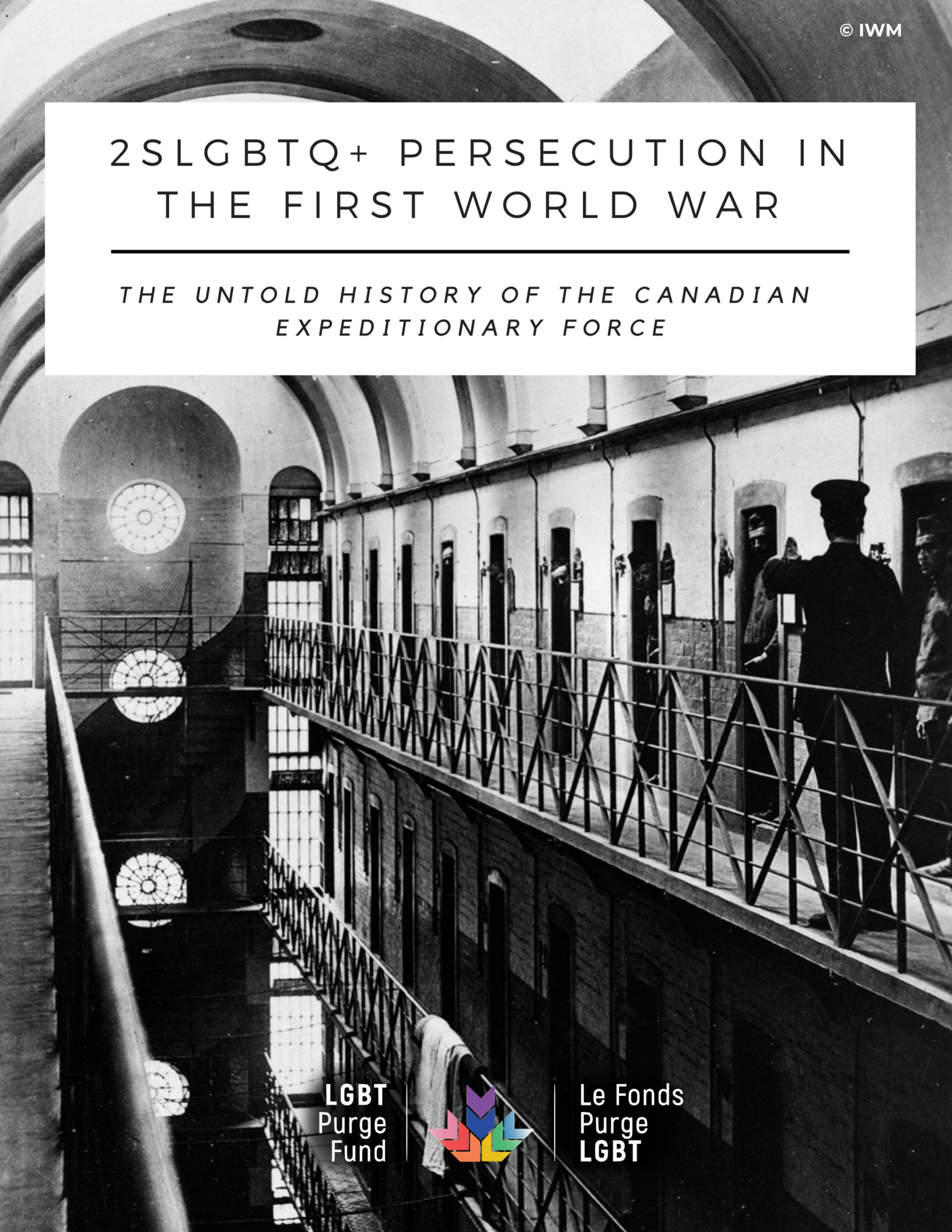


2SLGBTQ+ PERSECUTION IN THE FIRST WORLD WAR

*THE UNTOLD HISTORY OF THE CANADIAN
EXPEDITIONARY FORCE*



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Sarah Worthman

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DISCLAIMER REGARDING THE USE OF "QUEER" IN HISTORICAL CONTEXTS



Throughout this report, the term queer will be used to refer to 2SLGBTQ+ history. We acknowledge that this term in the past has been used as a slur and is still offensive to some. However, the choice to use this word to refer to our history is in line with recent movements to reclaim queer as an umbrella term that encompasses both gender and sexuality. This term was chosen for this context because queer takes into account that gender and sexual identity were not always identified with the specific labels we use today. This term allows for a more fluid definition of sexuality and gender than those outlined in the LGBTQ+ acronym especially important to consider given that terminology such as gay, bisexual, transgender and even homosexual are relatively modern identity markers.

Section

1

A QUEER PARADOX

THE HISTORY OF QUEER OPPRESSION IN CANADA AND
THE CONTEXT LEADING UP TO THE FIRST WORLD WAR



Section 1: A Queer Paradox

When queer people investigate our own histories, we are often given the justification that the records simply do not exist, another consequence of historic injustices that we should suck up and bear with the rest of it. There have been countless times throughout this research process where I have been told that *“There may have been queer people in the First World War but the records of them simply do not exist.”* As the following report will indicate, there are numerous detailed records of queer sex, love, and expression within the Canadian Expeditionary Force (CEF) during the war. The more records that I have accessed the more I found myself asking a question that I already know the answer to, *why?* Why has no one bothered to unearth these records in the hundred years since their creation? The answer is rooted in centuries of queer oppression at the hands of the Canadian government and the notion of how commemoration is practiced in our country. For most Canadians there is a certain narrative that comes to mind when we think about the First World War, one of the eager patriotic white Canadian recruits who lost their lives honorably for king and country - likely leaving behind them some heartbroken fiancée to whom they would stay ever faithful to. Of course, that’s not the reality of the war, warfare like everything else in life does not exist as a monolith and in recent years, marginalized communities have been diligently working to rewrite that narrative. Yet we have a lot of catching up to do because until recently many of us have not had the power, the security, or the privilege to find proof of our existence. Much like other marginalized groups in Canada, the exclusion of queer history is a direct consequence of the historical oppression we’ve faced.¹ For example, during the 2SLGBTQ+ purge from 1950s-1990s people could legally be fired from Canadian federal government positions because of their sexuality and gender identity.² In terms of commemoration policy, this meant that queer people were unable to advocate for the inclusion of our community.³ This history still has an enormous impact on the federal government structure to this day. It’s impact is particularly notable within Veterans Affairs Canada (VAC) which is the federal department largely in control of First World War commemoration. According to a statistics Canada report from 2020, queer federal service employees (not including gender diverse people), were 5% less likely to believe that their organization respects individual differences and 8% more likely to feel emotionally drained in their workplaces when compared to heterosexual individuals.⁴ In VAC specifically, lesbian and

gay employees* were 6% less likely to provide a positive answer to the statement “My department or agency implements activities and practices that support a diverse workplace” compared to heterosexual employees in the department.⁵ Queer people were also 10% less likely to remain in the department than heterosexual employees.⁶ Given this context, the culture at VAC and in the federal government makes it incredibly difficult for 2SLGBTQ+ individuals to advocate for their own identities, let alone to fight for further representation in commemoration initiatives. These statistics do not come as a shock considering the long history of queer oppression in Canada that dates back over four hundred years. In fact, the Great War-era persecution of queer individuals and the Cold War 2SLGBTQ+ purge are not isolated incidents in our national history. These examples should instead be seen as a continuation of longstanding homophobic practices by the Canadian government.

Queer love was criminalized from the very moment European settlers arrived on the shores of what we now know as North America. In fact, it has been argued that the criminalization of queerness was essential to the establishment of settler colonialism in Canada.⁷ From as early as the 15th century, both the French and British penal codes criminalized buggery, which referred to forms of intercourse that did not result in procreation.⁸ In the British system, this law was introduced by King Henry VIII who saw himself as a “moral reformer.” Many will recognize him as the monarch renowned for his upstanding moral decisions such as beheading two of his wives and keeping several mistresses.⁹ When Canadian members of parliament created the country’s first legal code in 1892, the government introduced another vague term that could be used to prosecute queer individuals: gross indecency.¹⁰ Gross indecency, much like buggery, referred to any form of sex other than heterosexual vaginal intercourse, however, unlike its predecessor, gross indecency could be prosecuted based on speculation alone.¹¹ This allowed authorities to prosecute queer people without any direct evidence and even something as simple as a kiss or a dance with another member of the same sex could be used as a evidence. Both buggery and gross indecency remained a part of the Canadian legal system until 1969 when the federal government introduced the Criminal Law Amendment Act which decriminalized both in private for individuals over the age of 21. Then, in 1988 gross indecency

*Unlike other federal departments, VAC did not provide respondents with the option to select “Another sexual orientation” only “heterosexual” or “lesbian and gay.”

was repealed entirely and sodomy was replaced with “anal intercourse” and decriminalized for all individuals over the age of 18.¹² For most of Canadian history, it has been difficult and dangerous to connect with other queer people for many queer individuals who lived outside of major cities.¹³ For a number of people, the First World War was the first time they were exposed to other queer people through wartime mass mobilization.¹⁴ The war posits a paradox in a way because it’s story, like many in queer history, is rife with sadness, persecution, and yet at the same time beautiful pockets of unprecedented queer joy.

One of the most complex discrepancies of the war occurred in the entertainment scene. Similar to the vaudeville culture in the 1910s, ‘female impersonation’ was a key component of wartime entertainment in the CEF. Many of the women in concert troop roles had to be performed by men because women were discouraged from working close to the front lines. Every division in the CEF had their own concert troop, this would in turn have included ‘female impersonators’, which eventually involved into to the modern drag culture. This means that the odds of an enlisted member of the CEF watching and enjoying a female impersonation performance during the war would have been incredibly high. In fact, female impersonation was one of the few ways that queer men could be openly desired by the same sex during the war and many female impersonators were drag performers who performed in underground queer social spaces.¹⁵ There is even an account of queer public affection at a military encampment in Macedonia in 1917. During a performance the Canadian performer “Kitty” actually kissed a lieutenant in her own battalion in front of the entire concert hall.¹⁶ This illustrates an interesting phenomenon where same-sex attraction was criminalized, however, at the same time encouraged through concert troop performances.

Along with the queer female impersonators in the war, there were also undeniably instances queer relationships that escaped persecution. Of course, the nature of institutionalized homophobia from this era often meant that these relationships had to be kept hidden and consequently there are limited sources about queer love that do not involve criminal proceedings. However, there are two notable stories about queer Canadian couples during the war who thrived despite all of the odds. The first love story is from the Nursing sister’s corps about a couple named Ellanore Parker and Murney Pugh met while serving at a hospital near Salsbury Plains in England.¹⁷ The couple were inseparable throughout the war and were

stationed together throughout France.¹⁸ Ellanore experienced severe gas poisoning while tending to soldiers at Vimy Ridge and would suffer for the rest of her life with respiratory issues. At her side through all of this was Murney, who became her caretaker and life partner after the war.¹⁹ They lived together for their entire lives and self-identified as partners on two separate census documents.²⁰ Ellanore was an avid writer and when she passed away Murney donated her poetry to the Royal B.C. Museum. These poems beautifully detail their love, life, and experience as queer in a world that would not accept their love.²¹ The couple are buried together in Victoria, B.C. ²² Another example of queer love that was hidden from military authorities is the story of Len and Cub. Their relationship was first shared in a wonderful book released in the Summer of 2022 by the queer historians Meredith Batt and Dusty Green.²³ Leonard Olive Keith and Joseph Austin “Cub” Coates fell in love in their hometown of Havelock, New Brunswick years before the outbreak of the First World War.²⁴ Both men served in the war from 1918-1919, and they managed to fly under the radar of military authorities.²⁵ This was perhaps in part due to their separation during this period, Both men were stationed in different battalions and had spent several months apart.²⁶ By November 1919, both men were discharged and back home in New Brunswick.²⁷ Len and Cub lived in Havelock throughout the 1920s where they frequently spent time together in the wilderness and travelling to nearby communities. Sadly, Len was forced to leave his home community after he was outed in 1931.²⁸



Figure 1: Ellanore and Murney in France.



Figure 2: Len and Cub at training camp

These examples depict how queer couples persevered despite the widescale homophobia that permeated Canadian culture at that time and are a testament to the power of queer love. Something which is especially beautiful given that the vilification of queerness in Canadian popular culture was worsened by the outbreak of the war. For the first time in Canadian history there was large scale paranoia and propaganda produced by the Canadian government. Queerness was no longer seen as merely a criminal behaviour, instead to be queer became synonymous with being unpatriotic, traitorous, and even *German*.²⁹ This idea about queer people being untrustworthy was a trend that emerged time and time again throughout Canadian history, most famously during the 2SLGBTQ+ purge which was justified on the basis that queer people could be easily blackmailed because of their sexuality.³⁰ But how is it you may ask, that an entire country could be stereotyped as queer? The answer lies in a series of court trials that occurred from 1907-1909 known as the “Eulenburg affair.” During this period, several members of Kaiser Wilhelm’s circle of advisors and political figureheads were publicly tried for their sexuality.³¹ The affair first started as a libel suit but eventually resulted in several members of the German aristocracy being imprisoned under gross indecency charges. The scandal became an international sensation and Germany was the butt of numerous homophobic jokes.³² Some scholars have even claimed that efforts to re-masculinize Germany’s image resulted in the aggressive militarism that eventually led to the war.³³ Nevertheless, this scandal was fresh in the memories of the entente alliance who quickly weaponized this narrative to vilify the German side.³⁴ Undoubtedly this suspicion fueled efforts to persecute queer people on both the home front and in the CEF overseas. In Ontario for example, gross indecency cases exponentially increased in the 1910s and 1920s when compared to earlier decades.³⁵

These suspicions of queer people grew as the war drew on, and in 1918 the British Member of Parliament Noel Pemberton Billing made a very strange claim about a top-secret book held by the German government. Billing declared that there existed an elusive black book which held the names of 47,000 prominent British citizens who were secret “homosexuals.”³⁶ This book was most likely a complete fabrication given the fact that no evidence has emerged to ever back up this outlandish claim in the over a hundred years since it was made.³⁷ Regardless of its truth, this story had an influence on governmental policy decisions, and speculations about the

book were published throughout the British Empire.³⁸ Both of those circumstances escalated the already well-oiled machine of queer persecution in the Canadian government and this witch hunt extended to the CEF through the court martial system.



Figure 3: "The 'Pals'" depicts Kaiser Wilhelm II kissing Satan. His sword on the ground is covered in blood with the famed German "Pickelhaube" helmet next to it.

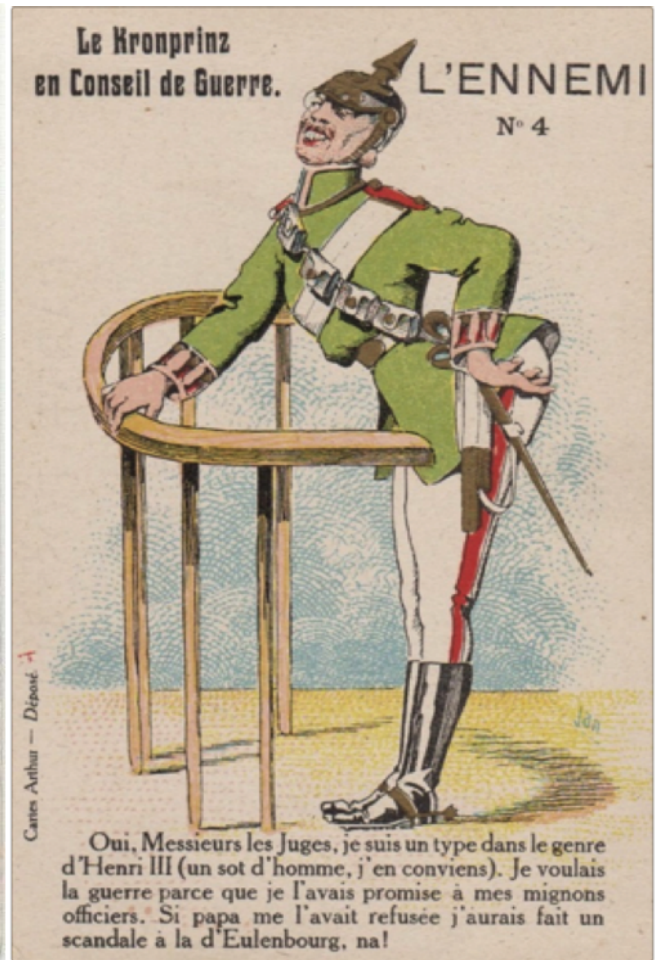


Figure 4: In English the text on the bottom reads "Yes judges, I am a Henri III- type. I wanted a war because I promised it to my cute officers. If daddy had refused, I would have created another Eulembourg scandal."

Section
2

TRIALS AND DETENTION

THE MECHANICS OF THE COURT MARTIAL SYSTEM AND THE
DETENTION CENTRES WHERE SOLDIERS AWAITED TRIAL



Section 2: The Court Martial System and Military Prisons

The military court martial system, as authorized by the 1881 Army Act, was able to prosecute a wide range of military and civil offenses. When the CEF was stationed overseas, military police were empowered to arrest soldiers for civil offenses based on the legal system back home.³⁹ This resulted in hundreds of gross indecency trials taking place in France and Belgium for the first time since its decriminalization in 1795.⁴⁰ Similarly, British military officials in occupied Egypt illegally implemented gross indecency legislation through military rule out of growing concern for the number of British Empire soldiers who frequented male prostitutes.⁴¹ Unlike civil courts, courts martial were judged by a tribunal of officers and the defendants typically represented themselves. The panel could enforce punishments ranging from docked pay to prison sentences and even death.⁴² It goes without saying just how unfair these criminal proceedings were for the soldier who was on trial. The commanding officer of the defendant played the role of detective and conducted a formal investigation to identify witnesses to testify against the accused.⁴³ Both circumstantial and direct evidence was treated as equally admissible, which meant these trials were often filled with testimonies about the defendant's character as opposed to actual relevant concrete evidence.⁴⁴ Additionally, because the officer did not have a policing background, they had no mandate to follow proper investigative protocol. This similar lax approach was taken with the panel of judges, it was not a requirement for officers to have a legal background to serve as a judge and as the war drudged on very few officers received formal training in military justice.⁴⁵ Gross indecency was prosecuted under three main sections of the army act:

Section 16	Section 18(5)	Section 41
Behaving in a scandalous manner, unbecoming the character of an officer and a gentleman.	Disgraceful conduct of a cruel, indecent, or unnatural kind.	Any civil offenses if the crime occurred more than one hundred miles away from the nearest civilian court.

Section 16 often carried less severe punishments and was reserved only for those who ranked as lieutenants or above. In contrast, sections 18(5) and 41 both often resulted in prison sentences for the privates who were charged.⁴⁶

Immediately following their arrest, soldiers were crammed into a holding cell and after several hours they were transported to a military prison to await trial.⁴⁷ If the soldier was arrested on the western front, the soldiers were transported to one of the seven military detention centres in entente-occupied France. If the arrest occurred in England, Canadian soldiers were imprisoned in the Canadian training camp detention barracks at either Aldershot, Salsbury plains, or Shorncliffe.⁴⁸ Military prisons were famously referred to as glass houses because of the lack of privacy they afforded.⁴⁹



Figure 5: Map of Military Prisons in England and France

Every single soldier who was arrested for gross indecency would have spent the days before their trial in one of these detention barracks.⁵⁰

This first-hand account of the conditions at the No. 1 Military prison in Rouen paints a disturbing picture of what it was like to be detained in a glasshouse:

“There were so many of us, there were four in some cells and when we lay down we were touching each other. The cell floors were newly cemented and we had no board to lie on, just one great coat, and ... our uniform. When we got up the floor was wet. Now the conditions of these cells were bad; we were let out only once a day for a short time. There were no lavatory accommodations, and a sort of wide bucket served the purpose. [by] the second day the cell was foul.”⁵¹

On the day of their hearing, the soldiers were herded into a makeshift courtroom. During the trial, graphic testimonies were read out about the individual’s sex life to the entire court, then the defendant was ordered to make a statement.⁵² If the defendant was lucky to know someone with basic legal knowledge, they could appoint a “prisoner’s friend” to represent them for this portion.⁵³ However, very few soldiers actually availed of this option. This was also the case with the gross indecency trials where the vast majority of the men represented themselves.⁵⁴ Their defenses often-included devastating pleas within their testimonies such as this one from Lieutenant Richmond Earl Lyon in 1916:

“For god’s sake Clarke, have a heart. I have had enough trouble as it is.”⁵⁵

After the defence was read, court was adjourned, and the men were then moved to a holding cell where they stayed for hours to await the verdict.⁵⁶ The hours that these men spent in makeshift cells with their fate in the hands of Canadian authorities would be mirrored countless times throughout history as part of longstanding homophobic exclusionary practices. The anxious pacing and panic breathing, knowing that you’re being punished for something you cannot control about yourself. For many of the soldiers the war was their first exposure to other queer people, and they had barely had the chance to figured out their own sexuality before they were forced to cover it up through patchy ill-fitting lies.⁵⁷

In total, 35 men were tried for gross indecency in the CEF, of that number 19 men were tried for consensual queer relationships.

Total Trials	35
Trials for Consensual Queer Relationships	19
Dismissed/ Cashiered	3
Imprisoned in Military Prisons	5
Imprisoned in British Prisons	7

Figure 6: CEF court martial Statistics

For some of the men, the days prior to their trial would not be the only time they would spend detained in those loathsome glasshouse cells. Five of the men who were arrested for queer relationships were sentenced to military detention for periods ranging from ninety days to a year.⁵⁸ One such soldier was Private Joseph Quirion from the riverside town of Beauceville, Quebec. The year before the war Quirion's wife had left him to marry another man in the United States and at the time of his enlistment in October 1914, Joseph was living with his brother in Montreal. Private Quirion was sent overseas with the 10th reserve battalion, and he was stationed at the Bramshott training camp in Shoreham two hours southwest of London.⁵⁹ On a sunny April afternoon in 1917, Private Quirion was arrested in the camp alongside another French Canadian Private named Roméo Bélisle after the pair were observed in the same bathroom stall.⁶⁰



Figure 7: Latrines at the Bramshott Military Camp, Library and Archives Canada.

The man who discovered them then told a group of other soldiers and they all started throwing sticks inside the stall and hurling homophobic insults. When a Lance Corporal came across this commotion, he climbed on the back of another soldier to look over the top of the stall and watched Joseph with his partner for several minutes.⁶¹ Both soldiers were arrested and faced a humiliating trial that outlined their sexual encounter in graphic detail.⁶² Private Quirion was sentenced to a year of detention which he served 4 months of until August 1917, when he was called up to serve at the front once again. Private Quirion fought with the 22nd battalion, colloquially known as the *van doos*, at the Battle of Passchendaele until he was wounded by a gunshot in his right shoulder and became disabled for life.⁶³ After Joseph's injury, he was struck off active service and posted to the Quebec regimental depot in England where he would remain until the war's end. Upon his discharge in 1919, Joseph returned to his hometown of Beauceville and lived there until his death in 1940. He passed away at the age of 65 and listed his estranged wife Ophelia as his sole beneficiary.⁶⁴ Joseph experienced imprisonment and public humiliation simply because of his sexuality. Yet, his detention sentence is lenient compared to some of the harsher sentences handed down by the court martial panel.

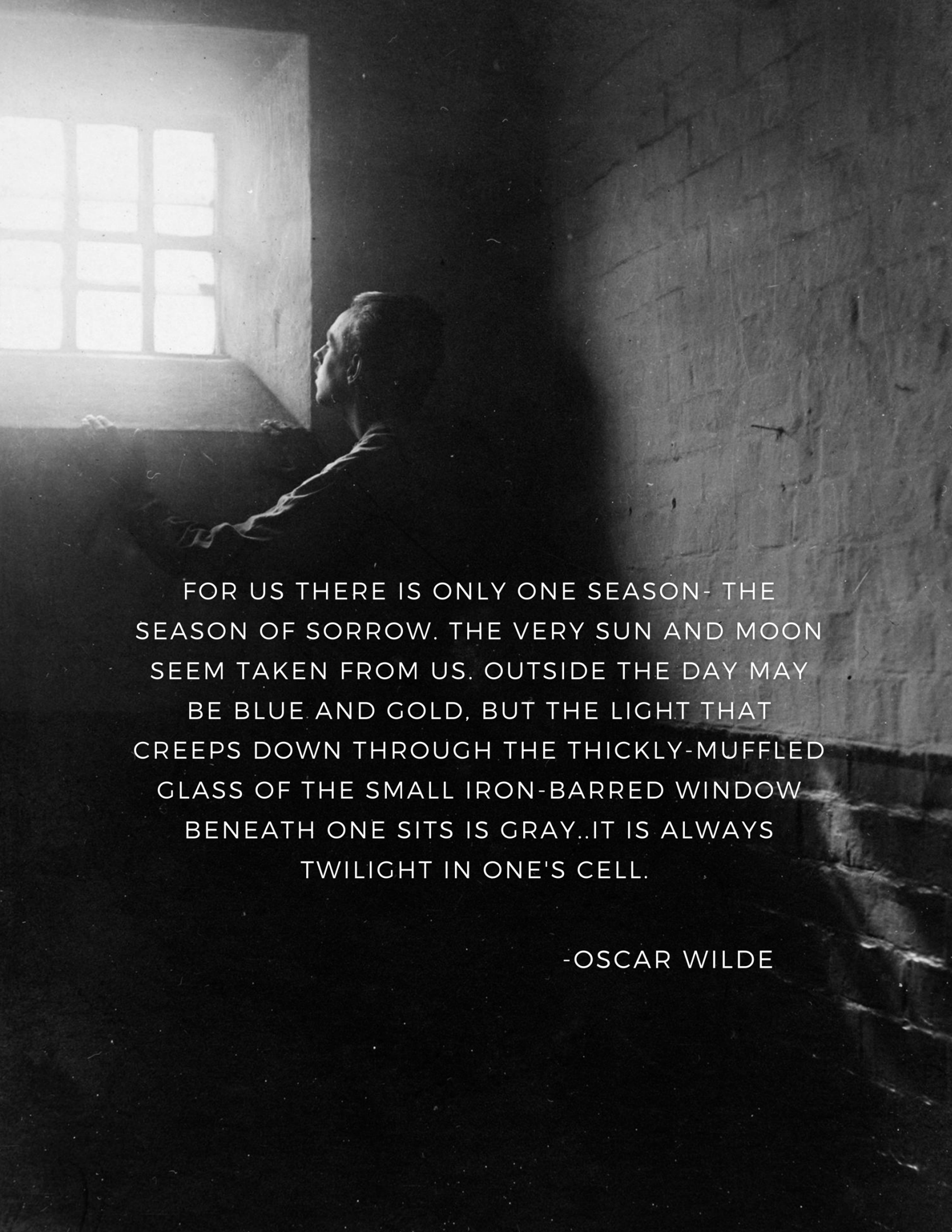
Section

3

IMPRISONMENT

THE STARK REALITIES OF THE BRITISH PENAL SYSTEM
AND HOW IT WAS USED TO PUNISH QUEER MEN





FOR US THERE IS ONLY ONE SEASON- THE
SEASON OF SORROW. THE VERY SUN AND MOON
SEEM TAKEN FROM US. OUTSIDE THE DAY MAY
BE BLUE AND GOLD, BUT THE LIGHT THAT
CREEPS DOWN THROUGH THE THICKLY-MUFFLED
GLASS OF THE SMALL IRON-BARRED WINDOW
BENEATH ONE SITS IS GRAY..IT IS ALWAYS
TWILIGHT IN ONE'S CELL.

-OSCAR WILDE

Section 3: The British Penal System

In total, seven men who were arrested in the CEF for consensual queer sex were imprisoned in England, with the longest sentence given to Denis Fisher-Jones who was sentenced to ten years of hard labour.⁶⁵ Unfortunately, none of the seven men who were imprisoned wrote about their experiences. However, I was able to draw from the written testimonies and photos from British conscientious objectors (COs). COs were another group incarcerated in the British penal system during the war. I used their testimonies to analyze the conditions in wartime prisons. Additionally, I examined Oscar Wilde's account of being imprisoned for gross indecency. Wilde's sources are especially useful given the sad reality that at the time of the war the system had not seen much transformation since his imprisonment in the late 1890s. Those two primary source groups allowed me to piece together an idea of what the experience in prison for queer men might have looked like.



Figure 8: Map of known prisons where military personnel were interned

When the war first broke out in the summer of 1914, several prisons were commandeered by the British army in order to hold military prisoners.⁶⁶ Because the CEF were primarily based out of Southern England, most of the Canadian soldiers were sent to prisons in that region so that they could be mobilized at a moment's notice if the situation became dire at the front.⁶⁷



Figure 9: Aerial shot of H.M. Winchester, 1923.

17-year-old Private Frederick Lea Hardy was among those seven soldiers who were imprisoned in the British penal system. Frederick grew up in the town of Brandon, Manitoba and had dropped out of school to help with his family's farm. In 1915, at the young age of 16, he was sent overseas with the 8th battalion in the Canadian Expeditionary Force.⁶⁸ While serving in Abele Belgium in July 1916, Private Hardy was arrested for committing "an act of gross indecency with another male person." His battalion had just returned from the front lines after a particularly intense round of fighting and the soldiers were enjoying a well-deserved rest period.⁶⁹ Hardy and another soldier had attended a local establishment for a couple of drinks. They then wandered away from the town towards a nearby field which in early July would have been blooming with sweet-smelling summer flowers like meadowsweet, poppies, and violets.⁷⁰ It was in that meadow that they were discovered together by a group of superior officers who were billeted in a nearby farmhouse. Both soldiers were arrested and the following morning they were tried by courts martial.⁷¹ The five captains who witnessed the event testified against

Private Hardy. These testimonies were read out in front of the entire court and contained graphic descriptions of the men's sexual encounter.⁷² One can only imagine the humiliation Frederick must have felt in that moment. He was a farm boy from rural Manitoba who was forced to represent himself and was denied a jury of his peers. The panel of military superiors declared that Pte. Hardy was found guilty and sentenced the young private to 18 months of hard labour in prison.⁷³ Frederick served 8 months of that sentence in H.M. Winchester, one of the harshest prisons in England at the time.⁷⁴ Then in 1917, due to the significant losses at Vimy Ridge he was called back to the front once more and fought in August 1917 in the Canadian offensive at Hill 70.⁷⁵ Private Hardy was killed in action on August 15th and his body was never recovered. This makes him the only known queer soldier to be commemorated on the Vimy memorial.⁷⁶ Frederick Hardy lost his life fighting for a country that imprisoned him and spent the last few months of his short life being tortured because of his sexuality in the lonely halls of Winchester prison.

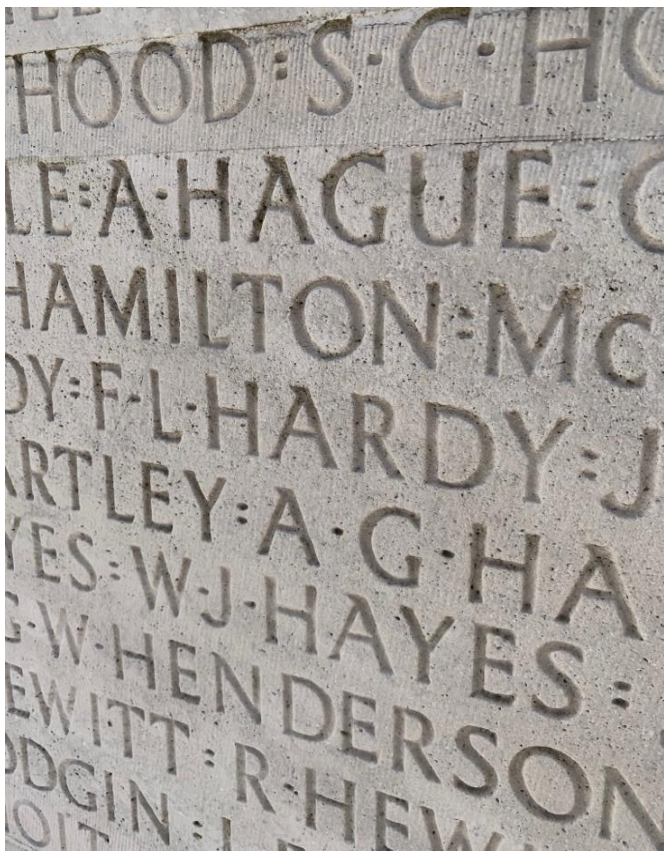


Figure 10: Private Hardy's name carved on the Vimy memorial.



Figure 11: The Canadian National Vimy Memorial in France at night

As alluded to in Hardy's story, the British penal system in this era was notoriously brutal for its treatment of incarcerated people. Much like other cruel experiments in early psychology, the prison system in the United Kingdom was treated as a large-scale trial for behavioural conditioning. This seeped into every aspect of an inmate's life, from their hard labour to the food that they ate.⁷⁷ The goal was to dehumanize the individual in every way possible, best evidenced by the identity disc they were forced to wear around their neck that contained their cell number.⁷⁸ Oscar Wilde in his 1897 essay, *De Profundis*, described how it felt to be treated in such a fashion:

*"I myself at that time had no name at all. In the great prison where I was incarcerated, I was merely the figure and letter of a little cell in a long gallery. One of a thousand lifeless numbers, as of a thousand lifeless lives."*⁷⁹

One of the most ruthless aspects of the prison experience was the mandatory silence imposed on all of the inmates. Incarcerated individuals were forbidden from speaking to each other and to the wardens unless they were making a formal request.⁸⁰ The only exception to this rule was to speak with the Prison Chaplain when he made his weekly rounds to each cell after Sunday sermons. While this was noted as a source of solace for many of the COs in their accounts, we can infer that the historic vilification of queerness within Christianity meant that queer prisoners in contrast likely experienced added traumatization during those weekly visits.⁸¹ Because the Chaplain was part of the prison administration, he would have had access to a list of all the charges and the background of each imprisoned individual. As any person who has been raised in a religion that does not accept queerness can tell you, there is an enormous amount of shame that comes with living your authentic life and going against the religious doctrine. For some of these men, it would have been a constant reminder of that experience and with no one else to speak to, these chaplains wielded an enormous amount of persuasive power.

For the first month, the men were put into solitary confinement in their cells, where they completed tedious manual labour tasks for roughly 10-12 hours a day. The cells measured 7 by 12 feet and their beds consisted of a rigid plank board with pillows and blankets made up of rough coconut fiber.⁸² Inmates were also given a small stool and a table which some used to see

out the tiny windows at the top of their cells; a violation punishable by solitary confinement.⁸³ In terms of personal hygiene, their toilet consisted of a bucket in their cell that they would empty out daily, and they were only permitted a cold bath once a week.⁸⁴ While the solitary conditions of English prison cells differed from the overcrowded shared accommodations in other countries at the time, this did not guarantee the incarcerated individual any form of privacy. The cells were under the constant watchful eye of the warder, who could check in on them at any time without warning through a spyhole in the door.⁸⁵ CO Hubert W. Peet outlined this unnerving phenomenon about his time in prison from 1917-1918:

“The prisoner never knows when he is being watched, and however innocent his action, it is unpleasant to feel that complete privacy can never be relied on.”⁸⁶

After they finished their first month of imprisonment, the men were then able to send and receive one letter every two weeks and visitors once a month. However, because gross indecency was classified as a crime of “severe nature”, queer people were likely unable to qualify for these new privileges.⁸⁷ Oscar Wilde articulated this feeling of otherness as an incarcerated queer person in 1897:

*“The poor thieves and outcasts who are imprisoned here with me are in many respects more fortunate than I am. The little way in grey city or green field that saw their sin is small; to find those who know nothing of what they have done they need go no further than a bird might fly between the twilight and the dawn; but for me the world is shrivelled to a handbreadth, and **everywhere I turn my name is written on the rocks in lead.**”⁸⁸*

After that initial month, the imprisoned individuals were additionally given the privilege of completing their hard labour in larger halls with their fellow inmates. At Winchester, this often-involved menial repetitive tasks such as sewing mailbags, tying rope, and cutting up canvases.⁸⁹ When the men were herded back to their cells after work was finished, they only had about an hour left before lights out. Some used this time to read from the limited selection of religious books in the prison library, but many were simply too exhausted.⁹⁰ This exhaustion from the labour was exacerbated by the meagre diet provided to the incarcerated soldiers. The prison diet was engineered to be purposely unappetizing with minimal nutrients. As a rule, the

men were fed twice a day: once with a breakfast of unsweetened porridge, and once in the evening which was a meal typically consisting of a meat dish such as corned beef.⁹¹ Prison reform advocate Jebez Balfour described his experience while imprisoned in the early 1900s as “one long hunger.”⁹² A weakened immune system from the poor diet in prison and the lack of medical care is often cited as one of the reasons for Oscar Wilde’s early death at the age of 46.⁹³ Although these cases both predate the First World War by a decade, prison conditions would not see any impactful reform until 1921. Therefore, the experience was undeniably similar for the imprisoned queer men during the war. This insubstantial diet was restricted even further if the men were punished with solitary confinement for breaking prison rules.⁹⁴ While undergoing this punishment, the men were only allotted one stale slice of bread and butter per day paired with a single glass of water.⁹⁵ The starvation coupled with the isolation was reported to drive several men to the brink of insanity.⁹⁶ This brutal punishment of solitary confinement was often given for the mildest of offenses. For example, one inmate received this punishment because he tried to share his bread crusts with a man in the neighbouring cell who was ill.⁹⁷

This inhumanity was also encouraged through formal policy. During this era prison wardens were encouraged to be as harsh as possible and they were under constant observation from their superiors to prevent any leniency or human kindness from slipping out.⁹⁸ Consequently, there are numerous reports of brutalities witnessed in the penal system from this period.⁹⁹ One of the most horrendous examples was a man who talked back to a warden in 1917. As a result he was dragged down an iron staircase with his head bashing against every step as he went.¹⁰⁰ Another instance of violent punishment occurred at the Wandsworth Prison in 1916, where a man was put in a straightjacket for over 20 hours until he passed out.¹⁰¹ Due to the limited materials from this period, there are no written records of who was punished and how. However, minorities within criminal justice systems are almost always met with increased violence compared to non-marginalized people.¹⁰² This is something which undoubtedly would have been at play in the lives of the seven queer soldiers who were imprisoned.

Not only were queer soldiers in the CEF subject to military police enforcement but they were also at risk of being arrested by civilian police officers while stationed in the United Kingdom and abroad.¹⁰³ The city of London in particular faced stringent enforcement and surveillance around queer spaces. Specifically, several popular “cruising” spots like theatres were shut down

as a result and individuals caught frequenting those establishments were imprisoned.¹⁰⁴ At least four Canadian soldiers were arrested while stationed in the United Kingdom for “gross indecency” or “attempted gross indecency.”¹⁰⁵ Luckily for three of those soldiers, the nature of the trial was not communicated to military authorities and thus they only had to pay a ten-pound bail for “attempted gross indecency.”¹⁰⁶ Sadly, that was not the case for John Macdonald from Truro, Nova Scotia of the 41st battalion.¹⁰⁷ He was stationed at the Aldershot training camp just before Christmas in 1915. While on leave in the nearby town of Winchester, Private Macdonald was arrested for committing “the abominable crime of buggery” with a man named Alexander McCormack.¹⁰⁸ He was imprisoned at the H.M. Winchester while awaiting trial, and in April 1916 he was tried at the Assize Court in Winchester.¹⁰⁹ Private Macdonald was found guilty and sentenced to 15 months’ imprisonment with hard labour which he served at the Winchester prison.¹¹⁰ Unlike Frederick Hardy, John Macdonald was forced to carry out his entire sentence. After his release in 1917, he was transported back to Canada and subsequently dismissed from the CEF for “being an undesirable.”¹¹¹

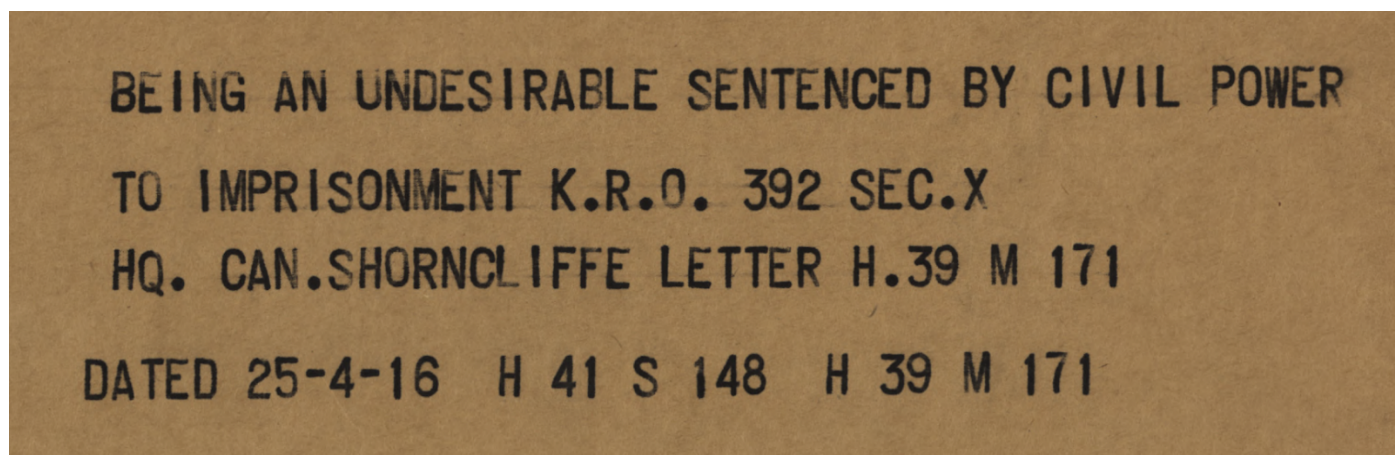


Figure 12: One of several notes in Pte. Macdonald’s personnel file branding him as “undesirable.”

Unfortunately, it is very difficult to trace what happened to John Macdonald after his imprisonment and subsequent dismissal from the military in 1917. However, his experience can be comparable to the expungement of 2SLGBTQ+ individuals in the public service that occurred in the latter half of the 20th century. Similar to John Macdonald, victims of the purge were dismissed and stripped of their pensions.¹¹²

Martine Roy's testimony from The Fruit Machine documentary encapsulates the experience of being dismissed:

*"I felt like the floor opened under my feet...It destroyed everything for me. When I went out of there– it was the world and [then] me, I was not part of it."*¹¹³

Adding to the hypocrisy of Private Macdonald's dismissal is the fact that numerous other soldiers during the First World War were arrested by local authorities for other offenses and were not dismissed from the military service.¹¹⁴ One such example occurred in the Royal Newfoundland Regiment with Private Alexander Harris who was arrested for sexual assault and given 6 months of hard labour.¹¹⁵ Legally the offence was classified as an "indecent assault" and yet because the assault was on a woman, Private Harris was given a shorter sentence compared to those arrested for consensual queer sex. Harris was also not dismissed from military service and his crime was described as a misdemeanor by the military establishment.¹¹⁶ Private Harris's case also illustrates the importance of context in these trials, I discovered his name first listed in the Winchester prison records and thought that I had potentially found the first queer person from Newfoundland who served in the war. However, when I accessed the specific court documents at the National Archives in the United Kingdom, it turned out that he was arrested for sexual assault.¹¹⁷

Up until recently, there was very little knowledge of these court martial trials and no mention of the horrendous imprisonment queer men faced in the First World War. As a result, there has never been an apology for what these men experienced in prison nor has there ever been any efforts to commemorate them. Prior to my research trip to the UK there was not even a source to outline the names of the prisons Canadian soldiers were interned in. In fact, most of the academic articles that I came across while researching the topic of crime during the Great War had little to no reference to those arrested for gross indecency. These articles described crimes such as sexual assault, forgery, petty theft, desertion, and even murder yet gross indecency was excluded from the discussion. The experience of these men who were imprisoned because of their sexual orientation, something they had no control over, has been quite literally erased from the broader story of the First World War.

Section

4

OTHER PUNISHMENTS

THE IMPACTS OF DISMISSALS, CASHIERING, AND PUBLIC SHAME THAT WERE ENCOURAGED BY THIS SYSTEM.



Section 4: Other Punishments

Private Harris's experience is starkly different from the thousands of individuals throughout Canadian history who have been dismissed from their positions because of their sexual orientation. While this practice of dismissal was a more common approach to policing queer identity in the Second World War, the First World War is no exception to this longstanding practice.¹¹⁸ In total there were three individuals that were dismissed or cashiered during the war because of their sexuality.¹¹⁹ Cashiering in this context refers to the longstanding military tradition of discharging officers deemed to be "behaving in a scandalous manner."¹²⁰ This military tradition dating back to the 17th century, typically it was a very ritualistic affair that centred on the humiliation of the accused officer.¹²¹ During the First World War this ceremony was carried out in front of the other officers in the regiment and involved the destruction of status symbols such as epaulettes, insignia, as well as badges to symbolise that they could never serve under the crown again.¹²² Not only would this destroy an officer's social standing, but it also prevented them from obtaining a military pension.¹²³ In the context of gross indecency trials, this ritual meant soldiers were once again outed and shamed for their sexuality in a public fashion. Two officers were cashiered during the First World War because of consensual queer relationships.¹²⁴ In some situations, officers experienced both the punishment of dismissal and incarceration. Lieutenant Richmond Earl Lyon, who served three years of hard labour in the Winchester prison, was cashiered immediately following his court martial trial.¹²⁵ Cashiering was also often widely reported in trench newspapers, again rooted in this idea of public military discipline as a deterrent for misbehaviour.¹²⁶ In this instance, it was used as a threat to scare queer people into the closet.

One of the most celebrated performers of the war experienced this fearmongering firsthand as he travelled the front lines performing. However, it would not be until the Second World War that he would be quietly dismissed for his sexuality. Ross Douglas Hamilton was born in the seaside village of Pugwash, Nova Scotia in 1889.¹²⁷ After he graduated high school, Ross moved to Montreal which was at the time the epicentre of Canada's underground queer scene.¹²⁸ While living there he worked as a clerk and dabbled in theatre. When the war broke out in 1914, Private Hamilton enlisted as an ambulance driver and in April 1917 Ross, along with some of his peers, were selected to join the all-male concert troop, known as The Dumbells.¹²⁹

In a barn near the French countryside Ross diligently crafted his drag persona, Marjorie, using beads from rosaries, tent canvas, and feathers from pillows.¹³⁰ They performed their first concert on the eve of Vimy Ridge just behind the front lines and were a smash hit! Ross and The Dumbells travelled around the front lines entertaining troops for the remainder of the war. Marjorie had several similar suitors, there was even once a senior military officer who snuck backstage with flowers in order to ask Marjorie out on a date. ¹³¹ Ross's castmates had to break it to the poor officer that he just wasn't Marjorie's type while Ross slipped out the bathroom window. After armistice the group went on to perform for the king of Belgium and did a stint on Broadway for several years.¹³² When the Second World War broke out, Ross enlisted again to serve as troop entertainment. ¹³³ However, in 1942 his sexuality was discovered by military officials who dismissed the world renown performer "for reasons other than medical" a common method of dismissing queer individuals during the Second World War.¹³⁴ Ross retired to a cozy log cabin in his home province of Nova Scotia where he remained until his death in 1965.¹³⁵ Ross's legacy has largely been erased from the history of the First World War and he died in relative obscurity.¹³⁶



Figure 13: Marjorie in the 1920s.



Figure 14: Marjorie later in life.

We can never truly know how Ross felt in those years following his dismissal. However, we can compare his experience to other Canadian soldiers who were dismissed under similar circumstances. Diane Vincent, a Cold War purge victim, articulated how she felt after her dismissal:

*“I lived as a robot I think, not feeling anything anymore just feeling that was me then and I’m nobody now.”*¹³⁷

Some officers were spared the humiliation of dismissal by virtue of their status within the military. However, they were still punished because of their sexuality through other mechanisms such as rank demotion and docked pay. The men were also immediately separated from each other, sometimes entire oceans apart. Such was the circumstance with Major Baron Osborne and Corporal Alfred Augustus Nash in October of 1915. Major Baron Osborne was born in 1869 in the United Kingdom, he first enlisted in the military at the age of 14 and fought in the Boer War from 1899-1902. After the war ended Major Osborne immigrated to Kitchener Ontario where he taught physical education until the declaration of the First World War.¹³⁸ Baron was one of the first men to enlist at Valcartier in September of 1914 and it was in training there that he met Corporal Alfred Nash of Gravehurst, Ontario. He and Nash became inseparable, and Baron even became engaged to Alfred’s younger sister. However, the pair were separated when their units embarked overseas and were not reunited again until the summer of 1915 when both were stationed at the Shorncliffe camp.¹³⁹ Shorncliffe was a historic military encampment situated near the quaint seaside town of Folkestone in the United Kingdom. It was named for the beautiful cliffs and freshwater brook that ran through the camp.¹⁴⁰ While there, the men became inseparable and frequently spent time together in the mess halls and down by the bank of the stream. It was next to that stream where Baron and Alfred were arrested by a group of military policemen on the morning of September 14th, 1915.¹⁴¹ The military policemen crouched in the bushes and spied on the men for several minutes until they decided to arrest them. The following morning, both men faced the humiliation of having their private sexual encounter described in explicit details in front of the entire courtroom of people.¹⁴² Despite both being declared not guilty, the men were still punished for their sexuality. Alfred was demoted in rank and sent immediately to the front lines.¹⁴³ He was severely injured at Vimy Ridge and near the end of 1917, he married a Spanish woman named Irene. They had five children together and he passed away at the age of 74 in

British Columbia.¹⁴⁴ Baron was struck off active overseas service and sent back to Canada, where he was attached to the first military police academy.¹⁴⁵ After the war he returned to England, where he married Beatrice Lewis in 1922.¹⁴⁶ The couple lived in Bristol, England where Baron became a fierce advocate for veterans' rights. He died there at age 66.¹⁴⁷ Their story demonstrates the way that the military structure privileged higher-ranking individuals compared to privates who found themselves in similar situations. Yet despite their rank, Baron and Alfred were still not completely spared from being punished and outed to their peers.



Figure 15: Major Baron Osborne in 1918



Figure 16: Alfred Augustus Nash in 1956

It's important to acknowledge the broader implications these laws had for the queer community during the war. While this report has only identified 21 queer individuals directly persecuted there were presumably hundreds or even thousands of queer individuals impacted by these trials. Behind every one of those public trials are hundreds of unidentified victims who saw their love depicted as criminal, as unworthy, and as indecent by the Canadian government on a public forum. While there is sadly not a number for these victims, we should recognize and commemorate them nonetheless!

Section

5

DYNAMICS OF PRIVILEGE

HOW PRIVILEGE PROTECTED SOME QUEER MEN WHILE OTHERS WERE PERSECUTED FOR SIMILAR CIRCUMSTANCES.



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Section 5: Dynamics of Privilege

Criminal justice during the war was distributed unevenly much like the justice system back home in Canada at the time. As was perhaps best demonstrated in the experience of Baron Osborne, high ranking officers were often spared some of the more extreme punishments handed down from court martial judges.¹⁴⁸ Given this fact, it is important to consider how gross indecency cases may have disproportionately impacted individuals with intersecting disadvantages. Canada at this time was an incredibly racist and Anglocentric society. This bias undeniably spilled over into court martial trials as well and impacted how judgements were handed down. Specifically, there were two groups who were overrepresented in court martial trials: Francophone Soldiers and Black Canadian soldiers.

First, there is a noticeable overrepresentation of French Canadians within the court martial records for gross indecency. The war broke out during a particularly tense time for English and French-Canadian relations. Just two years prior to the war, the government of Ontario had passed “Regulation XVII,” a bill that prohibited French from being taught in schools past the second grade.¹⁴⁹ Additionally, English was the only language of instruction in the training camp at Valcartier and most of the senior French Canadian military officials were placed in meaningless administrative positions with limited prospects for promotion.¹⁵⁰ Eventually, French Canadians fought for the right to their own battalion and the 22nd regiment was created in 1915. In total there were fifteen French Canadian infantry battalions in the war, however, only one battalion fought on the front and the rest were used as reinforcement battalions.¹⁵¹ According to research by historian John Martin, at least 74,795 French Canadian men enlisted in the war, representing roughly 12% of the population of enlistees.¹⁵² Despite representing only 12% of the CEF enlistment population, French Canadian soldiers accounted for roughly 32% of the courts martial for gross indecency. They also received heavier sentencing compared to English Canadian soldiers and accounted for 45% of those imprisoned or detained following their trial. These statistics suggest there was a bias against French Canadians during the court martial process, which merits a separate research investigation in itself. One of the most heartbreaking trials in the records belongs to a young French Canadian Private named Sylvio Rousseau who was born in Montreal in 1899.¹⁵³ Not much is known about Private Rousseau’s life before the war, but he listed his employment as a butcher at enlistment. He joined the CEF

in February 1916, and was sent over to England for training at the Shorncliffe camp in April 1916.¹⁵⁴ On the evening of August 21st, 1916, he was arrested alongside another French Canadian soldier, Joseph Plante, after the pair were discovered together in the back of the camp's barber shop in the Barber's personal bedroom.¹⁵⁵ Private Rousseau, who was a Francophone, was not provided a translator for his trial.¹⁵⁶ As a result he was unable to defend himself to the court and had no choice but to plead guilty by default.¹⁵⁷ It should be noted that there is evidence of formal translators being used in other court martial records for witness statements, but not in this circumstance for an unknown reason.¹⁵⁸ There is a note on his court martial record that serves as his only statement of defence, made by an English Canadian officer:

*"The accused is a French boy and cannot speak English, he is under military age being only 17 years of age and in my estimations is mentally unbalanced."*¹⁵⁹

This did not spare Rousseau from punishment; he was declared guilty and sentenced to undergo 90 days of military detention.¹⁶⁰ His sentence was extended during his punishment because he was caught holding live munition.¹⁶¹ Following his time imprisoned in the military detention centre, Private Rousseau was sent immediately to the front lines with the 22nd battalion in November 1916.¹⁶² He fought with the 22nd regiment during some of the most important battles in CEF history, including: Vimy Ridge, Hill 70, and Passchendaele in fall 1917.¹⁶³ In November 1917 Private Rousseau earned a military medal which was the second highest medal a non-commissioned soldier could be awarded in the First World War.¹⁶⁴ Unfortunately, his luck would soon run out in April of 1918. While stationed near Étaples in France, Private Rousseau got into a physical altercation with his superior officer and as a result he was sentenced by court martial to once again undergo detention in a military prison for 2 years.¹⁶⁵ Sylvio served four months of that sentence before he was brought back to the front to fight in the last 100 days offensive. He was shot in the abdomen in September 1918 and spent the remainder of the war recovering in hospital.¹⁶⁶ After he was released from hospital in 1919 Private Rousseau deserted the military, presumably to avoid serving the rest of his prison sentence, and in the chaos of demobilization the military, authorities were unable to locate him.¹⁶⁷ You can imagine why Private Rousseau would not want to serve the remainder of this sentence and why he no longer felt loyal to an organization that treated him in such a horrible

way. His treatment was not an anomaly; it was very common for many soldiers from marginalized backgrounds to receive harsh punishments for seemingly minor infractions.¹⁶⁸

This was similarly the case with many of the black soldiers in the CEF and the treatment of the only black soldier tried for gross indecency is noticeably harsher than the other trials. At first, black soldiers were discouraged to enlist. One group of black men who tried to enlist were brushed off and told “this is a white man’s war” while others were told “we’ll send for you when we need you.”¹⁶⁹ These instances are just an example of the consequence of several racist white Canadians who refused to fight alongside black men.¹⁷⁰ However, when the CEF became desperate for labour battalions in 1916, they finally caved on their racist stance and allowed black Canadians to serve in labour battalions. This was how the No. 2 construction battalion came to be, the largest all black unit in the history of Canada and had approximately 800 personnel. The battalion helped build the water system, maintain roads, built a major logging railroad, and were heavily involved in the forestry industry.¹⁷¹ In total an estimated 1300 black Canadians fought in the CEF and many men faced severe racism during their time overseas.¹⁷²



Figure 17: Members of the No. 2. Construction Battalion

Private Louis Nealy’s court martial trial offers a snapshot into the day-to-day racism these men experienced. Private Nealy was the only known person of colour charged for gross indecency. He was an American who was born in Chicago in 1886. Louis enlisted in the No.2 construction

battalion in November of 1916 in Windsor Ontario and listed his trade before the war as a barber.¹⁷³ It is not known how or when Nealy arrived in Canada, however it was not uncommon for men from the United States who wanted to fight in the war to head up north enlist in the CEF before their country had officially declared war on Germany in 1917.¹⁷⁴ While he was stationed in France, Louis was arrested for “disgraceful conduct of an indecent kind” after he spent the night in the hut for white soldiers and not in the one segregated for black soldiers.¹⁷⁵ Notably, his treatment during his trial is quite different from white Canadians who were arrested for gross indecency. The most evident difference is that it is not clear whether the claims of the two witnesses were falsified in order to punish the black man for breaking segregation rules. The white witness’s testimonies are filled with graphic racial slurs in reference to Louis, and the court ordered him to call on white soldiers to testify on his behalf or Private Nealy’s defense would not be taken seriously.¹⁷⁶ The court martial judges were surprisingly lenient on Private Nealy and gave him the verdict of not guilty. However, six months following his court trial Louis would find himself in trouble with the military law once again and was arrested because he fought with a white soldier.¹⁷⁷ The soldiers got into an argument and the white soldier bashed Louis on the head with a baseball bat while calling him the n-word. In retaliation, Private Nealy struck the other man with his razor injuring his throat.¹⁷⁸ Louis was found guilty of assault with the intent to do bodily harm and sentenced to 18 months’ imprisonment with hard labour. He served four months of his sentence at the No.6 military prison located in France.¹⁷⁹ In February of 1919 his sentence was suspended, and he was released in the United Kingdom.¹⁸⁰ From there Louis made his way back to Canada through passage to New Brunswick.¹⁸¹ Sadly, it is very difficult to track what happens to Louis Nealy after that. He does not appear on either the 1920 US census or the 1921 Canadian census. His proposed residence in his discharge papers suggest that he found work at a Bookstore in Ripon Yorkshire in England, so perhaps he made a career for himself as a bookseller in the years following the war.¹⁸²

Both Louis Nealy and Sylvio Rousseau’s experiences highlight the prejudice that marginalized communities faced during the First World War as well as the necessity to always analyze historical circumstances through an intersectional lens. Especially given how even within marginalized communities there exists multiple levels of privileges that result in varied experiences of oppression.

Section

6

WHY THEIR STORIES MATTER

AND WHY IT'S OUR DUTY TO HONOUR THEIR
LEGACY A CENTURY AFTER THEIR PERSECUTION



Section 6: Why This History Matters

A homophobe recently sent me the following tweet that I just can't seem to get out my head:

Hmm you live in Canada, you can get married, no one is trying to kill you and you are no longer oppressed.

9:42 PM · Oct 30, 2022

Doing this type of work, you are bound to run up against homophobia. I'm usually able to just brush these types of comments off because they happen to me on a regular basis. However, there is something about the naivety behind this statement that I simply have not been able to shake. While I am very grateful to have lived a relatively privileged and safe life in Canada, that does not mean that every 2SLGBTQ+ person in this country has had the same experience, nor does it mean that we are no longer facing oppression. In a way I wish that sentence was true, I imagine those words lifting queer bodies from the graves, our histories no longer rotting away alongside them and no longer buried deep in the ground with the rest of Canada's historical shame. I dream of a world where our stories are taught in history classes, one where 2SLGBTQ+ kids can read about themselves and know that their community is a part of Canadian history. Unfortunately, that is not the country that we live in. Sure, same sex couples can get married, but there is so much more advocacy before we can say queer people are no longer oppressed in Canada. Until we reach that day, stories like the ones in this report need to be told and our history needs to continue to be unearthed from dusty records held in archival basements. By telling these stories we can finally heal as a community a hundred years after these atrocities took place. Importantly, we are also able to see ourselves represented in national history and fight back against homophobic notions of there being no historic evidence of queerness. I am a firm believer of the role of history in modern politics, and as we fill in these archival silences a picture of modern 2SLGBTQ+ oppression starts to unfold. The story of these men and their persecution should not be seen as a shameful isolated incident in Canadian history but instead as an example of the longstanding policies and principles that have evolved into the oppression that queer people still face in Canada today. The very foundations in which our government is structured was written in the dark red blood of marginalized communities in this country. Marriage equality was never going to fix centuries of oppression. Only concrete policy action and listening to 2SLGBTQ+ advocacy will.

We must remember them.

Nous devons nous souvenir d'eux.

ROMEO BELISLE • EMILE CHARETTE • DENYS
FISHER-JOY • REGINALD FULLER • ALBERT
GOULET • ROSS DOUGLAS HAMILTON •
FREDERICK LEA HARDY • HAROLD OWEN
KNAPP • RICHMOND ERL LYON • JOHN
MCDONALD • ALEXANDER MCKENZIE •
ALFRED AUGUSTUS NASH • LOUIS NEALY •
BARON OSBORNE • JOSEPH PLANTE • HUGH
POPE-HENNESSY • JOSEPH QUIRION • GEORGE
HENRY REX • GEORGE ROBERTS • SYLVIO
ROUSSEAU • GILBERT ARTHUR SIMM •

GLOSSARY:

Bramshott Camp

Bramshott Military Camp was a temporary army camp set up by the CEF located in the English county of Hampshire by the village of the same name. It was one of three major headquarters for the CEF in England during the war.

Cashiering

The longstanding military tradition of discharging officers deemed to be “behaving in a scandalous manner.” This ritual dates back to the 17th century, typically it was a very ritualistic affair that centred on the humiliation of the accused officer. During the First World War, this ceremony was carried out in front of the other officers in the regiment and involved the destruction of status symbols such as epaulettes, insignia, and badges to symbolise that they could never serve under the crown again.

Canadian Expeditionary Force

The Canadian field combat force during the First World War. It consisted of 260 infantry battalions and consisted of an estimated 630,000 enlistees.

Conscientious Objectors

The individuals who morally objected to the war for various reasons including political and religious beliefs. During the war, they were incarcerated for refusing to be drafted and in the UK were eventually put into work camps such as Dartmoor prison.

Courts Martial

Courts Martial was a part of the military court system that functioned as an extension of the legal system back home in Canada. They were authorized under the 1881 army act and could prosecute a wide range of both civil and military offences.

Gross Indecency

A vague legal term used to persecute queer individuals in the British Empire that referred to any form of intercourse that does not result in procreation. In the Canadian context, this was introduced in the 1892 criminal code. Gross indecency could be persecuted based on speculation alone and remained a part of Canada's criminal code until 1969 when it was decriminalized for individuals over the age of 21. In 1988, the "gross indecency" offence was repealed from the penal code.

Military Prison

Military prisons, also known as glasshouses, were a method of imprisoning soldiers during the First World War who were not serving their time in British prisons. These prisons were not as rigid as the British Penal System and soldiers could speak to each other but the conditions were often abysmal with 3-4 men in a cell at a time and the prisons were very unhygienic. There were 11 military prisons located in France from 1914-1919 and 9 in England.

Oscar Wilde

A celebrated Irish author from the 19th century best known for his works such as ***The Picture of Dorian Grey***, ***Lady Windemere's Fan***, and ***The Importance of Being Ernest***. He was arrested and imprisoned for gross indecency in 1895 and became an advocate for prison reform after his release.

Details of his experience in prison are outlined in his essay ***De Profundis*** and his poem ***The Ballad of Reading Gaol***.

Shorncliffe

Like Bramshott camp, Shorncliffe was the military encampment and base that where a significant amount of CEF soldiers were trained during the war near the town of Folkestone in Kent England. It is a military base that dates back to the 17th century and still houses members of the British Army today.

Sodomy

Also known as buggery, is a legal term referring to non vaginal sex that has historically been used to persecute queer individuals. For centuries the punishment was death, but it was difficult to convict individuals because the charge required concrete evidence. In 1988, Sodomy was decriminalized for individuals over the age of 18 and rephrased as "anal intercourse."

Sodomy is still illegal in 69 countries around the world.

Queer

Queer is defined as a term that can include, but is not limited to, gay, lesbian, bisexual, transgender, two-spirit, intersex and asexual people. Many who study 2SLGBTQ+ history emphasize queer as the best term to use when it comes to historical analyses because it is fluid category of identification that encompasses both gender and sexuality.

IMAGE CREDITS

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Figures:

- Figure 1.** *No. 2 Can. general hospital Le Treport 1915* in Ellanore June Parker Fonds PR-0398, MS-3198 Item J-00779, 1915. Royal B.C. Archives.
- Figure 2.** *Joseph Austin "Cub" Coates and Leonard Olive Keith during their training at St-Jean sur Richelieu, Quebec, Spring 1918.* P27-MS1A1-49 , John Corey Collection, Provincial Archives of New Brunswick.
- Figure 3.** *"The 'Pals,'" Gale and Polden, 1915.* Reprinted in Monte Beauchamp. *Devilish Greetings: Vintage Devil Postcards*, Fantagraphics, 2007.
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- Figure 5.** *"Map of Military Prisons in England and France."* Sarah M. Worthman. Based on information provided in Graham Wilson. *Accommodating the King's Hard Bargain: Military Detention in the Australian Army 1914-1947.*
- Figure 6.** Table, *"CEF Queer Court Martial findings."* Sarah M. Worthman.
- Figure 7.** *Demobilization, Bramshott and Witley, April 1919,* a006057-v8. Library and Archives Canada/Department of National Defence fonds.
- Figure 8.** *"Map of Prisons used by the CEF."* Sarah M. Worthman.
- Figure 9.** *[EPW000693] Winchester Prison and the Royal Hampshire County Hospital, Winchester, 1920* © Historic England.
- Figure 10.** *Frederick Lea Hardy's name carved into the Vimy Memorial in France.* Photographed by Sarah M. Worthman, April 2022.
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- Figure 12.** Personnel file, 416169. Macdonald, John. *First World War Militia and Defence Personnel Files.* Library and Archives Canada.
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- Figure 15.** *Royal Canadian Mounted Police Corps Training School, Ottawa, Ont., July 1918,* e011443176. Library and Archives Canada/Department of National Defence fonds.
- Figure 16.** *"Do you spend your holidays at home or travel away during vacations"* Nanaimo Daily News. August 7, 1956. Accessed via Newspapers.com.
- Figure 17.** *Members of the Number 2 construction battalion.* *The Halifax Herald.* July 1916.

Section 1: A Queer Paradox

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Appendix A. Consensual Gross Indecency Courts Martial in the CEF, 1914-1919.

Name	Service Number	Charge(s)	Army Act Section	Court Martial Docket
Belisle, Romeo	1012225	Disgraceful conduct of an indecent kind.	18(5)	Reel T8664 649-B-44073 (p. 1183)
Charette, Emile	448539	1. Disgraceful conduct of an indecent kind. 2. Conduct to the prejudice of good order and military discipline.	18(5) 40	Reel T8659 649-C-32586 (p. 4410)
Fisher- Jones, Denys	190406	1. Deserting his Majesty's Service. 2. Committing a civil offence, that is to say committing an act of gross indecency.	41	Reel T8670 649-J-10801 (p.3477)
Fuller, Reginald	N/A	Behaving in a scandalous manner unbecoming the character of an officer and a gentleman. (x 3)	16	Reel T8693 602-6-92 (p. 2643)
Goulet, Albert	170008	Committing a civil offence, that is to say committing an act of gross indecency with a male person.	41	Reel T8665 649-G-11615 (p. 4219)
Hardy, Frederick Lea	A/22041	Committing a civil offence, that is to say committing an act of gross indecency with a male person.	41	Reel T8691 55-H-82 (p. 2006)
Lyon, Richmond Erl	N/A	Committing a civil offence, that is to say committing an act of gross indecency.	41	Reel T-8694 602-12-6 (p. 921)
McKenzie, Alexander	648598	Disgraceful conduct of an indecent kind.	18(5)	Reel T-8677 649-M-25905 (p. 2182)
Nash, Alfred Augustus	6368	Disgraceful conduct of an indecent kind.	18(5)	Reel T-8673 649-N-142 (p. 59)
Nealy, Louis	931629	Disgraceful conduct of an indecent kind (x2)	18(5)	Reel T-8673 649-N-5494 (p. 2084)
Osborne, Baron	N/A	Behaving in a scandalous manner unbecoming the character of an officer and a gentleman.	16	Reel T-8692 338-25-9 (p. 4759)
Plante, Joseph	449116	Disgraceful conduct of an indecent kind.	18(5)	Reel T-8694 681-16-11 (p. 4476)
Pope-Hennessy, Hugh	45032	Behaving in a scandalous manner unbecoming the character of an officer and a gentleman.	16	Reel T-8666 649-H-11384 (p. 940)
Quirion, Joseph	856841	1. Disgraceful conduct of an indecent kind. 2. Conduct to the prejudice of good order and military discipline.	18(5) 40	Reel T-8680 649-Q-315 (p. 268)
				Reel T-8691

Rex, George Henry	91929	Disgraceful conduct of an indecent kind.	18(5)	28- R- 3 (p. 942)
Roberts, George E.	419070	Committing a civil offence, that is to say committing an act of gross indecency with a male person (x2)	41	Reel T-8684 649- R-16363 (p. 1950)
Rousseau, Sylvio	121754	Disgraceful conduct of an indecent kin	18(5)	Reel T-8684 649- R-13249 (p. 1122)

Appendix B. CEF Servicemen Charged for Their Sexuality In The United Kingdom.

Name	Service Number	Charge(s)	Trial Location
Macdonald, John	416169	Gross Indecency	Winchester
Knapp, Harold Owen	112300	Buggery	Maidstone
Sim, Gilbert Arthur	304354	Gross Indecency	Maidstone
Swanson, George	N/A	Buggery	Maidstone