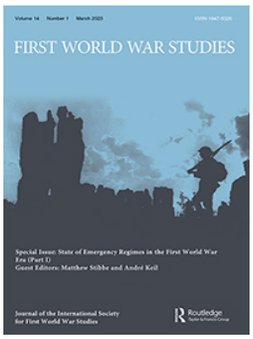

First World War Studies

ISSN: (Print) (Online) Journal homepage: www.tandfonline.com/journals/rfww20

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To cite this article: André Keil (2023) A Very British Dictatorship: The Defence of the Realm Act in Britain, 1914-1920, First World War Studies, 14:1, 51-70, DOI: 10.1080/19475020.2024.2307040

To link to this article: https://doi.org/10.1080/19475020.2024.2307040

Published online: 18 Mar 2024.

FIRST WORLD WAR STUDIES
2023, VOL. 14, NO. 1, 51–70
https://doi.org/10.1080/19475020.2024.2307040

Routledge
Taylor & Francis Group

A Very British Dictatorship: The Defence of the Realm Act in Britain, 1914-1920

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ABSTRACT

When Britain entered the First World War on 5 August 1914, it had no established set of emergency powers comparable to the other belligerents. Nonetheless, within a matter of days, Parliament passed the Defence of the Realm Act (DORA), which allowed the British government to rule by decree and suspend vital elements of the unwritten constitution. Consequently, the supremacy of the Parliament and key aspects of the rule of law, both seen as cornerstones of the self-proclaimed 'liberal'political culture in Britain, were de facto put on hold for the duration of the war. This article argues that the Defence of the Realm Act established what can only be described as a 'commissary dictatorship' yet one that was hidden in plain sight. While DORA presented the government with hitherto unprecedented powers, government ministers sought to avoid the impression of an overly oppressive use of them. The practice under the state of exception in Britain during the war was often shaped by the desire of government ministers to avoid the use of emergency powers and to use indirect and non-public channels of policymaking instead. Yet, as the article highlights, when necessary, the British state was capable of using DORA for the ruthless repression of dissent and industrial unrest. Overall, this piece posits that the state of exception under DORA had dictatorial features that were, however, kept in check by a sense of pragmatism and a willingness to compromise to avoid the escalation of conflicts on the homefront.

ARTICLE HISTORY
Received 19 February 2023
Accepted 21 November 2023

KEYWORDS
Defence of the Realm Act; emergency powers; First World War; United Kingdom; law

On 8 August 1914, just days after Britain had declared war on Germany, both Houses of Parliament passed one of the widest-ranging pieces of legislation in the history of the country in record time and without any meaningful debate. The Defence of the Realm Act 1914 (DORA) was indeed unprecedented. The provisions of the Act enabled the government to issue decrees and regulations 'for securing the public safety and the defence of the realm'.[1] Furthermore, it sanctioned the 'trial by courts-martial and punishment of persons contravening any of the provisions of such regulations [...]'.[2] Although it explicitly cited the prevention of 'communication with the enemy', espionage, as well as the 'safety of railways, docks or harbours' as its primary purpose, DORA essentially functioned as an enabling act that delegated legislative powers to the executive.

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This meant that the executive branch of government was effectively given the power to create new legislation – by using the instrument of so-called Orders in Council – without the need to involve Parliament or to receive its consent. Effectively, this suspended the sovereignty of Parliament – often seen as a cornerstone of the unwritten British constitution – for the duration of the war. At the same time, it enabled the government to put British subjects before courts-martial, which operated outside the established legal system and common law, if they were suspected of breaching the so-called Defence of the Realm Regulations (DRR). Owing to the particularities of the unwritten constitution of the United Kingdom, DORA did not explicitly suspend customary civil liberties as emergency legislation did in other countries. Instead, it significantly expanded executive powers and removed the traditional recourse of affected individuals to the courts and Parliament for the duration of the conflict. Although the term was scarcely used at the time, DORA effectively established what the German political theorist Carl Schmitt called a 'commissary dictatorship' to deal with the existential emergency that the war presented.[3]

However, this article will argue that despite the potentially unrestricted use of emergency powers, the handling of DORA was constrained by several factors. One of these factors was that, at least under Liberal Prime Minister Herbert Asquith, many government ministers were reluctant to use their new emergency powers to the full extent. To a degree, the rule under DORA clashed with their national identity and liberal ideals. The use of emergency powers or martial law was seen as distinctively un-British and alien to the rights of 'freeborn Englishmen'. Yet, for the most part, this reluctance was influenced by a rather pragmatic 'business as usual' attitude that saw coercive emergency powers as a last resort rather than the method of choice. Ministers feared that a too heavy-handed approach would do more than good and provoke unnecessary resistance against the war effort. That was particularly relevant in the first years of the war when economic and societal mobilisation still relied heavily on voluntarism. After the introduction of conscription in January 1916, and particularly after David Lloyd George became Prime Minister in December of the same year, most of these mitigating liberal inhibitions fell away. Nonetheless, the British government was concerned that using emergency powers to suppress the growing anti-war dissent would damage its image in neutral countries, especially the United States. Like in other areas, for instance censorship and propaganda, the preferred way of dealing with these issues was to co-opt 'patriotic' organisations and spontaneous mobs that would orchestrate the often-violent suppression of peace and protest meetings.[4]

While this article can only discuss the developments in Great Britain itself (meaning England, Scotland, and Wales) in detail due to space constraints, it is essential to emphasise that the implications of DORA went well beyond it. Notably, the dominions of the British Empire copied and emulated DORA in their own wartime emergency powers legislation. In Canada, for instance, Parliament passed the War Measures Act, which provided the government with similar broad powers and a significant extension of its authority, including issuing law-like emergency decrees. It also provided legal cover for the large-scale internment of ethnic Ukrainians, who were regarded as Austro-Hungarian enemy aliens, in labour camps in the country's interior.[5] Similarly, the Australian War Precautions Act of October 1914 empowered the government to issue emergency decrees and intern enemy aliens. Particularly after 1916, the Australian

government used these emergency powers to suppress anti-war dissent and labour strikes.[6] Closer to Britain, and arguably with the most far-reaching implications, DORA was used in Ireland to suppress the Irish Republican insurgency after the Easter Rising in 1916. As a part of the United Kingdom at the time, DORA applied to Ireland like it did to the other parts of the country. Although it was temporarily superseded by the declaration of martial law by the military in 1916, it became the primary legal basis for political repression in Ireland until 1920, when it was replaced by the Restoration of Order in Ireland Act. Yet the use of DORA in Ireland vividly demonstrated its potential to facilitate government excess during the wartime state of exception. For instance, between 1916 and 1920, thousands of Irish Republicans were detained without trial under DRR 14B and sometimes held in custody for months or years. In theory, the British government could have used the same methods in other parts of Britain to suppress dissent – and indeed, it occasionally threatened to do so. However, fears of an uncontrollable escalation of domestic conflicts helped restrain the use of DORA.

Yet, the most important limitation placed upon the use of emergency powers was undoubtedly the lack of sufficient manpower and experienced staff in the police and military to enforce the plethora of DRRs that now regulated almost every aspect of daily life on the home front. Rather than pursuing a coherent political agenda and domestic strategy, the Lloyd George government followed an increasingly authoritarian approach of 'muddling through' the crisis of the war. The authorities often reacted in an ad hoc manner to new challenges, trying to appease protests – especially when confronted with strikes – yet sometimes also resorting to the draconian use of emergency powers. Pragmatic authoritarianism became a hallmark of this very British dictatorship during the war.

The Making of DORA

Unlike most belligerents, the United Kingdom had no established set of emergency laws for the case of a war or a severe domestic crisis in August 1914. In Germany, France, and Austria-Hungary, for instance, as the other contributions to this special issue show, different state-of-siege-style pieces of legislation existed that mostly dated from the second half of the nineteenth century. The notion, however, that emergency powers were alien to British political culture is a convenient myth. As Charles Townshend points out, emergency legislation had been passed with great regularity in the eighteenth and early nineteenth centuries to deal with domestic unrest and the threat of revolutionary subversion.[7] This was particularly the case during the French Revolution, the Napoleonic Wars, and their aftermaths. For instance, in December 1795, Parliament passed the Seditious Meetings Act alongside the Treason Act, both of which were designed to suppress the radical agitation of the 'British Jacobins'.[8] Another case in point was the so-called 'Six Acts', a series of repressive laws enacted in 1819 to suppress demands for political reform. However, rather than establishing a blanket state of exception, these pieces of legislation were designed to suppress the activities of certain groups or specific forms of political activity.

In cases of large-scale public disorder, another legal instrument was frequently used. The so-called 'military assistance to the civilian authority' allowed the authorities, including local magistrates, to call on the assistance of armed troops in cases of riots

and disorder. In some cases, this was combined with the reading of the 1714 Riot Act, which explicitly allowed for the use of lethal force to disperse crowds. Similar to declarations of a state of siege elsewhere in Europe, the Riot Act had to be read out in public by a magistrate, thus effectively establishing a temporary state of exception in a specific locality. Once the Riot Act was read, military and local militias could lawfully 'kill, maim or hurt' illegally assembled protestors.[9] Throughout the nineteenth and early twentieth centuries, the use of the Riot Act to suppress protests and strikes resulted in some political scandals. The Peterloo Massacre on 16 August 1819, at which fifteen protesters were killed and over 650 injured by local militias in Manchester, is only the most prominent example.[10] Other cases included the so-called 'Featherstone Massacre' in 1893, where troops killed three striking miners in South Yorkshire.[11] The domestic deployment of troops became more frequent in the years before the First World War, mainly in response to growing labour militancy.[12] This was criticised by Liberals and after 1900, especially by politicians of the newly-formed Labour Party. Eventually, the military reforms under Lord Haldane between 1906 and 1909 removed from local magistrates the power to requisition troops to intervene in local disputes. Instead, this power now rested with the Home Secretary.[13]

However, using troops in strikes remained a common occurrence before the First World War. One of the reasons might have been that the comparatively restricted use of troops under the Riot Act was considered preferable to full-blown martial law. Since the late seventeenth century, martial law in England – and with it other forms of general emergency powers – had been associated with tyrannical forms of government incompatible with the rule of law. However, this concern did not extend to Ireland and other parts of the Empire. Martial law was regularly declared during colonial crises. For instance, martial law was imposed in Ireland in 1798 and 1803 to suppress revolutionary uprisings. In other parts of the Empire, for instance, in Barbados in 1805 and 1816, Demerara in 1823, and Jamaica in 1831, it was used to quash slave rebellions. However, particularly after the brutal suppression of the 1865 revolt in Jamaica, the British government was increasingly reluctant to sanction martial law because it often contributed to an escalation and loss of control on the ground rather than the swift restoration of order.[14]

These historical contexts are relevant to explain why the development of emergency legislation took a direction different from other European countries before 1914. In 1911, the British government began with detailed preparations for the eventuality of a major European war. For this purpose, a so-called 'War Book' was prepared, containing an exhaustive list of actions to be taken by government departments and the military at the outbreak of war.[15] The War Book was updated by the Committee of Imperial Defence (CID) – a civilian-military body – on an annual basis and gradually extended.[16] While the majority of provisions concerned matters such as the issuing of mobilisation orders and transport, there were also discussions about the need to impose censorship and to give the police the right to arrest and detain individuals suspected of espionage without a warrant or trial. The military representatives on the CID argued for emergency powers similar to those of other European countries. Mainly, Vernon Kell, jointly responsible for the newly created Secret Service Bureau and head of its domestic and counterintelligence branch, MI5, argued for special powers to combat the threat of an allegedly extensive network of German spies operating in Britain. Kell emphasised that the example of other

conflicts had proven that effective counterespionage was only possible when certain civil liberties were suspended, which would otherwise unduly protect suspected spies. This was met with some resistance from government ministers who were alarmed by the idea that some of the envisioned emergency powers would potentially remove the military from civilian control.

In order to work out a compromise between the cabinet and the military leadership, a standing subcommittee was established within the CID in 1912 to draft proposals for new emergency powers. The correspondence between members of this subcommittee highlights how vast the gulf between the military and government was on this issue. Kell circulated several proposals for an Emergency Powers Bill mainly based on martial law regulations used during the South African War (1899–1902). This included the blanket introduction of press and postal censorship, a suspension of *habeas corpus*, the establishment of courts-martial for civilians, and the power of military commanders (so-called Competent Military Authorities or CMAs) to issue emergency decrees.[17] These proposals seemed to confirm the fears of the Liberal cabinet that emergency powers would result in an undesirable power shift towards the military. Home Secretary Reginald McKenna refused the proposals and commissioned an official legal opinion by Solicitor General John Simon and Attorney General Rufus Isaacs. In July 1913, Simon and Isaacs circulated their rebuttal of the military proposals in which they argued that the established Common Law already provided enough flexibility to enact emergency power, if necessary, but otherwise left the supremacy of Parliament and civilian courts untouched.[18] After this initial exchange of positions, the work of the subcommittee fell dormant, and only one more meeting took place on 30 June 1914 – without achieving any compromise.[19]

The version of DORA passed on 7 August 1914 in Parliament did, in the end, follow the suggestions made by the military leadership and intelligence services. It is difficult to explain the exact reasons why the government gave up its resistance. There is no indication of any serious discussion in the cabinet. Likewise, when DORA was introduced in both Houses of Parliament, no serious debate took place either. DORA was presented as a matter of necessity and urgency, and it seems that no MP was willing to risk being seen as unpatriotic or obstructive in the face of a national emergency.

Despite the already wide-ranging powers conferred to the military under DORA, a first amendment was introduced on 25 August 1914 that extended and specified these powers even further.[20] Immediately after the enactment of DORA, there was some confusion about when and where the military could exercise emergency powers at its discretion. The Defence of the Realm (No. 2) Act extended the reach of the powers of the military authorities beyond harbours, rails, and roads 'to all areas in which trade is being carried on'; extended the section of DORA which made communication with the enemy a felony with the spreading of false reports; and gave the military authorities the power of 'making by-laws without the existing restrictions such as consents of local authorities, publication in newspapers, etc., which occupy time and are inapplicable to war conditions'.[21] The only criticism articulated in Parliament came from the Liberal MP Charles Trevelyan, who asked whether 'the Bill in general and the Regulations to be issued, may not be capable of being interpreted by military authorities to prevent the expression in speech or in writing of any political opinions on the actions of the Government'.[22] McKenna assured the House of Commons that this would not be the

case and allayed Trevelyan's concerns.[23] The Defence of the Realm (No. 2) Act passed both Houses of Parliament without further discussion in a similarly speedy manner as its predecessor in a matter of days.[24]

The first area where the new emergency powers made their presence felt was the censorship of the press. Although the British government and the Newspaper Proprietors Association had come to a secret agreement before the war that both censorship and propaganda would be handled in a cooperative way, there were now reports of an overbearing and heavy-handed treatment of journalists.[25] When, on 23 November 1914, the subsequent amendment to DORA that included the possibility of issuing the death penalty to British civilians by a court-martial was introduced to Parliament, a vivid discussion ensued. The bill was attacked by prominent Liberals and Conservatives alike, including Lord Robert Cecil, Andrew Bonar Law, and the Law Lords Loreburn and Crawford.[26] Being visibly surprised by the strength of feeling on the issue and the resistance in both houses, the government toned down the bill. It removed the threat of death penalties for British civilians put before a court-martial. The Lord Chancellor, Richard Haldane, also promised a review of DORA to address concerns articulated during the debate.[27] After these concessions, the Defence of the Realm Consolidation Act 1914 was passed by Parliament and replaced the two previous iterations of DORA. With some delay and after growing pressure from Parliament, the government introduced another bill in March 1915 that removed the threat of a court-martial for breaches of Defence of the Realm Regulations. Instead, most such cases could now be heard before ordinary courts of summary jurisdiction as long as the expected penalty did not exceed six months imprisonment or a fine of £100.[28] This Defence of the Realm (Amendment) Act 1915 was the last significant change to the legal framework of emergency powers that Parliament could force through. For the remainder of the war – despite growing discontent among some Liberal and Labour MPs – the government had a free hand in using DORA.

In addition to DORA, several other emergency laws were enacted in 1915 to address specific issues. The most important one that can be classified as a form of emergency legislation was certainly the Munitions of War Act 1915.[29] It was a direct response to the so-called 'Shell Crisis' of May 1915, when the disastrous outcome of a British attack in Aubers was blamed on the lack of a sufficient supply of shells for the heavy artillery. The issue was widely publicised in a series of articles in *The Times* and soon grew into a full-blown political crisis, which led to the formation of a national coalition government and the appointment of Lloyd George as Minister of Munitions.[30] The munitions crisis highlighted the slow pace at which the British industry had adapted to the demands of industrialised warfare. In addition, a series of strikes, such as the large-scale walkout of coal miners in South Wales, posed a challenge to the government. The Munitions of War Act 1915 responded to these challenges by effectively outlawing strikes in industries producing war-relevant goods, especially shells and other ammunition. Factories could now be declared 'controlled establishments' by the Ministry of Munitions, which meant that the existing labour legislation and regulations could be suspended. This included a ban on workers leaving their jobs at such 'controlled establishments' – a common practice for those seeking higher wages in other industries at a time of severe labour shortages. Special 'Munitions Tribunals' were established to prosecute breaches of the Munitions of War Act. At the same time, however, the government also sought to address

the grievances of workers by officially recognising trade unions as the representatives of organised labour. Strikes were supposed to be avoided by imposing compulsory arbitration via, at least on paper, independent commissions. The government also promised to tackle galloping inflation, impose taxes on excess wartime profits, and, most importantly, reverse any measures that had 'diluted' the status and benefits of skilled workers and engineers in critical industries.[31]

The Munitions of War Act 1915 was an attempt to force both employers and trade unions into a form of state-command industry. However, despite significant efforts, neither labour nor industrialists fully bought into this system and sought to preserve some autonomy, a fact that the British government tacitly acknowledged. Yet the Munitions of War Act 1915 and the emerging system of wartime industrial relations are other examples of the pragmatic authoritarianism mentioned earlier. These emergency powers were very intrusive and wide-ranging on paper, yet they were handled with some flexibility. Where possible, the authorities sought to address what were considered justified demands for higher wages or better working conditions and to avoid open confrontation. However, harsh repression was readily applied when such attempts at appeasing labour unrest failed.

The introduction of conscription by the British Parliament in January 1916 was also criticised as another oppressive measure of the authoritarian wartime state. It was, in many ways, an inevitable step necessitated by the mounting losses of the British Army. Yet, it also marked a rupture with the liberal ideal of voluntarism and self-mobilisation.[32] Critics also argued that combined with the repressive powers under DORA, the government might use conscription to introduce a compulsory labour service ('industrial conscription'), outlaw strikes, and suppress trade unions. While none of these fears materialised, partly because leading figures of organised labour and the Labour Party fulfilled roles in the government, they nonetheless galvanised a highly active protest movement in the form of the National Council for Civil Liberties.[33] Following its pragmatic approach of indirect repression, the British state initially allowed dissident groups some space. However, the activities of anti-conscription groups were frequently subject to attacks from 'patriotic' vigilante groups that were tacitly endorsed by the authorities.

Establishing the State of Exception

DORA provided a broad legal framework that enabled the government and military authorities to rule Britain effectively by decree. The cabinet could issue so-called Defence of the Realm Regulations (DRRs) on a national level. These regulations took the form of Orders in Council, a legal instrument based on the royal prerogative, which effectively allowed 'His Majesty-in-Council' to enact law-like regulations within the broad remit of DORA. The government was aware that this meant that the sovereignty of Parliament was effectively suspended for the duration and sought to downplay the gravity of the shift in legislative power. The first DRR, issued on 12 August 1914, stated that the government intended that 'the ordinary avocations of life and the enjoyment of property will be interfered with as little as may be permitted by the exigencies of the measures required to be taken for the public safety and the defence of the realm'.[34] This reflected the notion of 'business as usual' that

the cabinet under Prime Minister Asquith initially sought to maintain. It also reflected the language used in the declarations of the state of siege and martial law in other belligerent countries. In reality, however, the government and military passed new DRRs with increasing frequency – so much so that local authorities and military commanders soon struggled to keep up with new regulations. For this purpose, the Stationery Office published a so-called Defence of the Realm Manual that contained all DRRs, including any additions and amendments. The edition of February 1918 featured 246 DRRs and numbered more than five hundred pages.[35]

Most DRRs consisted of several sub-regulations that were ordered by letters. DRR 2, for instance, which allowed the military authorities to requisition and commandeer goods and property, had no fewer than twenty-five additional sub-regulations stretching from DRR 2A to DRR 2T (including several sub-subregulations, for example DRR 2AAA). Overall, the government enacted over 1,000 individual defence regulations between August 1914 and November 1918. In September 1914, a standing cabinet subcommittee (the Defence of the Realm Regulation Amendment Committee) was established to draft new regulations and amend existing ones. Regular attendees at the subcommittee included the three principal Law Officers of the Crown (Attorney-General, Solicitor-General, Treasury Solicitor), the head of the SIS, Vernon Kell, and later also the head of the Directorate of Military Intelligence, Lieutenant-General George MacDonogh. The different government departments also had representatives in the subcommittee, yet the attendance of ministers was a relatively rare occasion. The initiative for new defence regulations came very often from the military representatives, especially MI5 chief Kell.[36] The subcommittee tended to forward regulations drafted by the military and intelligence services to the cabinet for approval without much discussion or amendment. Ministers whose departments were affected by new defence regulations were usually consulted during drafting but rarely expressed notable dissent. On the very few occasions where proposed measures were questioned, they were generally justified, emphasising necessity, urgency, and a lack of viable alternatives. This was usually enough to ensure a swift enactment of DRRs by the government. It seems that few civilian ministers felt they were in a position to resist demands by the military and intelligence services. Through their assumed expertise and effective work in the defence regulation subcommittee, military men like Kell and MacDonogh exercised influence over the government that would have been unthinkable before the war.

However, applying and using the new emergency powers on the ground was a different matter. DORA not only conferred the power to create DRRs to the government, but it also gave local military commanders (the CMAs, as mentioned above) the power to issue local decrees and by-laws. Already on 4 August 1914, an Order in Council was issued to the effect that all British subjects were to assist the military authorities in the defence of the realm:

> And whereas the present state of public affairs in Europe is such as to constitute an imminent national danger, Now, THEREFORE, We strictly command and enjoin Our subjects to obey and conform to all instructions and regulations which may be issued by Us or Our Admiralty or Army Council, or any officer of Our Navy or Army, or any other person acting in Our behalf for securing the objects aforesaid, and not to hinder or obstruct, but to afford all assistance in their power to, any person acting in accordance with any such

> instructions or regulations. Or otherwise in the execution of any measures duly taken for securing those objects.[37]

These provisions were rather vague, and DORA did little to clarify them. It was, for instance, unclear who was considered a CMA or 'Competent Military Authority' and what the exact geographical remit of their executive powers was. Particularly in the first weeks of the war, in some areas, any commissioned officer was regarded as being able to issue local by-laws and assume command over the local police. In other places, the assumption was that only commanding generals and their deputies could exercise emergency powers under DORA. The Army Council and the government received frequent enquiries asking for clarifications. Sometimes, these came from military officers. Very often, however, they were also written by Chief Constables of the local police seeking clarification on whether they should follow orders by military officers. The unclear chain of command led to several initiatives on the ground that caused some problems for the military leadership and the authorities. Already in September 1914, the Army Council issued a strongly worded instruction to the local military commanders, emphasising that only the commandants of defended harbours, military bases, and the commanding officers of divisions and their deputies could act as Competent Military Authorities for the purposes of DORA.[38] Yet it took until mid-1915 to fully enforce a clear chain of command on the British home front.

After this point, a relatively well-honed system of civilian-military cooperation emerged. Within this system, the local Chief Constables played a crucial role. For political reasons, the military authorities sought to avoid using uniformed soldiers when enforcing DRRs or handling labour unrest. This was influenced by the official propaganda that this was a war against 'Prussian militarism' and a reaction to the growing accusation by dissenters that the government was practicing 'Prussianism at home'.[39] More importantly, however, it was a pragmatic choice. The police forces, with their knowledge of local communities and circumstances, were better placed to effectively control and enforce adherence to defence regulations than soldiers without practical experience in such matters. Alongside the various intelligence agencies, such as MI5 or the Munitions Ministry's PMS2, the local police forces were also valuable assets for collecting information on labour issues and the general mood in the country. This was usually done on the initiative of Chief Constables, who often also forwarded their findings to the Home Secretary. When it came to dealing with local protests, Chief Constables very typically advised the CMA, who in turn tended to follow the recommendations of the police. This gave the Chief Constables significant, albeit indirect, influence on handling emergency powers on the ground and allowed them to shape the regime under DORA. Yet it also ensured a more flexible approach to managing wartime society that, to some extent, allowed the authorities to react to local circumstances more effectively.

Another feature of this flexible approach was the co-option of 'patriotic' groups to suppress protest and dissent. Rather than using emergency powers to ban undesired public gatherings officially, indirect and more discreet methods were preferred. From 1916 onwards, reports of meetings broken up by violent 'patriotic' mobs became more frequent.[40] In most of these occurrences, police were present at the scene, yet constables were unwilling or unable to interfere with violent attacks on anti-war dissenters. By 1917,

the violent attacks on opposition meetings became so common that, for instance, the relatively tame Union of Democratic Control urged its members only to organise and advertise public meetings in areas where the sufficient presence of 'sympathetic labour' was possible to defend attendees against violent attacks.[41] The tacit cooperation between local 'patriotic' groups and the police (who would also often share information on upcoming meetings) helped to create the appearance of the government seeking to uphold and defend 'British liberties' while also effectively suppressing dissenting voices. In other belligerent countries, for instance, Germany, the repression of protests and anti-war dissent led to an increasing militarisation of policing the home front. This was not the case in Britain. As long as strikes and protests were relatively localised, there was no need to deploy the military on a large scale to deal with them. The situation could often be diffused by either addressing the demands of strikers or encouraging 'patriotic' groups to take matters into their own hands. The use of troops to deal with domestic disturbances did, however, become a frequent occurrence after the war in 1919. For instance, armed soldiers and tanks were deployed to intimidate striking workers in Glasgow in January 1919 and to restore order in Liverpool after the Police Strike in August of the same year.[42]

Civilian Internment and Repression Under DORA

The regime under DORA was initially marked by a certain restraint and a preference for indirect ways of dealing with dissent and opposition. This began to change in 1915 when the government introduced a series of DRRs designed to allow the arrest and internment of so-called 'enemy aliens' and political suspects. Other regulations, such as DRR 9A, were introduced to enable the authorities to ban any meeting or procession.[43] A later addition, DRR 9AA, allowed the authorities to search any premises and seize anti-war publications and literature without writs and warrants.[44]

Regarding impact, the most significant regulation was DRR 14B, enacted by the cabinet on 10 June 1915.[45] DRR 14B gave the Home Secretary the power to order the arrest and indefinite detention of 'persons of hostile origin or association'.[46] For this purpose, the Home Secretary could issue arrest warrants after the 'recommendation of a competent military or naval authority or one of the advisory committees' for the detention or confinement of any person considered a threat to public safety.[47] In most cases, arrests and detention without trial were the results of recommendations by the local CMA, which often received the names of undesirables and suspects from the local police. Although the final decision rested with the Home Secretary, these recommendations were usually signed off without much question. DRR 14B could be applied to any British subject if the authorities regarded them as a threat to the war effort. This meant the effective suspension of *habeas corpus* by decree and without the consent or consultation of Parliament.

In practice, the term 'hostile origin' was used to justify detaining those naturalised British subjects born in an enemy country (mainly Germany) without trial. Yet, it was soon also applied to those born in Britain to German parents, which effectively introduced a racialised notion of the German enemy into the handling of emergency powers. It also implied that the Home Secretary had the discretionary power to deprive British subjects of the most basic protections of their civil liberties, according to criteria the

government could define on its own. This introduced a form of detention without trial akin to instruments like *Schutzhaft* (protective custody) in Germany.[48] These points were raised, and the government was heavily criticised in the House of Commons. During the debate on 17 June 1915, the Liberal Home Secretary John Simon, a staunch opponent of emergency powers before the war, justified the introduction of detention without trial as follows:

> I do not myself think that you ought to draw a strict line of legal division between persons who are naturalized and persons who are natural born citizens of this country. When a person is naturalized and given a certificate he is, by the terms of that certificate, assured by the State that henceforward he will stand in the same position as a person who is a natural-born British subject. I think we should be acting very foolishly if we did not remember that we had given that promise. The right way to deal with the matter is to say, 'I do not care whether a man is natural born or naturalized'. There is a rule which, in time of war, we must apply, and that rule is, that when it is fairly shown that an individual is dangerous to the State, because he is at large, whether it be because of his hostile origin or because of his hostile associations, then if it is fairly shown, even if he is a British-born subject, he must submit to restraint.[49]

DRR 14B also provided the basis for the large-scale arrests and internment of civilians as 'enemy aliens' in internment camps. The largest of these civilian internment camps, with approximately 23,000 internees, was situated in Knockaloe on the Isle of Man.[50] The indiscriminate application of DRR 14B also highlights that the distinctions between the external foe and the 'enemy within' became increasingly blurred the longer the war continued.

The concept of 'hostile association' was even vaguer than the notion of 'hostile origin'. It soon was interpreted to include individuals who could be classified as 'political prisoners'. This included Irish Republicans, Indian nationalists, Russian anarchists, and radical socialists. Initially, however, the numbers of these detainees remained relatively small compared to the internment of 'enemy aliens'. Between March 1915 and April 1916, only thirty-six individuals were arrested and detained under DRR 14B on the grounds of their alleged 'hostile association'. This number rose in England, Scotland, and Wales to around 160 by the end of the war.[51] If we look at Ireland, the picture changes entirely. On the first day of the Easter Rising on 24 April 1916, the Lord-Lieutenant of Ireland, Lord Wimborne, issued a declaration of martial law in Dublin and a day later for the whole of Ireland. In practice, this meant that DORA remained in operation yet without the limitation introduced with the Defence of the Realm (Consolidation) Act of March 1915. In other words, civilians in Ireland could be tried and even sentenced to death by military courts for particular offences. In the immediate aftermath of the Easter Rising, some 2,000 individuals were arrested by the military under DRR 14B, and most of them were transported to the prison camp in Frongoch in North Wales.[52] They were kept there until most Irish prisoners were released in December 1916 as a political gesture by the British government. Yet between January 1917 and August 1920, when DORA was replaced by the Restoration of Order in Ireland Act, several hundred republican activists and politicians were arrested under DRR 14B or for breaches of other DRRs, especially 42 and 50, that allowed prosecution for seditious speeches or statements likely to prejudice the war effort.[53]

In theory, detainees in England, Wales, and Scotland, as well as in Ireland, had the right to appeal to an 'advisory committee' presided over by a senior judge, which had the power to review their detention. Yet these reviews rarely concluded in favour of the prisoners. This led to a few cases where detainees sought to challenge emergency measures under DRR 14B. In the case of *Ronnefeldt v Phillips*, for instance, a British-born businessman sought to repeal a removal order by the local CMA in Cardiff that forced him to leave his home and business. The case was heard before the High Court and the Court of Appeal.[54] All courts rejected Ronnefeldt's arguments that the CMA had acted *ultra vires* (beyond its powers). Yet, more importantly, they also denied his legal counsel access to classified evidence that could support his case. The judges argued that the nature of emergency powers did not require the authorities to present evidence. In a similar vein, they rejected the demand to explain the facts as to why Ronnefeldt was considered suspicious. Instead, the authorities merely needed to act in 'good faith', and removal orders or detention without trial had to be in the interest of the defence of the realm.[55]

The most prominent challenge to DRR 14B – and DORA more generally – was *Rex v Halliday ex parte Zadig*.[56] It represented the 'watershed between Victorian liberalism and the world of the vigilante state' that emerged during the First World War, as Brian W. Simpson has argued.[57] Artur Zadig, a German-born British subject who had been naturalised in 1905, was arrested in October 1915 and subsequently interned in a camp. His legal counsel followed the peacetime procedure and issued a Writ of *habeas corpus* against the commanding officer of the internment camp, Halliday, to force a legal review of Zadig's detention. The case made its way through the courts and was eventually heard before the King's Bench in the House of Lords. There, Zadig's counsel argued that every detention of peaceful and law-abiding British subjects under DRR 14B was, in principle, *ultra vires*. Despite enacting DORA, Parliament had never explicitly granted the power to suspend *habeas corpus*, which rendered the warrants issued by the Home Secretary invalid. The Law Lords rejected this argument, with only Lord Shaw of Dunfermline articulating a dissenting opinion. Most judges, however, argued that Parliament, as the nation's sovereign body, had entrusted the government with exceptional powers for the period of national emergency and that it was not within the responsibility of the courts to limit the application of these powers.[58] Hence, the detention of Zadig under DRR 14B was not only lawful for as long as the defence regulations issued under DORA remained in force but also justified on the grounds that the authorities had a supposedly good reason for it. The cases of Ronnefeldt and Zadig represent the judiciary's general refusal to limit the use of emergency powers by the authorities. Moreover, as Rachel Vorspan has put it, the judges understood themselves as 'judicial warriors, enthusiastically advancing executive powers and military policies that went well beyond parliamentary intent and common law precedent'.[59]

The tendency of the government to use the courts to suppress political dissent became particularly visible in 1917 when two of the most prominent anti-war activists, Bertrand Russell and Edward D. Morel, were convicted and imprisoned for breaches of defence regulations. Morel, who had achieved some prominence before the war as an outspoken campaigner against the Belgian atrocities in the Congo, had taken over as secretary of the Union of Democratic Control. In this role, he became a key organiser of the opposition in Britain during the second half of the war – and a target for repression. Domestic

intelligence officers and the Home Office sought a convenient option to silence Morel and Russell. The government rejected the use of DRR 14B on the grounds that it would damage Britain's reputation abroad. At the age of forty-four, Morel was also too old and unfit to be called up for military service, a measure used against other dissenters, such as the cofounder of the No-Conscription Fellowship, Clifford Allen. Instead, a way was found to use breaches of DORA to prosecute him. In August 1917, Morel was charged with violations of several DRRs (42 and 50) that made it an offence to produce, issue or distribute statements or literature that could be construed as prejudicial to the war effort. Earlier in the year, he had tried to send a copy of his pamphlet *Tsardom's Part in the War* to the French pacifist Romain Rolland. The authorities intercepted the parcel containing the pamphlet, and Morel was charged by the CMA for London. The trial was a mere technicality, and Morel was sentenced to six months in jail, which he spent in Pentonville Prison.[60] In a similar case, the philosopher Bertrand Russell was prosecuted for repeated breaches of DRRs and imprisoned for six months in Brixton Prison in January 1918.[61] An essential aspect of Russell's prosecution was that he acted as the interim chairman of the No-Conscription Fellowship after Clifford Allen's imprisonment in 1916. More importantly, Russell had become one of Britain's most prominent voices of dissent and pacifism, which also received significant international attention, especially in the United States. These cases differed from straightforward political prosecutions, for instance, against the radical Scottish socialist leader John Maclean, who was sentenced to five years of penal servitude for sedition in April 1918.[62] Rather than being prosecuted for their political stances and opinions, Russell and Morel were imprisoned based on breaches of DORA. The distinction was emphasised by the British government that sought to deflect accusations of resorting to the instruments of Tsarist Russia's police state or those of Prussian militarism.

Transition to Peace and a New Normal

The planning for the post-war period in Britain began in late 1917. In July, the previous Minister of Munitions, Christopher Addison, was appointed to a new ministerial role to oversee the reconstruction of the country after the war.[63] While Addison and his aide Arthur Greenwood devised a series of social and economic reforms that were only half-heartedly implemented after the war, there were also discussions over the future shape of the political system of the country. In September 1917, an interdepartmental committee that included representatives of the different intelligence services and the military on the future of DORA was established. The underlying assumption of the committee's work was that emergency powers would also be needed in peacetime.

On the one hand, this concerned the question of how to manage the economic transition to peace and how best to scale back the plethora of regulations introduced during the war, particularly the Munitions of War Act 1915. The discussion in this area was rather technical and dominated by a pragmatic approach to repealing as many DRRs as possible at the earliest possible date. However, the role of emergency powers in national security was seen in a different light. Since the Bolshevik Revolution in Russia in November 1917, there were significant fears that a similar development could occur in Britain. This also helps to explain why prominent opposition figures, such as Morel, Russell, and Maclean, were now prosecuted much more harshly. Representatives of the

intelligence services, most prominently Vernon Kell, argued for the need to retain most of the DRRs that dealt with surveillance, censorship, and the power to arrest and detain suspects without trial. These powers were needed to combat the alleged clandestine networks of communist revolutionaries and the threat of Irish republicans operating in Britain. At the same time, the government discussed how to suppress large-scale strike movements effectively. By 1918, strikes had increased significantly, and among government ministers there was a widespread fear that a national strike could quickly escalate and trigger a revolutionary situation while also disrupting the production of war supplies. After November 1918, the fear of revolution grew into a fully-fledged 'red scare' in Britain. One conclusion drawn from these developments was that large strikes needed to be dealt with swiftly before they could develop a revolutionary dynamic. For this purpose, the ability to deploy troops domestically both for security duties and as strike-breaking labour was discussed at some length as a vital element of a national contingency plan. Under DORA, both were possible without the need to involve Parliament or new legislation.

The problem, however, was that the text of DORA only allowed emergency powers to be used 'for the duration of the present war'.[64] This meant that as soon as the war was officially declared over, DORA was meant to lapse, implying a return to the pre-war constitutional arrangements. However, the government, intelligence agencies, and military agreed that a return to the status quo ante was both undesirable and impractical in the face of the new threats by revolutionary movements. As a stop-gap measure, a bill was introduced to legally prolong the war's duration. The Termination of the Present War (Definition) Act was passed on 21 November 1918.[65] The Act stated that in legal terms, the war was considered ongoing until peace treaties were signed and ratified and the government officially declared that the war had been concluded.[66] The consequence of this Act was that the emergency powers under DORA were still in operation throughout 1919 and the first half of 1920. This provided the basis for using troops in England and Scotland to suppress strikes, such as the so-called '40-Hour Strike' in Glasgow in January 1919, where 40,000 armed troops and several tanks were stationed in and around the city.[67] Likewise, in August 1919, troops were dispatched to Liverpool to restore order after serious rioting and looting in the wake of a police strike on Merseyside.[68] In the eyes of the government, these events, alongside other labour disputes, highlighted the need for a new set of peacetime emergency powers to deal with future troubles.

In early 1919, a committee was created to draft peacetime emergency legislation. The discussions centred on the powers needed to deal with a general strike and its possible escalation into revolutionary unrest. Initially, the plan seems to have been to translate DORA into a new Emergency Powers Act without much change to its basic provisions, i.e. to retain the power of the government to rule by decree and to deploy the military domestically even when there was no direct disturbance or unrest, which used to be a condition under the old 'military assistance to the civilian authority' system.[69] This plan met resistance from the military leadership, who feared that the army would be drawn into petty domestic disputes and party politics. More importantly, however, there were fears that troops used against strikers might not be politically reliable, as the examples of the revolutions in Russia and Germany in 1917–18 had shown. This led to a significant toning down of the initial proposals. Rather than offering what would have been, in effect, a repackaged enabling act similar to the one in force in wartime, the Emergency

Powers Bill introduced a new and clearly defined concept of a peacetime 'emergency' as a situation where the 'essentials of life of the community' were endangered. The bill specified coal, transport, food supplies, gas and electricity as such industries that, if affected, would allow for the declaration of a 'state of emergency'.[70] This expanded the notion of exceptional crises that warranted the use of emergency powers to include 'economic emergencies' alongside more traditional notions of public order and national security. The government could declare a state of emergency in the form of a public proclamation, after which it was empowered to use a range of emergency powers in the form of 'emergency regulations' that were modelled after existing DRRs. This bill met with some hostility in the House of Commons, where some 'Asquith Liberals' and Labour MPs attacked it as an attempt to re-introduce DORA by stealth. Some coalition MPs also shared this criticism and forced the government to make significant concessions.[71]

Eventually, the government was forced to include a few safeguards that ensured parliamentary oversight. After declaring a state of emergency, a parliamentary session had to be called to discuss the emergency. Furthermore, states of emergency had to be prolonged every four weeks by a vote of Parliament. Any emergency regulation needed to be renewed after seven days by a vote of MPs.[72] Yet, the version of the Emergency Powers Act that eventually received royal assent on 29 October 1920 still contained rather draconian measures, including the possibility of three months' imprisonment with hard labour or fines of up to £100 for anyone breaching emergency regulations. Nonetheless, the concessions that the government was forced to make represented a significant success in the attempts of the British Parliament to assert itself and wrestle back some powers from the government.

Conclusion

Perhaps the Emergency Powers Act 1920 was yet another example of the 'strange death of liberal England' that the writer George Dangerfield eventually diagnosed in 1935.[73] It certainly reflected the profound transformation of British politics and the British state during the First World War. This does not mean that the state was almost invisible before the war apart from 'policeman and the Post Office', as A. J. P. Taylor famously claimed.[74] The expansion of the British state had already begun after the turn of the century and accelerated after the 'People's Budget' crisis of 1909–10. Rather, it marked a more pronounced shift from a primarily reactive state to a proactive approach to government, especially when it came to issues of national security. The experience under DORA, and especially the management of the wartime economy, had demonstrated that if there was a political will, the state could mobilise, control, and steer resources towards specific purposes. This was first emphasised by socialists, such as Beatrice and Sidney Webb, who already, during the war, referred to wartime emergency government as an example of how a future Labour government could transform Britain towards socialism.[75] Yet the language of the new activist state also came to influence the Lloyd George coalition. During the general election campaign in November 1918, the Liberal Prime Minister pledged to 'build a land fit for heroes'.[76] Ultimately, this ambition first clashed with the Conservative majority in the coalition government and later with the fiscal realities of a post-war economic crisis and was eventually abandoned in 1922.[77]

A more lasting legacy of the experience of the state of exception during the First World War was a different way of thinking about emergencies and national security. Before the war, these ideas were centred on dealing with internal disturbances, riots, and insurrections and the external threat of war and international communist subversion. They were, by definition, existential threats to the political order and warranted the use of some form of emergency powers, including the deployment of armed troops. Economic and social problems might have been recognised as crises. Still, before 1914, they would hardly be considered so grave and threatening that they would require exceptional efforts and wholesale mobilisation to tackle them. The so-called 'Spanish Flu' pandemic of 1918–19 was discussed as a severe health crisis, for instance, but except for some measures to protect the troops, it was allowed to run its course without becoming an 'emergency' despite the high death toll.[78]

However, with the discussion about the Emergency Powers Act in 1919 and 1920, a change in thinking within the political class and the public became visible. There was a growing understanding that the security and existence of the state and the political order did not only rest on internal peace and external security but also on the functioning of the economy. By extension, this meant that there could also be economic emergencies that required decisive government action. Initially, this meant the ability of the government to counter strikes in vital industries and to effectively suppress a general strike (which eventually happened in 1926). Yet, in the long run, this marked the beginning of a new discourse about state interventionism that would shape British politics for most of the twentieth century.

DORA also marked a shift in thinking about domestic security. Before the war, domestic intelligence and political policing were underdeveloped in Britain compared to other countries at the time. However, despite being new institutions, intelligence agencies and their leaders, such as Vernon Kell of MI5, played a crucial role in establishing the state of exception and shaping the handling of emergency powers during the war to combat the 'enemy within'. Initially, there was fear of a network of German spies operating in the country. Later, the idea of hidden enemies working to subvert the British state shifted first to pacifists and later to communist revolutionaries after the war. This 'red scare' was deliberately fed by alarmist reports to justify the need for continued funding and de facto emergency powers to counter the threat of revolution. Before the war, domestic intelligence and political policing were often somewhat improvised and ad hoc reactions to specific exceptional security threats. Now, they became professionalised – or at least a new premium was placed on their professionalisation. They were also put on a permanent footing.[79] This reflected a new fear of permanent existential threats to national security and, thus, the notion that it was necessary to make some aspects of the wartime state of exception permanent as well. Yet claims to professionalisation also highlighted concern to avoid accusations that Britain's security services were merely imitating the 'militarism' and authoritarian methods of their continental counterparts.

The regime under DORA undoubtedly featured aspects of what the German legal theorist Schmitt would later define as a 'commissary dictatorship' – the establishment of an almost unrestrained executive to respond to an exceptional crisis.[80] This should not be mistaken for a totalitarian dictatorship with its cult of personality and complete *Gleichschaltung* of society that would be hallmarks of later fascist and communist

regimes. Nonetheless, under DORA, the separation of power between the government and Parliament was effectively suspended alongside fundamental guarantees of civil liberties, such as *habeas corpus*. For the duration of the war, the government could operate without adequate oversight by Parliament and the judiciary. Yet this dramatic change was hidden in plain sight because the government preferred to exercise its powers more indirectly, using voluntary co-option and cooperation to mobilise support for the war effort and suppress dissenting voices.

To some extent, then, the practice of emergency rule in Britain during the First World War reflected a level of pragmatism. Yet, it was also a way to maintain the notion that this was a war fought for democracy against tyrannical Prussian militarism. The comparatively discreet use of emergency powers helped to avoid public scrutiny and undesired frictions while still allowing the government to target what it considered the biggest threats to national security – German spies, Irish republicanism, and, in mainland Britain, pacifists and communists. This low-key and pragmatic authoritarianism under DORA was indeed the critical feature of this very British dictatorship during the First World War.

Notes

1. Defence of the Realm Act, 1914, 4&5 Geo 5, c 29.
2. Ibid.
3. Schmitt, *Die Diktatur*, 1–41.
4. Millman, *Managing Domestic Dissent*.
5. Farnhey and Kordan, "The Predicament of Belonging."
6. Bond, *Law in War*.
7. Townshend, "Martial Law."
8. Emsley, "Repression, 'Terror', and the Rule of Law"; Schofield, "British Politicians and French Arms"; and Thompson, *The Making of the English Working Class*, 158–63.
9. Riot Act, 1714, 1 Geo. 1, St.2, c.5.
10. Poole, *Peterloo*.
11. Neville, "The Yorkshire Miners."
12. Peak, *Troops in Strikes*, 19–27.
13. Townshend, "Military Force."
14. Townshend, "Martial Law," 168–9.
15. All version of the War Book can be found in The National Archives, Kew, London (henceforth TNA), CAB 15/1–15/5, Committee of Imperial Defence.
16. Johnson, *Defence by Committee*; and Mackintosh, "The Role of the Committee of Imperial Defence."
17. TNA, CAB 11/142, 20–9, Martial Law in the Cape Colony, 8 June 1901; Sturridge, "Rebellion."
18. TNA, CAB 16/31, 26, Martial Law in the United Kingdom: Opinion of the Law Officers of the Crown, 16 July 1913.
19. TNA, CAB 16/31, 8–22, Emergency Powers in War: Memoranda by the General Staff, 1 May 1914.
20. HC, Deb 25 August 1914, 66 vols., c. 26.
21. HL, Deb 27 August 1914, 17 vols., cc. 540–1.
22. HC, Deb 26 August 1914, 66 vols., cc. 87–9.
23. Ibid.
24. Defence of the Realm (No. 2) Act, 1914, 4 &5 Geo. 5, c. 63.
25. Sanders and Taylor, *British Propaganda*, 7.

26. HL, Deb 27 November 1914, 18 vols., cc. 204–24.
27. Ibid.
28. Defence of the Realm Consolidation Act, 1915, 4 & 5, Geo. 5., c. 8.
29. Munitions of War Act, 1915, 5 & 6, Geo. 5, c. 54.
30. Adams, *Arms and the Wizard*.
31. Rubin, *Law, War, and Labour*.
32. Adams and Poirier, *The Conscription Controversy in Great Britain*; and Gregory, *The Last Great War*.
33. Keil, "The National Council for Civil Liberties."
34. Defence Regulation 1, in Pulling, *Defence of the Realm Manual*, 39–40.
35. Ibid.
36. The records of this committee can be found in fragments in TNA, MUN4/2043 (April 1916–July 1916), TNA, BT 13/75 (1917), and TNA, NATS 1/310 (1917–1918).
37. *Supplement to the London Gazette*, 4 August 1914, 6059.
38. TNA, ADM1/8391/271, Army Order: Further Instructions Relative to the Defence of the Realm Acts 1914, 14 September 1914.
39. See note 33 above.
40. For examples in the 'patriotic' press, see 'Make a note of the date: Peace crank congress in London', *Daily Express*, 23 November 1915; 'Mass Meeting of Peace Cranks. Insult to London'; *Daily Express*, 26 November 1915; 'Gathering of the Peace Cranks: Why is it allowed?', *Daily Express*, 27 November 1915. For an exhaustive collection of anti-pacifist articles predominantly from the *Morning Post* and *Daily Express*, see TNA, HO 45/10741/263275–10,744/263275.
41. Hull History Centre U DDC/1/4, Minutes UDC Executive Committee, Minutes Meeting 24 August 1915.
42. Bean, "Police Unrest."
43. Defence Regulation 9A, in Pulling, *Defence of the Realm Manual*, 80.
44. Defence Regulation 9AA, in ibid.
45. Defence Regulation 14B, in ibid., 93–4.
46. Ibid.
47. Ibid.
48. Keil and Stibbe, "Ein Laboratorium."
49. HC Deb 17 June 1915 72 vols., cc 851–852.
50. Manz and Panayi, *Enemies of the Empire*, 227–49.
51. Simpson, *In the Highest Degree Odious*, 16–17.
52. Murphy, *Political Internment*, 59–60.
53. Ibid., 80–107.
54. *Ronnefeldt v Phillips* (35, T.L.R. 46).
55. Bonner, *Executive Measures*, 55–6.
56. *Rex v Halliday ex parte Zadig*, UKHL 1917, 1.
57. Simpson, *In the Highest Degree Odious*, 25.
58. Ewing and Gearty, *The Struggle for Civil Liberties*, 85–6.
59. Vorspan, "Law and War," 264.
60. Cline, *E. D. Morel*, 112–15; Millman, *Managing Dissent*, 179–84; and Sally Harris, *Out of Control*, 159.
61. Vellacott, *Conscientious Objection*, 223–40.
62. Ewing and Gearty, *Civil Liberties*, 57.
63. Johnson, *Land Fit For Heroes*.
64. Defence of the Realm Act 1914, 4&5 Geo 5.
65. Termination of the Present War (Definition) Act, 1918, 8 &9 Geo. 5, c. 59.
66. Ibid.
67. Barclay, "Duties in Aid of the Civilian Power."
68. See note 42 above.

69. TNA, NATS 1/310, Prolongation of Emergency Legislation: Defence of the Realm Regulations Amendment Committee, 1917–1918.
70. TNA, HO 144/7480, Memorandum on Emergency Powers Bill, 13 March 1920.
71. HC Deb 16 February 1920, 125 vols., c. 597.
72. Emergency Powers Act, 1920, 10 & 11 Geo. 5, c. 55.
73. Dangerfield, *The Strange Death*.
74. Taylor, *English History*, 25.
75. Keil, "Zwischen Kooperation und Opposition."
76. "The Speech: David Lloyd George," *The Scotsman*, 23 November 1918.
77. Roberts, "The Geddes Axe."
78. Tomkins, "The Failure of Expertise."
79. TNA, WO 32/21382, Secret Service: Organization; Formation of Department Dealing with Sedition and Revolutionary Movements, 1919.
80. See note 3 above.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

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