to whom Cooper had sent a newspaper article about the Belgians' difficulties, acknowledged the existence of prejudice against all foreigners, particularly former Russian Jews, but was inclined to lay more blame for employment difficulties on the Belgians' own "high falutin ideas"\textsuperscript{254}.

\textsuperscript{252} Hayman(HO) to Lawford(FO), 26 Jun 1941, Morrison to Spaak(Belgian Minister of Foreign Affairs), 26 Jun 1941, Latham, minute, 3 Jul 1941, PRO FO 371/29194, W8050/115/48.

\textsuperscript{253} See e.g. Cheetham, minute, 21 Jul 1941, \textit{ibid.};

\textsuperscript{254} Cooper enclosed an extract from the \textit{Manchester Guardian} of 23 Jul 1941, along with a copy of a humorous parody in the \textit{New Statesman}, on difficulties German refugees faced in gaining permits for work of national importance, Cooper to Randall, 1 Aug 1941, Randall to Cooper, 20 Aug 1941, PRO FO 371/29194, W9573/115/48
Pre-selection now included security vetting, performed by MI5. Latham inveighed against MI5’s incompetence, arbitrariness and lack of accountability in January 1941\textsuperscript{255}. Soon afterwards he pursued a complaint concerning the way in which MI5 had performed its vetting functions in the case of a Rumanian Jewish electrical engineer in Lisbon\textsuperscript{256}. The man, whose name was Wewig, had previously applied to enlist, but was rejected because he was a non-Allied national. He had been recommended by Professor Davies, as an expert in the distribution of gas and electricity in towns, who might be useful in the Pioneer Corps. Wewig was again rejected at the instance of MI5, on grounds which turned out not to be matters of security; the case came to light because he wrote a letter of complaint to the Prime Minister. Latham urged that this was a good case on which to argue that the security services be disciplined, and required to confine themselves to their brief, or be accountable if they strayed beyond it. However, his colleagues were not enthusiastic, and he dropped the matter after it became clear that the Ministry of Labour neither wished to make use of the man’s services, nor to object to MI5’s encroachment on their territory. Latham resigned himself to hoping that another suitable case would present itself in which the Home Office might make a joint complaint with Refugee Section.

\textsuperscript{255} Latham, minute, 21 Jan 1941, PRO FO 371/29180, W962/63/48.

\textsuperscript{256} Latham, minute, 27 Mar 1941, Latham to Turner(MI5), 31 Mar 1941, Turner to Latham, 7 May 1941, Latham, minutes, 10 and 13 May and 10 June 1941(two minutes), PRO FO 371/29158, W3447/3/48.
Offers from qualified refugees abroad, and the Committee for Overseas Manpower

The poor reception for the fruits of Davies' mission show that there was limited enthusiasm within MOLANS for recruiting highly skilled foreigners from abroad. British diplomatic representatives in the near and far east made repeated efforts to interest the UK authorities in the availability of local reserves of qualified refugees, but with little success. Thus the entry of a group of Czech technicians in Turkey, whose employment was recommended by the British Ambassador on the grounds that they were too valuable to be allowed to get away, was supported by the Foreign Office, but rejected in May 1941, as the Ministry did not wish to use them. It was suggested that they might find employment in India; the Home Office refused to admit them if they were not wanted in India.\(^{257}\)

In October 1941, Sir Archibald Clark Kerr sent a pointed reminder from Hong Kong that, there is at Shanghai human material now lying idle and going to waste of which we might make good use. I refer to the German and Austrian refugees large numbers of whom are keen anti-Nazi and eager to serve our cause. Among these sixteen thousand people there are (a) some 1,000 to 1,200 men between eighteen and 35 physically fit for military duties (b) a number of doctors both male and female (c) nurses (d) scores of engineers, electricians, mechanics, wireless experts, chauffeurs, etc.\(^{258}\)

He warned that it was "imprudent to ignore this valuable material....If we make no use of it, it will fall into the hands of, and be absorbed by, Japanese if they occupy Shanghai". Clark Kerr offered to create unobtrusive


\(^{258}\) Clark Kerr to FO, 9 Oct 1941, PRO LAB 13/33.
machinery to vet recruits, reporting that his plan had the agreement of the Governor of the Malay States and local Commanders in Chief. The proposal aroused immediate interest from the Government of India, which was experiencing great shortages of all technicians, including doctors and nurses: it adopted a more liberal policy in respect of Jews of enemy origin who were believed to be anti-Nazi, and offered to accept technically qualified persons recommended by Clark Kerr259.

Clark Kerr's offer was referred to the new interdepartmental Committee for Overseas Manpower(COM), responsible for coordinating overseas manpower, which, however, decided not to take up suggestions that refugees be brought to the UK, and eventually reverted to considering only the services of British subjects. The Committee, originally set up in the autumn of 1941 to co-ordinate manpower from the overseas Empire, got off to a very slow start260. By early 1942 it had acquired a much wider brief, covering the transfer for service or employment of persons from one country to another, and the prioritisation of the requirements of UK government departments261. The Committee was primarily the concern of MOLANS and was chaired by the Ministry's Parliamentary Secretary, Ralph Assheton.

A Foreign Office proposal to obtain manpower from Greece, by assisting skilled men to escape, was put to COM in February

259 Pennell (India Office) to Randall, 23 Jan 1942, enclosing Govt of India Defence Department to Secy of State for India, 30 Oct 1941, PRO FO 371/32670, W2865/831/48.
261 Bridges, WP(42) 2, 2 Jan 1942, PRO CAB 66/20.
1942. The proposal encountered opposition, which included the doubts of the Chief Repatriation Officer Middle East, TH Preston, whether sufficient skilled men were still available. Numerous skilled aliens, including many Jewish refugees, were already available for employment, in various parts of the eastern Mediterranean, including Palestine, Turkey, Egypt and Cyprus, without the uncertainty, effort and expense of arranging their escape from enemy territory. The population of occupied Greece were suffering starvation conditions, and it was apparent that there were humanitarian and political dimensions to the plan from the Foreign Office memorandum in support of the proposal, which argued that the better Greek achievements for the Allied cause place us under a moral obligation to think of the future of their race and save the health of as many as we can by evacuating them from Greece.

The Committee accepted the suggestion in May, deciding that assistance to escape should be given to a small number of Greek mechanics, with preference to men under 40 with no dependants. A middle eastern labour bureau would be re-established, probably at Haifa, at which such alien labour in the region would be recruited. It had been agreed that to prevent escaping Greeks being turned back from Turkey, they would be transhipped in British craft via Cyprus to Haifa.

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262 TH Preston, of the British Embassy Repatriation Office, Cairo, memorandum, 26 Mar 1942, sent to the British Ambassador, Cairo, PRO FO 371/32670, W7452/831/48.


264 Draft minutes of 3rd mtg of COM on 14 May 1942, PRO FO 371/32670, W7452/831/48; Preston, memorandum cited n. before last.
These decisions show British policy-makers going to considerable lengths to assist the Greek nation, to whom they felt an obligation, both by promoting an escape scheme which offered dubious manpower advantages, but had a strong humanitarian element, and by saving Greek refugees from being turned back from Turkey. During the same period, the British government did not act to prevent Jewish refugees from being turned away from Turkey, or deported back from Turkey to Europe, because they lacked permission to proceed to Palestine. The policy on Jews, which caused the *Struma* disaster in February 1942, was still in force in May 1942, when the Cabinet decided to take no steps to prevent Turkey from turning back Jewish refugees. The policy was later modified: from September 1942 the British government took responsibility for finding refuge for Jews who reached Turkey, but withdrew the concession in December 1944.

In August 1942 the Refugee Department answered a query from Anthony Lambert, who, along with colleagues on the staff of the British diplomatic mission to Turkey, was tiring of sending home details of qualified technicians, only to have them rejected by MOLANS, and wished to know whether or not to continue to forward particulars of any further cases. Lambert was told that COM was now dealing only with British subjects; his specific query as to whether COM had now abandoned any interest in enemy alien technicians and specialists in Turkey, was met by the statement that MOLANS saw no grounds for bringing members of this group to the UK, and that they should be referred to Mr Preston in Cairo, in 265 Wasserstein, *Jews of Europe*, op. cit., pp. 143-163, 340.
connection with the planned Haifa bureau for overseas manpower\textsuperscript{266}.

It is noteworthy that Lambert felt it necessary in his letter to distance himself and his colleagues from any implication of humanitarian motives in making efforts on behalf of refugees in Turkey. Such an implication had been contained in a recent reply from the Foreign Office Refugee Department, rejecting the services of a Hungarian Jew by the name of Strauss, and suggesting reference to the Haifa bureau as "the best means of helping Mr. Strauss and other Jewish doctors, scientists, etc": Lambert was provoked into insisting that he was not trying to assist these people but to "try and recruit valuable talent for our own war-effort"\textsuperscript{267}. Thus, the fact that the war effort was the only admissible justification for assisting refugees, meant that it was invoked to the exclusion of humanitarian motives, even though such motives can hardly have been absent.

The Ministry of Health, like MOLANS, showed a lack of enthusiasm for refugee recruits from abroad, although from 1940 doctors were recruited from the USA. The ministry refused offers of help from refugee doctors stranded in neutral territory all over the globe, claiming that their services could not be utilised. Medical applicants refused on this basis included a group of eighty Polish doctors in Romania, put forward by the British Ambassador, but rejected

\textsuperscript{266} Lambert (Angora) to General Department, 21 Jul 1942, Refugee Department to Lambert, 10 Aug 1942, PRO FO 371/32670, W10775/831/48.

in February 1941\textsuperscript{268}. However, in October 1942, the ministries of both Labour and Health agreed to the temporary entry of a group of Polish medical students who intended to proceed to Palestine and Persia\textsuperscript{269}.

At this stage of the war, only Allied nationals could obtain visas for the UK to join the armed forces. The means by which persons were selected varied according to nationality and place of recruitment. In some cases, people could be selected without referral, for example Czechs applying in Lisbon, if recommended by a local Czech representatives; the Poles vetted all applicants in London or Jerusalem; Norwegian cases went via Sweden to Canada, being vetted by the PCO in Stockholm\textsuperscript{270}

**Conclusion**

From the Home Office point of view, the landing of numerous refugees without authorisation in May-June 1940 had been contrary to departmental policy and represented a loss of control. British officials had authorised admissions during the emergency without the usual guidance and referral. Thereafter, the Home Office and MI5 tried to prevent admissions without visas and the grant of visas without

\textsuperscript{268} See Farrow (Ministry of Health) to Under Secy 1 Feb 1941, PRO FO 371/29194, W849/115/48; see also refusal of case of Dr Dienemann, an ex-German Jew naturalised in Palestine, now in Tangier, Bliss to USS, 29 May 1941, 21 Jun 1941, Barclay minutes, 9 and 25 Jun 1941, PRO FO 371/29159, W6642/3/48; for refusal of visa for a well-recommended German Jewish pathology expert in Turkey, see minutes and correspondence Jun 1941, PRO FO 371/29159, W7094/3/48.

\textsuperscript{269} See correspondence, Sept-Oct 1942, PRO FO 371/32669, W13191/781/46.

\textsuperscript{270} Parkin to Latham, 9 May 1941, PRO FO 371/29159, W9549/3/48.
reference, but neither could be eliminated completely. Detention and interrogation on arrival partially compensated for such failures of pre-selection. The Home Office, having lost control of both admissions and internment policy in May 1940, had by the end of the year regained control over internment. So far as admissions were concerned, Home office authority was circumscribed, as much authority was effectively delegated to governments-in-exile, and admissions for the war effort were judged by the ministries directly affected. Close relations with the security services were essential, and it was necessary to contend with MI5 intrusions into areas of Home Office concern and the tendencies of MI5 officials to adopt a repressive and anti-alien stance.

The interpretations of manpower requirements by MOLANS and the Ministry of Health described above may be open to criticism on manpower grounds because they excluded numerous refugees qualified in fields in which the country was experiencing serious shortages. Yet the departments in question were not required to show great imagination or flexibility in applying manpower criteria, and they were entitled to reject options that appeared to involve disproportionate effort, risk or cost. It should nevertheless be said that MOLANS showed reluctance to take a lead in combating anti-alien prejudice. For example, in late 1941, Home Office drafts of a parliamentary statement designed to allay suspicions of aliens in employment were watered down by MOLANS, which substituted a blander version,

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271 See e.g. efforts in Feb 1941 to prevent the arrival of passengers without visas from the Iberian Peninsula, PRO FO 371/29217, W1616/464/48.
from which even the acknowledgement that problems of prejudice existed was lacking\textsuperscript{272}. One may be able to find fault with the way these ministries approached the employment of refugees, but they were under no obligation to take account of humanitarian considerations, and could expect opposition if they were seen to be doing so. Failures to utilise aliens in employment involved both a price in lost manpower and the cost of maintaining unemployed persons in idleness. The cost of maintaining Jewish detainees on the island of Mauritius was a recurrent concern of the Treasury and the Colonial Office, which in late 1941 sent MOLANS a list of the qualifications of Jewish detainees on the island\textsuperscript{273}.

The government's - and especially the Home Office's - outlawing of humanitarian motives as providing sufficient reason for admission was criticised by Foreign Office officials, especially when they had cases they wished to support for entry. Their motives, however, were not simply humanitarian. Foreign Office officials may perhaps be best be described as engaged in a quest for some form of "compensating advantage", to use Alan Walker's phrase, for assistance to refugees. Such a compensating advantage would in some cases be improved relations with a government-in-exile, an ally or a neutral, or perhaps a contribution to the war effort in services, improved morale, or better escape opportunities for persons whose services were desired. Humanitarian motives were cited in support of cases


\textsuperscript{273} Nicholson to Holloway, 5 Dec 1941, PRO LAB 13/34.
backed by the Foreign Office, but never as the primary justification. For example, the Foreign Office put forward the 1942 proposal to help Greek technicians escape primarily on "war effort" grounds, yet these were weak; the scheme was given secondary justification on political and humanitarian grounds, but these appear to have provided the real motive.

**Defending British policy against pressure to rescue Jews**

From June 1942 onwards, British policy towards Jews in Europe was challenged by news of mass executions in Poland, large numbers of Jewish dead, mass deportations of Jews to the east, and fragments of information concerning Nazi plans of systematic extermination and the methods employed. The realisation that a Nazi programme of mass murder of Jews was under way in German-dominated Europe raised the urgent question of whether the Allied response would go beyond condemnation of atrocities and promises of punishment, to offer Jews rescue and refuge. By mid-May 1943 it was apparent that the main thrust of Allied policy towards the Jews of Europe had not altered; policy on humanitarian admissions to the UK also remained essentially unchanged.

Knowledge - albeit incomplete and inaccurate - of the Nazi extermination policy had reached Home Office policy-makers by early September 1942. Herbert Morrison spoke at the UK's first major rally in protest at the Nazi extermination programme, held at Caxton Hall in London on 2 September,
which was organised by the Labour Party\textsuperscript{274}. His vigorous remarks were reported by \textit{The Times} under the headline, "Mr Morrison on Nazi Atrocities". He claimed that "never before had the human record been so shamed and darkened by the revelation of the unspeakable foulness of which desperate men were capable"; he promised that the day of deliverance was surely approaching, and that the United Nations would ensure the punishment of those responsible "for ordering or executing the infamous cruelties practised upon the men, women and children of Europe"\textsuperscript{275}. The reference to Nazi extermination policy in Cooper's memorandum of late August 1942, quoted earlier in this chapter, has illustrated his considerable knowledge - presumably shared with colleagues - even before Morrison's Caxton Hall speech\textsuperscript{276}.

The decision not to alter admissions policy, despite knowledge of continuing mass murder of Jews in Europe, was proposed by Morrison and approved by the War Cabinet in September 1942, when the Cabinet first discussed the question of rescuing Jews faced with this threat.

Morrison, in a memorandum dated 23 September 1942, reminded his colleagues that Home Office policy was, not to admit during the war additional refugees to the United Kingdom unless in some quite rare and exceptional

\textsuperscript{274} Morrison reportedly said, "the mounting tale of atrocity and horror was no surprise to the people of this country". Jan Masaryk and Szmul Zygielbojm also spoke. \textit{Jewish Chronicle}, 11 Sept 1942, p. 1. The author is grateful to Richard Bolchover for drawing attention to this report.

\textsuperscript{275} \textit{The Times}, 3 Sept 1942. p. 8.

\textsuperscript{276} Cooper, 'Memorandum on Post-War Problems', para 12, quoted above, pp. 405-406.
cases it can be shown that the admission of the refugee will be directly advantageous to our war effort.  

Morrison was seeking authorisation to make a lone exception to this policy: he planned to agree to a scheme, put forward by Schiff, and backed by a guarantee from the JRC, to admit a limited number of Jewish refugees then in un-occupied France, who faced danger and suffering as a result of the Vichy government's decision to deport numbers of them to Poland. He intended to authorise the grant of visas in Lisbon for children and elderly persons, with close relatives in Britain, who managed to escape there via Spain. Morrison advised that agreement to the scheme should be the last concession to the lobby for admissions: he insisted that any general departure from the existing "rigid policy" would only encourage fresh appeals. The original scheme had covered children and persons over 60, but the Cabinet restricted it to children only. The focus on Jews was also diluted by including Allied children, at the insistence of the Foreign Office, in order to avoid offending Allied governments whose nationals were also suffering, and to


278 Thus, he did not plan to agree to the temporary entry of another 28 Jewish children in un-occupied France who had guarantees for admission to Palestine, since it was Home Office policy not to admit to the UK persons in transit to Palestine and it would become impracticable to draw a line of demarcation between these and other cases; he intended to resist all appeals for the admission of adults under the age of 60. WP (42)427, cited in previous n.

avoid discriminating in favour of Jews or Jewish children, although Morrison had claimed that such a distinction was justified. The Cabinet initially decreed that only orphan children would be eligible for admission to join close relatives other than parents; this was modified after Morrison sought authority to admit children whose parents had been deported, saying they would become in effect orphans as the result of the deportation of their parents. The fate of their parents will often be uncertain and as a result of the Cabinet decision it will be necessary to refuse to admit such children unless evidence is forthcoming that both of the parents have perished.

The 183 children for whom visas were in the end authorised could not come, as the Vichy government refused exit permits.

The rescue issue was never seriously regarded within the Home Office as involving entry of Jews to the UK. No records have been found of dissension within the Home Office over admissions policy on Jewish refugees after August 1942 (although we have seen that divergent views on policy towards refugees already in the UK were developing). A campaign developed for a more generous British response to the plight of Jews in Nazi Europe, greatly reinforced by the United Nations Declaration on Nazi extermination policy of 17 December 1942, even though its promises were confined to eventual punishment of atrocities. At the end of 1942 a new

280 WP(42)427, already cited.
281 WP(42)444, already cited.
282 Approximately 240 visas in all were authorised. Some children got out via neutral territories and were granted British visas there. Fellner, Mathews, December 1944, PRO HO 213/615; Bermuda Conference report, already cited, para. 34.
Cabinet Committee was set up, initially to discuss the possible reception and accommodation of Jewish refugees. The Committee in fact discussed how the UK should respond to the pressure for action. At its meetings Morrison maintained his negative stance on UK admissions, and encountered no recorded opposition from his ministerial colleagues. His most generous offer, from which he subsequently retreated, envisaged the entry of a maximum of 2,000 additional refugees. Ministers and officials used the committee to defeat the rescue campaigners, and to affirm British policy of refusing to act to rescue Jews from occupied Europe.

Admissions policy was not altered subsequently in response to the call for rescue. Statements on admissions policy prepared prior to the Bermuda conference of April 1943, stated that 55,000 persons of German and Austrian nationality, and an unknown number of children they had brought with them, had been admitted prior to the war, and were resident there when the war broke out, plus 10,000 Czechs, and 13,000 unaccompanied children from Greater Germany. Maxwell estimated in mid-April 1943 that at the

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283 WM 172(42)5, 23 Dec 1942, PRO CAB/65/28. A policy decision to play down the plight of Jews as such led to the dropping of the word "Jewish" from the Committee's name at an early date. The proceedings of the Committee are in PRO CAB 95/15.

284 See reports of the meetings on 31 Dec 1942, and 19 Feb 1943, PRO CAB 95/15; see also Morrison's remarks in the War Cabinet on 22 Feb 1943, WM 33(43)4, PRO CAB 65/33.

285 See the limited aims agreed for the Bermuda conference by the Cabinet, WM 48(43)7, 5 Apr 1943, PRO CAB 65/34.

286 Report to the Governments of the United States and the United Kingdom from their Delegates to the Conference on the Refugee Problem held at Bermuda, April 19-29, 1943', 29 Apr 1943, para. 33, PRO FO 371/36725, W6711/6711/48. The references are to a version of the report corrected after the conference.
outbreak of war there had been in the UK a total of about 70,000 refugees from Germany and Austria who were Jewish or partly Jewish, but that their numbers were now nearer 60,000, and that of the refugees admitted in 1940, 1941 and 1942, nearly all of whom had been Allied nationals, the proportion of Jews would be "quite small". Statements of British policy at the Bermuda conference showed that the almost total ban on humanitarian admissions since the outbreak of war had been maintained. Further refugees of enemy nationality were being admitted only "in exceptional circumstances" involving family members. Since May 1940, 63,000 refugees of many nationalities had been admitted, including the influx during the fall of France, and men desiring to join the Allied forces, plus 30,000 British refugees from the Channel Islands and 14,000 from Gibraltar. The grant of a visa had to be shown to be in the national interest - volunteers for the Allied forces and their wives and children qualified under this heading. A sole exception had been made for the refugee children in Vichy France. The current rate of refugee entry was stated to be approximately 800 a month - both authorised and unauthorised, or an annual rate of 10,000. Citing housing shortages in particular, it was stated that the British authorities had not hitherto been prepared to relax the present practice with regard to visas, and that to do so more freely would raise false hopes in view of transport.

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288 See n. 286 above.
290 *Ibid.*, para 34 (giving an incorrect August 1940 date).
difficulties, and, even if these were overcome, would add to the population of an already overcrowded island. It was claimed that persons willing and able to render useful service to the war effort experienced little difficulty in securing visas. Beyond this, temporary refuge could be offered to limited numbers of persons who could not conform to the foregoing conditions ²⁹¹.

At the Anglo-American Bermuda conference on refugee policy in late April 1943, British and US representatives agreed that their governments would neither initiate nor support projects of rescue, nor make any approach to Hitler for the release of potential refugees in Germany or German-occupied territory ²⁹². The UK also agreed, reluctantly, to the revival of the IGC, for the limited purpose of promoting resettlement of actual refugees (who were already out of danger) and encouraging neutral countries to admit potential refugees from enemy territory. Allied policy of taking no steps to rescue potential refugees was thus confirmed.

²⁹¹ Ibid., para. 35.
²⁹² Ibid., Recommendations, paras. 45–53.
CONCLUSIONS:

BRITISH REFUGEE POLICY - HUMANITARIAN OR SELF-INTERESTED?

In September 1942, when the Cabinet agreed not to lift the ban on humanitarian admissions, British refugee policy was already almost completely shorn of humanitarian considerations. The one exception to the re-affirmation of existing policy at this juncture was the government’s consent to the scheme for admission of children from unoccupied France. Yet even this modest scheme made a far smaller contribution to saving the lives of Jews menaced by deportation than its Jewish initiators had hoped; it emerged from the Whitehall policy process pruned of its original aim of embracing old people as well as children, and watered down to include Allied nationals, to satisfy the Foreign Office Refugee Department. Such policy decisions, as this study has shown, reflected continuity, rather than change in British policy, as to both substance and procedures.

There was continuity in the substance of policy, notwithstanding the fact that the priorities of the pre-war era were now overlaid with war-time priorities. The policy of not admitting Jews to save them from death in Europe in the latter part of 1942 and afterwards, reflected the same system of priorities which, before the war, had allowed the admission of perhaps 70,000 Jewish refugees, but dictated the exclusion of many times that number. Such decisions manifested the prevailing tradition of non-humanitarian refugee policy. This tradition, in which humanitarian considerations were systematically and explicitly subordinated to questions of national self-interest, was well on the way to displacing the older, humane tradition of asylum. Remnants of the older tradition lived on, both in
the humanitarian aspects of government action, but mainly in
the minds of ministers and officials. Neither the extent to
which the older tradition had ever actually existed nor its
precise nature were at issue. Rather, its presumed existence
was a reference point against which current policy could be
measured. Home Office ministers repeatedly asserted the
tradition's continuing existence, despite the mass of
immigration restrictions and the absence of legal protection
for refugees. However, although government spokesmen
proclaimed loyalty to the older tradition, their insistence
that British policy must be shaped primarily by
considerations of national interest, and their construction
of formulae for calculating it, showed that for practical
purposes they had adopted a new position, one which was at
odds with the "tradition". In the face of the Holocaust, the
British government once more affirmed the dominance of the
new position, this time in the name of the country's
national survival. Yet the degree of inaction, and the
arguments used to defend it, show that the low priority
given to humanitarian action was also an important factor.

The humanitarian tradition was now the exception, and self-
interest the rule. Ministers' use of the term "humanitarian"
during the 1930s, to describe a policy of only tolerating
action to help refugees, so long as it did not offend
against any canon of self-interest, was a misnomer. The term
"opportunistic" seems a more appropriate description for a
policy which allowed for the admission of refugees in
peacetime only if they could comply with restrictionist
immigration policies, and tolerated their entry in war-time
only if some advantage to the war effort was expected.
As well as continuity in policy content, this study has shown continuity in the policy-making process. Officials' response to the humanitarian challenge of the refugee problem was to follow precedents and usually restrict themselves to assigned tasks. Within Whitehall no official was assigned the task of actively considering the needs of refugees or giving such needs priority. This deficiency was the target of outside critics such as Hope Simpson and Rathbone, and the subject of critical memoranda by Cooper, and later by Latham, suggesting alternative approaches, but it was not remedied. Such critical observations reflected the two men's particularly active concern with the welfare of refugees. Neither Cooper, nearing the end of his career, nor Latham, the hyper-critical temporary civil servant, could expect advancement: they thus risked less in supporting departures from precedent than Makins, for example, who was destined for high office.

Excluded from the centre of the system by policy and by administrative procedures, the humanitarian needs of refugees were thus pushed to the margins of governmental concern. This thesis has shown the extent to which humanitarian exceptions were nevertheless made, alongside the non-humanitarian stance of official policy. Many refugees were admitted unintentionally, especially in the early years, in the guise of visitors and students, but allowed to remain; the majority were admitted deliberately, either on humanitarian grounds, or through recruitment and special schemes, in which self-interest was mixed with humanitarian considerations. The response to the Anschluss was to impose a restrictionist and discriminatory framework of pre-selection, accompanied by renewed assertions by
ministers that British policy was at the same time self-interested and humanitarian.

The Home Office concealed the extent to which humanitarian exceptions operated in practice, and refused to supply statistics of Jewish admissions. When Hoare was Home Secretary he saw himself as holding the balance between restrictionist critics and pro-refugee lobbyists, but showed far more sense of the need to appease the former. A humanitarian policy of temporary refuge developed after Kristallnacht, but it was soon beset by restrictions derived from considerations of self-interest, particularly an emphasis on re-emigration. The record of the British response to refugees from Czechoslovakia is a particularly graphic illustration of the absence of any commitment to offering a haven to Jews, merely because they faced a persecuting regime which was pressing them to emigrate.

The admissions which occurred were tolerated because they appeared to involve the authorities in no financial risk. Government vigilance to ensure that refugees would not be a burden involved a wide range of safeguards: reliance on guarantees and on private charity; pre-selection - first informal and later formalised by visas; an emphasis on re-emigration. The financial risks of the admission of Jewish refugees were undertaken by Anglo-Jewry. When the government finally decided that it should subsidise refugees, and keep the bankrupt refugee organisations in being, this was only because it saw no alternative, and expected that financial support for emigration would reduce the number of refugees in the country and produce savings in the long run.
Control by means of immigration restrictions was a substitute for a coherent and articulated policy for refugees in the UK. Home Office discretion was used to permit some humanitarian admissions under the cover of a strict immigration policy which excluded the majority who sought entry. Embarrassed by the comparatively small numbers in the country, whom they saw as a refugee problem, Home Secretaries deferred the making of policy on the disposal of refugees present in the UK. Refugees remained in suspense as to their fate, and many were put under pressure to depart.

The absorption of some 40,000 Jewish refugees in the UK was partly deliberate, and partly unintended. The permanent settlement in the UK of a relatively large proportion after the war was not a desired outcome. By this time, however, the combined consequences of previous administrations' miscalculations over re-emigration prospects, the outbreak of war, and previous failures to resolve policy, meant that the pre-war refugees were now largely assimilated. The Attlee government belatedly accepted this reality in December 1946, when Cabinet ministers finally decided to lift employment restrictions on refugees. Regulations putting the decision into effect did not appear until the following July. Even then, the impact of the change was delayed, because Home Office officials chose to cling on to control even longer, not telling refugees they no longer needed permission to take employment.

The extent to which the process of control was governed by unpublished discretion, rather than by regulations, has been shown in the way officials and the voluntary sector handled policy and casework. The exercise of discretion was refined
in dealings between officials and a select group of representatives from the voluntary organisations, who became an indispensable part of the state's machinery. The concerns of these representatives were far from identical with the people on whose behalf they negotiated, but included refugee organisations' anxieties about the impact of refugees on the position of Jews in the UK, and about containing their financial obligations and keeping undertakings to the Home Office. The policy vacuum enabled an official like Cooper, who had strong humanitarian impulses and was in a department with a humane tradition, to humanise policy both in his practice and by argument, but he too was constrained by considerations of control, and by his own limited horizons, which in turn reflected those of his department.

The history of British policy on the plight of Jews in Europe in the Nazi era has been studied in the UK largely as part of the history of the Jews. Yet it is also part of the history of the UK, of British immigration and refugee policy, and of the moral and humanitarian spirit of the nation and the state. It is part of the history of British government, both within Whitehall and in its relations with the voluntary sector and representatives of sectional interests. This study has shown how a topic which had low priority was left largely to officials. It has shown that the absence of specialised policy-making machinery was tolerated until a crisis presented itself, and it has demonstrated the reactiveness, pragmatism and opportunism of Whitehall on this issue. It has also shown how, in the absence of a commitment to a clearly stated policy, departmental priorities were brokered and adjusted to produce a consensus sufficient for action, which became
policy by default. It has shown how precedent and inertia ruled, until the co-incidence of a moment of crisis with the personality of Chamberlain, who was willing and able to redirect policy, led to a change. The thesis has also shown distinctive attitudes to the refugee problem among Treasury officials, whose pre-occupation with financial control did not preclude them from supporting expenditure on refugees, while Treasury-organised finance for Czechoslovakia led to by far the best-funded refugee organisation in the UK. Yet, although Treasury officials' distance from the pre-occupations of other departments may have helped them to consider alternative approaches, they rarely pressed strongly for policy changes. The close links between non-governmental agencies and the state have also been shown: the voluntary sector provided ideas, finance, manpower, and expertise not available within the government; the closeness increased as the Home Office partially took over refugee organisations from 1939. The story of refugee immigration is also an example of how circumstances closed off options, and led to the unintended settlement of some 40,000 Jewish refugees in the UK.

The refusal of the British government to open up UK admissions or to act to rescue Jews during the Holocaust becomes more comprehensible in the light of previous limits set on British action. On the eve of war, British officials, representatives of the British organisation for refugees from Czechoslovakia, and Anglo-Jewish leaders adopted positions which showed that they considered that the limit of Jewish refugee immigration to the UK had been reached. In July 1939, Cooper and other persons concerned with refugees from Czechoslovakia resolved not to co-operate
with Eichmann's programme of forced Jewish emigration from the Protectorate. They regarded the deplorable methods employed by Eichmann in Austria, which they assumed would be used again, as an additional reason for opposing forced emigration. They maintained the necessity of demonstrating that Germany could not force the world to take its unwanted Jews on its terms; yet the hopes they expressed for a less intransigent German approach were hardly more than a formality. In August 1939 Bentwich spoke of the possibility of obtaining German co-operation, but with an equal lack of conviction. The plight of the Jewish organisations at this juncture is symbolised by Bentwich's rejection of Eichmann's plan for reducing the number of Jews in Austria. The adoption of such negative positions by both Jewish leaders and British officials, at a time when emigration was being so strenuously encouraged by the Nazis, makes the British government's refusal to act in 1942-43 more comprehensible.

When the need for a humanitarian response was greatest, the response was least. The British government, in its efforts to deflect demands for greater generosity in 1942-1943 justified present niggardliness by reference to past generosity. Indeed, in January 1943, when the British government first put to the Americans the idea of holding a conference on refugees, it was as a forum for showing that, having done so much in admitting refugees in the past, neither country could be expected to do much more. Yet the limits of this generosity had been defined over three years previously, at a time when the Nazis had shown that Jews who failed to emigrate faced systematic and extreme persecution.

The Holocaust could not be foreseen in August 1939, but the dire situation of Jews under Nazi domination was not in doubt, and harsh calculations had already been made about who would be helped to emigrate. The old had fared worst in this process: Bentwich, one of the chief architects of Jewish emigration policy, had regarded Jews from Germany as not fitted for schemes of emigration if aged over forty-five. In 1941 he acknowledged the hopeless situation of old people left under Nazi rule, writing

When the iron wall of war was raised between us and Germany, 200,000 men and women, largely past middle age, were left to be crushed to dust. It was some consolation that less than 50,000 were under forty years of age.

Thus, although many Jews were helped to escape from German rule, it was not thought possible or desirable, even before the war, to arrange emigration for all those under threat.

In the 1930s, the defence of British sovereignty over internal affairs had been the watchword for opposition to internationally imposed obligations to aid refugees. In the period 1942-43, the very survival of that sovereignty was put forward as a key reason for the British government's taking no action to save Jews. However, by this time, to put forward the risk of losing the war was an insufficient response to all requests for action: victory was far from within the Allied grasp in the last quarter of 1942, but British leaders knew that it would come in the end. The choice of almost total inaction was not a matter of national

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2 Bentwich to Porter Goff, 15 Dec 1938, Papers of Mrs Leslie Edgar, Anglo-Jewish Archive, AJA 398 (now in Parkes Library, University of Southampton).

survival, but a question of priorities and subordination to the ruthless prosecution of the war. The policy ruling out humanitarian admissions or other humanitarian action reflected a dominant principle, which Churchill embodied and fostered, of ruthlessness in the pursuit of victory. Ruthlessness towards the populations of occupied Europe was an element in this policy. Bomber Command ordered the RAF to bomb enemy and Allied civilian targets, while the Ministry of Economic Warfare starved enemy and Allied populations alike. Such policies accommodated few distinctions, and only isolated exceptions. Priorities linked with the overriding need for victory formed only part of the picture: ministries retained their departmental priorities when dealing with the issue. The Home Office had War Cabinet authority to turn its back on enemy and Allied refugees abroad, but the Home Secretary was also motivated by considerations of domestic and post-war policy, particularly questions of public order, antisemitism and immigration control. The Foreign Office and Colonial Office restricted the flow of Jews from Europe to Palestine largely because of political considerations concerning post-war policy in Palestine.

Did Britain make fewer humanitarian efforts for would-be-refugees because they were Jews? Jewish stereotypes worked both for and against the refugees. The British government's belief that Jews would look after their co-religionists was a natural conclusion from the impressive record of Anglo-Jewish work with immigrant Jews. The belief that they could afford to do so reflected knowledge of substantial resources within the Jewish community, but also encompassed an inflated view of Jewish wealth, which was later challenged by the financial collapse of the Jewish refugee organisation.
at the end of 1939. Government ministers and officials seemed to assume that the main reservoir of humanitarian concern for persecuted Jews was within the Jewish community. Members of that community, albeit with a leavening of their own concerns, undertook an extraordinary range of activities to aid Jews in Nazi Europe. Jewish deputations and representatives proposed the majority of new governmental measures which were taken to help Jewish refugees. It was as if British policy-makers relied on Jewish representatives to act as their humanitarian mind and conscience, presenting them both with appropriate policy options and the wherewithal to carry them out.

Jews, whether or not they were refugees, evoked ambivalent reactions in British officials and ministers. It would be easy to assemble from this thesis and other sources a large catalogue of remarks showing anti-Jewish prejudice by politicians and civil servants who held mainstream political views and deplored political antisemitism and extreme anti-Jewish persecution. Yet what is their value for the analysis of refugee policy? As this study has shown, people who gave humanitarian help to Jewish refugees, such as Rumbold and Chamberlain, made prejudiced remarks about Jews. Prejudice towards Jews cannot explain British policy. The testimony of prejudice must, however, be added to other evidence showing the existence of a climate in which Jews were regarded as different and alien, in a negative sense, making the loyalty of Jewish residents questionable, and the entry and absorption of Jewish immigrants problematic.

It was seen as prudent, therefore, to soften the alien impact of those who came, by the selection of people who might be expected to assimilate easily. This was synonymous either with not being too visibly foreign, or becoming less so. Such transformations were much easier in the case of children, who would learn to speak good English, be brought up in British homes with an English education, and emerge, it was hoped, thoroughly Anglicised. Changes in behaviour were seen as the duty of the alien, not the natives. If British prejudice against Jews was to diminish, this was seen as a matter not for leadership by government, but for Anglo-Jewry, whose leaders launched a range of projects to combat such prejudice. Anglo-Jewish leaders exhorted refugees not to display their alienness by talking German loudly; the refugees' response to pressure for linguistic assimilation was to evolve a distinctive patois which, Pulzer has said, "combined a language that they were slowly forgetting with one they would never master". In this, as in other adaptations to their new situation, the refugees demonstrated that they had imported from Central Europe an ideal of assimilation, which, Pulzer argues, helps to explain their relentless upward mobility in the UK. To Pulzer's reminder that success was the exception and obscurity the norm, and that such success is still overwhelmingly measured in terms of achievements by a visible elite, one may add the point that the elite

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5 For the assimilation issue, see this author's, 'Jewish Refugees', op cit., pp. 184-190.

6 Peter Pulzer, 'Foreigner : The Immigrant in Britain', in Mosse, op. cit, p. 8.

7 Ibid., p. 9.
consisted almost exclusively of men, themselves a minority within the refugee community.

How did the fact that the refugees were Jews affect the overall numbers admitted to the UK? Selection by class, nationality, age and sex have been addressed in the text. On the question of numbers, it should be emphasised that there was a consensus between Jewish leaders and the government that there was a limit to the number of Jews any country could be expected to accept. Chaim Weizmann put forward a version of this belief in March 1936, at a conference held in London by the newly-formed Council for German Jewry: untiring, as ever, in his advocacy of emigration to Palestine, Weizmann claimed that other nations had limited toleration for the immigration of Jews.

We know that a certain number of Jews can be absorbed into a country, and as Jews have proved that they are an "insoluble" element - to use a chemical term - the quantity which can be absorbed in each country proves to be small. The formula reacts quickly, and saturation point is rapidly reached, and the Jewish communities in the respective countries are always full of anxiety lest there will be too many and that anti-semitism may be stimulated. 8

This statement graphically conveys an assumption, held by Jewish leaders and British policy-makers with very different views from Weizmann's, that there was some absolute, but imprecise limit above which Jewish immigration was undesirable, and that this reflected unalterable differences between Jews and the UK population as a whole, which not even British nationality could eradicate. Palestine was seen as different: it was a place where Jews might settle in large numbers. The same was not true of the UK.

8 Speeches delivered at Anglo-Jewish Confererence, convened by the Council for German Jewry at the Dorchester Hotel, Sunday 15 March 1936, CBF, Reel 4, file 15.
These assumptions about Jews acted as a brake on humanitarian action. In addition there seemed few political advantages to be gained in saving stateless Jews from persecution or murder. Nor did there seem to be a political price for failing to do so. The USA was acknowledged to be different, because Roosevelt's political survival required consideration of a Jewish electorate, although this only produced a challenge to British policy when the Americans began to rescue Jews in 1944. A prediction that there would be a high price to be paid for the British failure to act during the Holocaust was made in letter to The Times published on 16 February 1943, whose distinguished signatories, including EM Forster, RH Tawney and Rebecca West, had between them some claim to represent British humane traditions:

> if we do nothing while a helpless people is assassinated, we shall breed a temper of acquiescence in the barbarism of tyrants which may become one of the unhappiest legacies of this epoch of agony."

Breitman and Kraut have suggested that the Allied inaction in the face of the Holocaust demands explanation and evaluation because it represents a fundamental failure of western civilized values. Yet our concern about this episode is more profound than concern over an aberration, or failure to live up to the standards we set ourselves. The catalogue of failures to act suggests a more unpalatable conclusion that our standards and the values they reflect are themselves less civilized than we may like to think. We are perhaps therefore contemplating not an aberration, but a

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9 *The Times*, 16 Feb 1943, p. 5.

particularly disturbing reflection of what our civilization has become.

This study has shown that British policy-makers, not without backward glances, relegated humanitarian values largely to the areas of private conscience, religion, philanthropy and the family. In the sphere of refugee policy, although some relevance to policy-making was conceded to humanitarian considerations, they were nevertheless seen as more appropriate to an idealised past. There is a risk that British policy on Jewish refugees is nowadays the object of similar myth-making, when the allegedly open-handed response to that generation of refugees is invoked to demonstrate that the UK will respond generously when genuine refugees seek asylum. This claim is divorced from history. Such myth-making, whether used to idealise the past or to legitimise harsh policies towards refugees today, is dangerous.
APPENDIX 1

Biographical notes

Note: These biographical notes give brief details about persons of particular significance for the topic of this study. Most of the subjects of the notes were ministers or officials of Principal or more senior rank within the British government in the period 1933-1942. Certain other persons who were not part of the government, but were prominent in matters concerning refugees during this period, are also included. A separate list of holders of the offices of Home Secretary and Permanent Under Secretary at the Home Office (the civil servant who headed the department) is provided in Appendix 2.

These notes highlight aspects of their subjects' lives which are relevant to this study. The details in the notes relate principally to the period 1933-1942. In selected cases details are also included of earlier or subsequent careers. Honours conferred by 1933 are incorporated in the subject's name. Honours conferred in 1933 or later are recorded in the body of the entry. References to honours are normally confined to peerages and knighthoods. Repetition of biographical details already provided in footnotes is minimised. Entries in respect of career civil servants begin with the name of the government department in which the person concerned was serving in 1933, or if later, in which he first served.

The following abbreviations are used:

Sec - Secretary
US - Under Secretary
PPS - Parliamentary Private Secretary (backbench member of parliament working unpaid for a minister)
Parl US - Parliamentary Under Secretary (junior minister)
Parl Sec - Parliamentary Secretary (junior minister)
PUS - Permanent Under Secretary (civil servant at head of government department)


BARCLAY, SIR COLVILLE HERBERT SANDFORD, Bart.

BENTWICH, NORMAN DE MATTOS

BEVERIDGE, SIR WILLIAM HENRY, 1st Baron Beveridge (1946)

BLAND, GEORGE NEVILE MALTBY

BUNBURY, SIR HENRY NOEL

BUTLER, RICHARD AUSTEN, Lord Butler (1965)

CADOGAN, ALEXANDER GEORGE MONTAGU

CAMPBELL, RONALD HUGH

CARVELL, JOHN ERIC MACLEAN

CHAMBERLAIN, (ARTHUR) NEVILLE

CHURCHILL, WINSTON LEONARD SPENCER
COOPER, ERNEST NAPIER, OBE

VISCOUNT CRANBORNE, ROBERT ARTHUR JAMES GASCOYNE-CECIL, 5th Marquess of Salisbury from 1947

CULPIN, EWART G.

DELEVIGNE, SIR MALCOLM

EDEN, (ROBERT) ANTHONY(Sir), 1st Earl of Avon (1957)

EMERSON, SIR HERBERT WILLIAM

FISHER, SIR (NORMAN FENWICK) WARRREN

GAME, AIR-VICE MARSHALL SIR PHILIP WOOLCOTT

GILMOUR, SIR JOHN

GUINNESS, WALTER EDWARD, 1st Lord Moyne

HAILEY, WILLIAM MALCOLM, 1st Baron Hailey (1936).
HALDANE PORTER, (SIR) WILLIAM

LORD HALIFAX, see WOOD, EDWARD FREDERICK LINDLEY


HAYTER, WILLIAM GOODENOUGH

HOARE, SIR SAMUEL JOHN GURNEY, 1st Viscount Templewood (1944).

HOLDERNESS, SIR ERNEST W E, Bart

JEFFES, MAURICE

KELL, MAJ-GEN SIR VERNON

LATHAM, RICHARD THOMAS EDWIN

LASKI, NEVILLE
(1890-1969): Barrister. President of Board of Deputies of British Jews and Chairman of Joint Foreign Committee, 1933-1940.

LEITH-ROSS, SIR FREDERICK WILLIAM

MACDONALD, MALCOLM JOHN
MACDONALD, JAMES RAMSAY  
President of Council 1935.

MCKILLOP, DOUGLAS  
Peking 1937, Riga 1938-40. Berne 1940. Head of Refugee  
Department 1946. Head of Claims Dept 1947.

MAKINS, ROGER MELLOR, Lord Sherfield (1964)  
(b. 1904): Foreign Office. 3rd Sec Washington 1931. 2nd Sec  
League of Nations and Western Department 1935-8. Asst  
Adviser on League of Nations Affairs 1937, later Adviser.  
Central Dept 1939. Acting 1st Sec Sept 1939. Acting  
Counsellor Aug 1940. Head of Central Dept 1941-2. Seconded  
to Treasury for service with Minister Resident in West  

MALCOLM, MAJ-GEN SIR NEILL  
Commissioner for Refugees 1936-8.

MASON, PAUL  
Acting Head, Refugee Department 1944-5. Acting Counsellor  

MAXWELL, (SIR) ALEXANDER  

MORRISON, HERBERT STANLEY, Baron Morrison (1959)  
County Council 1934-40. Min of Supply 1940. Home Sec and Min  
of Home Security Oct 1940-May 1945. Member of War Cabinet  
1942-5.

LORD MOYNE, 1st Baron, see GUINNESS, WALTER EDWARD

NEWSAM, FRANK AUBREY  
(1893-1964): Home Office. Private Sec to Sir John Anderson  
1925-8. Principal Private Sec to Home Sec 1928-33. Asst Sec  
1933. Principal Officer, South st Civil Defence Region 1939.  
PUS 1948-57.

PARKIN, REGINALD THOMAS  
(b. 1882): Foreign Office, Passport Control Department.  
Served in war of 1914-18. Employed subsequently in the  
intelligence departments of War Office and Home Office. Asst  
Director, Passport Control Department Nov 1919. Senior Staff  
Officer 1940. Employed in Foreign Office from Aug 1941. Ret  
Feb 1942.

PEAKE, OSBERT, 1st Viscount Ingleby (1955)  

PEDDER, SIR JOHN  
(1869-1956): Home Office. Asst Sec 1914. Principal Asst Sec  
by 1925. Ret 1932.
PHILLIPS, SIR FREDERICK

PLAYFAIR, EDWARD WILDER

RANDALL, ALEC WALTER GEORGE

ROBINSON, COURTENAY DENIS CAREW

ROTHSCHILD, ANTHONY GUSTAV DE

ROTHSCHILD, (LORD) NATHANIEL MAYER VICTOR

RUMBOLD, SIR HORACE GEORGE MONTAGUE, Bart

SAMUEL, SIR HERBERT LOUIS, 1st Viscount Samuel (1937)

SCHIFF, OTTO MORRIS, OBE

SCHONFELD, RABBI SOLOMON

SCOTT, SIR (ROBERT) RUSSELL


LORD WINTERTON, 6TH EARL See TURNOUR, EDWARD.


SOURCES

General, published:

Note: Information drawn from annual publications may be several months out of date.

Jewish Year Book. London, annually

British Imperial Calendar and Civil Service List, London, annually (not published 1921-4, 1926, 1942, 1944, 1946-7)


*Dictionary of National Biography*, Oxford, decennially


*Jewish Chronicle*, London, weekly


*The Times*, London, daily

*Who Was Who*, London, decennially

*Who's Who*, London, annually

**General, un-published:**

Records of government departments in the Public Record Office cited elsewhere in this thesis

General Register Office (Births, Deaths and Marriages), London

Schonfeld papers, University of Southampton

Stopford papers, Imperial War Museum

**Specialist, published:**

Appendix 2

HOME SECRETARIES AND HOME OFFICE PERMANENT UNDER SECRETARIES, 1906-1950

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Date appointed

10 Dec 1905 H Gladstone
14 Feb 1910 W Churchill
23 Oct 1911 R McKenna
25 May 1915 Sir J Simon
10 Jan 1916 Sir H Samuel
10 Dec 1916 Sir G Cave (Vt)
10 Jan 1919 Sir E Shortt
24 Oct 1922 W Bridgeman
22 Jan 1924 A Henderson
6 Nov 1924 Sir W Joynson-Hicks
7 Jun 1929 J Clynes
25 Aug 1931 Sir H Samuel
28 Sep 1932 Sir J Gilmour
7 Jun 1935 Sir J Simon
28 May 1937 Sir S Hoare
3 Sep 1939 Sir J Anderson
3 Oct 1940 H Morrison
24 May 1945 Sir D Somervell
3 Aug 1945 J Chuter Ede

PERMANENT UNDER SECRETARIES OF THE HOME DEPARTMENT

1903 Sir M Chalmers
1908 Sir E Troup
1922 Sir J Anderson
1932 Sir R Scott
1938 Sir A Maxwell
1948 Sir F Newsam
This bibliography lists sources consulted, though not necessarily cited, and found useful in preparing this thesis. Works published before 1950 are listed as contemporary works, except for memoirs and diaries, all of which are grouped together irrespective of date of publication. Essays published within collections are listed individually.

The contents have been arranged under the following headings:

1. DOCUMENTARY SOURCES
   United Kingdom:
   1.i. Government papers
   1.ii. Private papers
   United States of America
   1.iii. Government papers
   1.iv. Private papers

2. PUBLISHED SOURCES
   2.i. Official publications
   2.ii. Newspapers and periodicals
   2.iii Memoirs and diaries
   2.iv. Contemporary works
   2.v. Works published after 1950

3. UNPUBLISHED THESES, ETC

4. ORAL HISTORY COLLECTIONS

5. INTERVIEWS
1. DOCUMENTARY SOURCES

United Kingdom

1.i. Government papers (all Public Record Office)

Record classes consulted:

ADMIRALTY
ADM 1 : Admiralty and Secretariat Papers, 1660-1976

BOARD OF TRADE
BT 11 : Commercial Department: Correspondence and Papers, 1860-1973
BT 211 : German Division Files, 1944-1953
BT 56 : Chief Industrial Adviser, 1929-1932

CABINET OFFICE
CAB 15 : Committee of Imperial Defence - Co-ordination of Departmental Action Committees, 1911-1939
CAB 16 : Committee of Imperial Defence, Ad Hoc Sub-Committees, 1905-1936
CAB 21 : Cabinet Office Registered Files, 1916-1960
CAB 23 : Cabinet Minutes to 1939, 1916-1939
CAB 24 : Cabinet Memoranda to 1939, 1915-1939
CAB 26 : Home Affairs Committee, 1918-1939
CAB 27 : Committees General Series to 1939, 1915-1939
CAB 63 : Hankey Papers, 1908-1944
CAB 65 : Cabinet Minutes 1939-1945
CAB 66 : Cabinet Memoranda WP and CP Series, 1939-45
CAB 67 : Cabinet Memoranda WP(G) Series, 1939-41
CAB 71 : Lord President's Committee, 1940-1946
CAB 78 : Committees, Miscellaneous and General Series, 1941-1947
CAB 79 : Chiefs of Staff Committee, Minutes of Meetings, 1939-1946
CAB 80 : Chiefs of Staff Committee(Memoranda), 1939-46
CAB 95 : Committees on the Middle East and Africa, 1939-45
CAB 98 : Miscellaneous Committees, 1939-1947
CAB 104 : Supplementary Registered Files, 1923-1951
CAB 118 : Ministers' Files, 1938-1947
CAB 124 : Minister of Reconstruction, Lord President of the Council and Minister for Science: Secretariat Files, 1940-1965

COLONIAL OFFICE
CO 733 : Palestine Original Correspondence, 1921-1949

DOMINIONS OFFICE
DO 5 : Overseas Settlement Register of Correspondence, 1927-1936
DO 35 : Dominions Office and Commonwealth Relations Office: Original Correspondence, 1926-1961
DO 57 : Overseas Settlement Original Correspondence, 1926-1936

FOREIGN OFFICE
FO 366 : Chief Clerk's Department, Archives, 1719-1959
FO 371 : Foreign Office - General Correspondence: Political 1906-1957
FO 372 : General Correspondence (after 1906) Treaty, 1906-1960
FO 404 : Confidential Print Central Europe, 1920-1947
Indexes (Printed Series) to General Correspondence, 1920-1951
FO 409

Passport Office: Correspondence, 1815-1974
FO 612

War of 1939 to 1945: Ministers Resident, etc, 1942-1945
FO 660

Embassy and Consular Archives Austria: Vienna 1934-1947
FO 741

Private Collections: Ministers and Officials: Various, 1824-1960
FO 800

Ministry of Economic Warfare, 1931-1951
FO 837

War of 1939 to 1945: Consular (War) Department: Prisoners of War and Internees
FO 916

Archives of Intergovernmental Committee on Refugees, Evian, 1938
FO 919

Control Commission for Germany: Records Library 1943-1959
FO 1005

Control Commission for Germany: Prisoners of War and Displaced Persons Division, 1944-1952
FO 1052

HOME OFFICE

Home Office Registered Papers, 1839-1971
HOME OFFICE

Home Office Registered Papers, Supplementary, 1868-1947
HOME OFFICE

Home Office: Aliens Department: General(GEN) Files and Aliens Naturalisation and Nationality (ALN and NTY Symbol Series) Files, 1920-1961
HOME OFFICE

Internees: Personal Files, 1940-1949
HOME OFFICE

Internment: General Files, 1940-1951
HOME OFFICE

Czechoslovak Refugee Trust: Records, 1938-1979
HOME OFFICE

Home Office - Long Papers, 1897-1963
HOME OFFICE

Home Office Establishment Division S.GEN Files, 1908-1957
HOME OFFICE

MINISTRY OF LABOUR:

Correspondence, 1897-1933
LAB 2

Nominal and Subject Indexes to Correspondence, 1897-1933
LAB 7

Employment, 1909-1973
LAB 8

Overseas 1923-1967
LAB 13

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD

Labour and Wages Correspondence and Papers, 1900-1959
MAF 47

MINISTRY OF HEALTH

General Health Questions, 1910-1972
MH 58

Emergency Medical Services, 1935-1970
MH 76

PRIME MINISTER'S FILES

Prime Minister's Office: Correspondence and Papers, 1916-1940
PREM 1

Confidential Papers, 1939-1946
PREM 4

TREASURY

Finance files, 1887-1948
T 160

Supply Files, 1905-1951
T 161

Establishment files, 1890-1948
T 162

Blue Notes, 1880-1968
T 165

Chancellor of the Exchequer's Office: Miscellaneous Papers, 1792-1960
T 172

Special Areas Loans Advisory Committee, 1937-1948
T 187

Leith Ross Papers, 1898-1968
T 188

Establishment Officer's Branch: Files, 1821-1935
T 199
T 210 : Czechoslovak Financial Claims Office: Files 1939-1947
T 220 : Imperial and Foreign Division: Files, 1914-1961
T 221 : Law and Order Division: Files, 1880-1977
T 236 : Overseas Finance Division: Files, 1920-1966

TREASURY SOLICITOR
TS 26 : Treasury Solicitor and HM Procurator General: War Crimes Papers, 1919-1946
TS 27 : Registered Files: Treasury and Miscellaneous Services, 1843-1971

OTHER
PRO 30/69 : Ramsay MacDonald Papers, 1793-1869
PRO 30/78 : Anglo-American Committee of Enquiry on Palestine, 1945-47

1.ii. Private papers

Listed under location

Board of Deputies of British Jews, London
Committee and Departmental Papers: General papers - Refugees

Bodleian Library, Oxford
Society for the Protection of Science and Learning
(including papers of the Academic Assistance Council)

Birmingham University Library
Neville Chamberlain

British Library, London
James Chuter Ede

Lord Beveridge
Herbert Morrison (Jones/Donoghue papers)
Sir Andrew MacFadyean
Political and Economic Planning (PEP)

Cambridge University Library
Lord Baldwin
Sir Francis Meynell
Lord Templewood

Imperial War Museum, London
Robert Stopford
Julian Layton

Institute of Jewish Affairs, London
World Jewish Congress (British Section)

Rothschild Archive, London
Anthony de Rothschild
Lionel de Rothschild

Parkes Library, University of Southampton
Archives of the Council of Christians and Jews
Rabbi Solomon Schonfeld papers
Mrs Leslie Edgar papers
Cissy B Rosenfelder papers

Wiener Library, London
Central British Fund for World Jewish Relief (microfilm)
Council for German Jewry

United States of America

1.iii. Government papers

US National Archives, Washington
Records of the Department of State (Record Group 59),
Central Decimal File, File nos: 548.G1; 740.0011 European
War 1939; 740.0016 European War 1939; 840.48 Refugees;
862.4016

1.iv. Private papers

Listed under location

American Jewish Joint Distribution Committee, New York
Archives of the American Jewish Joint Distribution
Committee, 1933-1944

Columbia University, Rare Book and Manuscript Library, New
York
Paul Baerwald
James G McDonald

Leo Baeck Institute, New York
Margaret Czellitzer Memoirs

Library of Congress, Manuscripts Division, Washington
Harold L Ickes
Cordell Hull
Felix Frankfurter
Breckenridge Long

Franklin D Roosevelt Presidential Library, Hyde Park, New
York
Henry Morgenthau Jr
Records of the War Refugee Board

New York Public Library, Rare Books and Manuscripts Division
Emergency Committee in Aid of Displaced Foreign Scholars

YIVO Institute of Jewish Research, New York
HIAS(Hebrew Immigrant Aid Society) and HICEM Central Office,
New York RG 245.4
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HICEM Lisbon Office 245.6

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Mrs Hilary Bradshaw, 26 Jun 1988, London
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Dr Josephine Breughel, 13 Apr 1988, London
Mr Albert Cooper, 13 Jun 1989, London
Dr Frank Falk, 16 and 23 Jun 1989, London
Mr Ernst Guter, 7 May 1989, London
Mr Sylvain Hayum, 11 Jan 1990, New York
Mrs Susanne Horwell, 19 Apr 1988, London
Mrs Beryl Hughes, 7 Nov 1988, Oxford
Mr Gerald Jackman, 28 May 1988, Leeds
Mrs Eva Jones, 27 Apr and 2 May 1988, London
Mr Rudi Jones, 27 Apr and 2 May 1988, London
Mr Leo Kahn, 12 Apr 1988, Wembley
Mr Herbert Katzki, 10 Jan 1990, New York
Dr Sullivan Kaufmann, 21 Jul 1987, London
Mr Julian Layton, 20 Apr 1988, London
Mrs Gertrud Levy, 21 Mar 1989, London
Mr Ernst Littauer, 18 Jul 1988, London
Mrs Ilse Meyer, 13 and 21 Apr 1988, London
Mrs Ruth Piuck, 29 Jul 1988, London
Prof Peter Pulzer, 8 Aug 1987, Oxford
Mrs Susanne Rosenstock, 6 May 1989, London
Dr Werner Rosenstock, 19 Apr 1988 and 6 May 1989, London
Mr Edmund de Rothschild, 22 Nov 1990, London
Lady Charlotte Simon, 22 Sept 1985, Oxford
Miss Joan Steibel, 22 Mar 1988, London
Mr Ernst Sterne, 27 May 1988, Leeds
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Prof Gunther Treitel, 7 Aug 1987, Oxford
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