

Explorer without a country: the question of Vilhjalmur Stefansson's citizenship

Janice Cavell

Historical Section, Foreign Affairs and International Trade Canada, 125 Sussex Drive, Ottawa, Ontario K1A 0G2, Canada, and Department of History, Carleton University, 1125 Colonel By Drive, Ottawa, Ontario K1S 5B6, Canada (Janice.Cavell@international.gc.ca)

Jeff Noakes

Canadian War Museum, 1 Vimy Place, Ottawa, Ontario K1A 0M8, Canada

Received October 2008

ABSTRACT. Confusion has long existed on the subject of Vilhjalmur Stefansson's citizenship. A Canadian (that is, a British subject) by birth, Stefansson was brought up and educated in the United States. When his father became an American citizen in 1887, according to the laws of the time Stefansson too became an American. Dual citizenship was not then permitted by either the British or the American laws. Therefore, Stefansson was no longer a British subject. After he took command of the government sponsored Canadian Arctic Expedition in 1913, Stefansson was careful to give the impression that his status had never changed. Although Stefansson swore an oath of allegiance to King George V in May 1913, he did not take the other steps that would have been required to restore him to being Canadian. But, by an American act passed in 1907, this oath meant the loss of Stefansson's American citizenship. In the 1930s American officials informed Stefansson that he must apply for naturalisation in order to regain it. From 1913 until he received his American citizenship papers in 1937, Stefansson was a man without a country.

Contents

Introduction	237
Stefansson becomes an American	237
The Canadian Arctic Expedition	238
Stefansson as a 'British subject'	239
A man without a country	240
Acknowledgements	240
Note	240
References	241

Introduction

When Vilhjalmur Stefansson's unsuccessful attempt to claim Wrangel Island for Canada and the British empire was debated in the Canadian parliament, those politicians who spoke expressed a variety of opinions on the subject of the explorer's citizenship. Former prime minister Arthur Meighen contended that he was, and always had been, a British subject¹ by virtue of his birth in Arnes, Manitoba. The minister of the interior, Charles Stewart, replied that Stefansson had become an American after his family moved to the United States. Robert Forke, the leader of the Progressive party, jocularly remarked that '[s]ometimes he is an American and sometimes he is a Canadian, just as it suits him or wherever he happens to be living' (Canada, House of Commons 1925: 4097–4098). Historians have come no closer to unanimity. Richard Diubaldo states that Stefansson reassumed his Canadian citizenship before taking command of the 1913–1918 Canadian Arctic Expedition (Diubaldo 1978: 72). Trevor Levere acknowledges that the Canadian government requested Stefansson to change his status in 1913, but he writes that '[t]he citizenship question seems not to have been pressed' and that subsequently '[b]oth countries . . .

claimed or ignored [Stefansson] as it suited them' (Levere 1988: 239 and 239 n.30). Gísli Pálsson believes that Stefansson had dual American and Canadian citizenship (Pálsson 2003: 130).

The archival record shows that Stefansson did indeed become an American in 1887, a few years after his Icelandic family took up residence in the Dakota Territory. He was initially receptive to the Canadian request that he become a British subject once again. However, once he became better informed about the British and American laws on the matter, Stefansson was reluctant to do so because dual citizenship was not possible. To become Canadian would mean the loss of his United States citizenship. Stefansson carefully avoided any actual change in status, but he claimed to be a British subject whenever this was to his advantage. Or rather, he believed that he had avoided a change in status. Unfortunately for Stefansson, under the American expatriation laws of the time his actions alone were sufficient to cause the loss of his US citizenship. Although he did not realise it at first, for over twenty years Stefansson was a man without a country. He finally became aware of his true situation in 1932, and he then applied for naturalisation in the United States.

Stefansson becomes an American

Stefansson was born on 3 November 1879, the child of Icelandic immigrants to Canada Johann Stefánsson and Ingibjörg Johannesdóttir. The Icelandic settlements in Manitoba were plagued by difficulties, including a smallpox epidemic in which two of the Stefánsson family's other children died (see Jackson 1925; Eyford 2006). Like many others, the Stefánssons decided to try their luck in the United States. In the spring of 1881, when Vilhjalmur was only a year and a half old, they settled in

Pembina County, Dakota Territory. Six and a half years later, on the day after Vilhjalmur's eighth birthday, Johann Stefánsson became an American citizen (Galbraith 1931). The American naturalisation law decreed that 'children of persons who have been duly naturalized . . . being under the age of 21 years at the time of the naturalization of their parents shall, if dwelling in the United States, be considered as citizens thereof' (printed in Howell 1884: 111). Without having taken any action on his own behalf, young Vilhjalmur was now an American, a fact of which he was certainly well aware. He later told an old acquaintance that he 'clearly' remembered the occasion when his father received his citizenship papers, including 'the talk about it' and 'many of the attendant circumstances' (Stefansson 1931b). After he came of age he never voted in the US (Stefansson undated), but he found other ways of participating in the political life of his adopted country. In 1902 Stefansson ran for the office of superintendent of public instruction in the state of North Dakota, receiving a respectable 15,347 votes to the winner's 36,769 (Hall 1923).

The Canadian Arctic Expedition

In January 1913 Stefansson approached the Canadian government to ask that it make a financial contribution to his planned Arctic expedition. He had already obtained promises of funding from the National Geographic Society and other American sources, but he feared that the amount would not be sufficient. Prime Minister Robert Borden decided that, since the expedition was to take place in Canadian territory, the government should be its only sponsor. The expedition would then become an assertion of Canadian sovereignty. As such, it seemed to some Canadian officials that it should not be led by a foreigner.

In order to serve the government's true purpose, Stefansson would have to become a Canadian again. On 7 February he travelled to Ottawa and attended a meeting of the cabinet sub-committee appointed to deal with the matter. According to the Canadian record of the meeting, the explorer 'did not seem to have any particular objection to taking the oat[h] of naturalization though he did not say definitely that he would do so' (Record of meeting 1913). The Canadians made their formal offer in a telegram sent on 8 February: 'Government will pay total cost expedition on condition you become naturalized British subject before leaving and expedition [carries] British flag' (Roche 1913). It seems that Stefansson initially saw no difficulty with this request. A few weeks later he made a statement to *The New York Times*. He told a reporter that he was 'either an American citizen or a British subject as he chooses. His father was a naturalized American, and Mr. Stefansson has made his residence in this country since childhood. He was born in Canada, however, and under the doctrine "Once a British subject, always a British subject," [he] is an Englishman' (*The New York Times* 27 February 1913).

Stefansson may well have believed what he said. The British government held to the principle of indelible allegiance until the late nineteenth century, but the policy, a source of much friction with the United States, had at last been reversed nine years before Stefansson was born. The Naturalization Act of 1870 provided that '[a]ny British subject who has at any time before, or may at any time after the passing of this Act, when in any foreign state and not under any disability voluntarily become naturalized in such state, shall, from and after the time of his so having become naturalized in such foreign state, be deemed to have ceased to be a British subject and be regarded as an alien.' A minor child whose father or widowed mother was naturalised in another country also ceased to be a British subject, so long as the laws of the country in question followed the principle that the child's status depended on that of the parent (*Public General Acts* 1870: chap. 14, articles 6 and 10.3). The Canadian Naturalization Act of 1881 made similar provisions.

To be a Canadian again, Stefansson would have to acquire a certificate of readmission to British nationality. The requirements were the same as for naturalisation: three years' residence in Canada and an oath of allegiance to the king. Because Stefansson had spent the years 1908–1912 in northern Canada, the residency requirement could be fulfilled. However, to become a British subject would mean the loss of his American citizenship. A 1907 act of Congress decreed that 'any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign State in conformity with its laws, or when he has taken an oath of allegiance to any foreign State' (Public Law No. 193, section 2, printed in *British and Foreign State Papers* 1913: 975). It was highly unlikely that Stefansson would be able to keep such an act on his part from public knowledge. Naturalisation or readmission to British nationality had to be registered with a court, thus becoming a matter of public record. Reporters in both Canada and the United States would be keenly interested in such a news item.

By late March 1913 Stefansson's attitude had become evasive and uncooperative. As Canadian politician George Perley recorded:

Steffanson [sic] . . . lived for some time in the United States but he tells me he never was naturalized there. Of late years he has been more in British territory than any where else and he seems to practically consider himself a British subject. He told me he had lived here lately quite enough to enable him to take the necessary Oath in connection with Naturalization papers and at first I was inclined to ask him to do this immediately. However, he said that he thought it would be a mistake to do so at this time as the Newspapers would probably comment on it a good deal and it might look as though he had been persuaded to do so because the Canadian Government had taken over the expedition (Perley 1913).

Clearly, Stefansson now knew that he could not simply be British or American as it suited him. Rather than make

a choice between the two, he preferred to emphasise that he himself had never been naturalised in the US (an irrelevant point, since his father *was* naturalised while Stefansson was a minor), and that he 'practically considered himself a British subject.' Previously he had felt no hesitation about announcing to the newspapers that his expedition would carry the British flag, but now he did not want to be naturalised for fear of unfavourable publicity.

However, the Canadians were insistent, and finally Stefansson agreed to 'take the Oath [in the] Spring just before sailing for the north' (Perley 1913). But when it came to the point, he adroitly managed to avoid a change in status. On 3 May 1913 Stefansson took the oath of office and oath of allegiance required by the Civil Service Act (Canada, Privy Council Office; Boudreau 1913). The oath of office involved no more than an undertaking to 'faithfully and honestly fulfil' the required duties (*Revised Statutes 1907*: chap. 16, schedule C).

The oath of allegiance was a far more extensive declaration. Civil servants were required to state:

I do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Fifth . . . and that I will defend Him to the utmost of my power against all traitorous conspiracies or attempts whatsoever which shall be made against His person, Crown and Dignity, and that I will do my utmost endeavour to disclose and make known to His Majesty, His Heirs or Successors, all treasons or traitorous conspiracies and attempts which I shall know to be against Him of any of them; and all this I do swear without any equivocation, mental evasion or secret reservation. – So help me God.

However, the two oaths were not sufficient to make Stefansson a Canadian. Applicants for naturalisation or readmission to British nationality had to take the oath of allegiance and make a sworn statement regarding their residence in Canada in front of a judge, magistrate, notary public, or commissioner for taking oaths. A certificate then had to be filed with the court of the county in which the applicant resided. Without this last step the process was not complete (*Acts 1881*: chap. 14). Stefansson's colleague Rudolph Anderson also took the oaths in May 1913, but Anderson was under no illusion that this made him a Canadian. Anderson applied for naturalisation after the expedition returned, and he duly received his certificate in September 1920 (Anderson 1920: 14 September). But Stefansson never applied for readmission to British nationality. Presumably he argued that because he himself had never acquired a certificate of American citizenship, he had never lost his British status, and so there was no need for a certificate to reaffirm it. But, given his statement to *The New York Times* only a short time before, it is clear that Stefansson knew his father's naturalisation had made him an American. Moreover, when Stefansson returned to the United States after a trip to Europe in April 1913, he informed immigration officials that he was an American citizen, 'naturalized through nat

of father' (quoted in K. Vollen, personal communication, 22 July 2008).

Despite the key differences between the civil service oaths and the requirements for readmission to British nationality, the fact that Stefansson had sworn allegiance to the king satisfied the officials with whom he was dealing. They were evidently not well informed about such matters, and they may not have been familiar with the finer points of the Canadian and American naturalisation and expatriation laws. (The Department of the Interior's immigration branch does not seem to have been consulted.) From Stefansson's point of view, there were strong advantages to the civil service oaths. They freed him from further unwelcome Canadian demands, but they would not become a matter of public record, and hence they were not likely to endanger his American citizenship. If the fact that he had taken them did come to the knowledge of US officials, and if questions were asked about his service under a foreign monarch, Stefansson could always argue that he was poorly informed about the laws and that he had never intended to renounce his loyalty to the United States.

Stefansson as a 'British subject'

When he returned from his expedition, Stefansson seems to have been of two minds about his citizenship. For a time he rented a house in Ottawa, possibly with an eye to the residency requirement. Though his main base was in New York, at first he took care not to have a permanent dwelling there. According to the 1910 Canadian Immigration Act, Canadian domicile was lost 'by a person voluntarily residing out of Canada, not for a mere special or temporary purpose, but with the present intention of making his permanent home out of Canada unless and until something which is unexpected, or the happening of which is uncertain, shall occur to induce him to return to Canada' (*Act 1910*: section 2.d). To the puzzlement of his friends, Stefansson lived at the Harvard Club, an abode which 'left much to be desired . . . Its rooms were intended for the use of Harvard men visiting New York, not for anyone residing in the city. This made it necessary for him, from time to time, to move into a hotel until another vacancy occurred at the Club, and sometimes these sojourns were protracted. On moving out of the Club, his effects, beyond his immediate needs, were usually left in the checkroom.' To suggestions that he should rent an apartment, Stefansson invariably replied that 'he did not have the time to go househunting' (LeBourdais 1963: 173–174).

When Stefansson arrived in New York after a trip to London in 1920 he gave his citizenship status as British (K. Vollen, personal communication, 22 July 2008). In the autumn of that year he began a campaign to secure the support of the new Canadian prime minister, Arthur Meighen, for his plan to claim Wrangel Island. Stefansson evidently told Meighen that he had been a Canadian since birth (see Meighen's remarks during the

1925 parliamentary debate on Wrangel, cited above). Stefansson was in England again in the summer of 1923, seeking to interest the British government in his Wrangel Island venture. He had obtained a British passport for this trip with the assistance of Canadian officials. The Department of External Affairs cabled the British consulate in New York to ask that the passport be issued: 'Formal evidence of British nationality not submitted here but believe Stefansson claims it through birth in Canada status not having been lost since. Recommend him on general grounds and consider his statements may be considered reliable' (Canada, Department of External Affairs 1923).

This telegram was sent a few days after the *Ottawa Journal* revealed two key facts about Stefansson: first, he had run for public office in North Dakota in 1902, showing that he then considered himself an American citizen; and, second, he had never been naturalised in Canada (*Ottawa Journal*, 1 May 1923). During a lecture he gave in Ottawa on the day the *Journal's* article was published, Stefansson stated:

I am not going into the question of whether I am a Canadian but I want to say I laid all the cards on the table before Sir George [Perley] [and] Sir Robert Borden and to the Minister of Justice [I] said 'Am I a Canadian?' The statutory declaration was made on the 3rd of May, 1913. They said I was a Canadian. But in case I am not a Canadian I am in good company. Hudson and Columbus did not belong to the countries for which they explored. The time may come when you will be glad to have the claim to those islands which rests upon myself.

To these highly equivocal remarks Stefansson added, 'No one is eligible to the National Academy of Sciences unless he is an American. I have been elected to it' (Stefansson 1923). In one of his few public statements in Canada on the matter of his citizenship, Stefansson thus transformed the oaths he had taken on 3 May 1913 into a 'statutory declaration' by Canadian officials that he was a Canadian. If he was not, the error was theirs. Stefansson himself, having forthrightly 'laid all the cards on the table,' could not possibly be to blame.

A man without a country

In September 1923 came the news that the four men sent to claim Wrangel Island by Stefansson were all dead. Stefansson's prestige and influence in Ottawa had long been in decline, and the Wrangel Island tragedy turned most of his former supporters firmly against him. By the late 1920s it was clear to Stefansson that he had no chance of ever making a career for himself in Canada. In January 1931 he took steps to obtain 'an opinion or a ruling on my citizenship from the United States point of view.' Exemptions from the 1907 expatriation law had been granted to Americans who enlisted in the Canadian armed forces during the First World War, and Stefansson apparently hoped for similar treatment. He first approached an old classmate from the University

of North Dakota, O.B. Burtness, now a member of the House of Representatives. Stefansson asked Burtness to forward his letter 'with a suitable recommendation to some department of the United States Government that would either decide the case or give me an authoritative opinion.' He gave Burtness an accurate outline of the relevant facts up to 1913. Stefansson then claimed that, at the cabinet sub-committee meeting on 7 February, Borden 'asked the Minister of Justice whether he thought I was sufficiently Canadian for their purposes, and that Minister replied I was. He said that I needed to do nothing except to take the same oath that was required of all officers in a similar position – I believe this was a naval regulation, for the expedition was under the Naval Service of Canada' (Stefansson 1931a). The regulation was, of course, a civil service one, but Stefansson may have hoped that a mention of the Naval Service would help to put him in the same category as the wartime American volunteers. In a later statement, Stefansson explained that he had felt able to serve the Canadian government without a qualm because he had 'no nationalistic feeling as between the United States and Canada – as I felt about it at least they were pretty much one country' (Stefansson undated).

Eventually, Burtness advised Stefansson to make a direct approach to the State Department. The department requested a copy of the oath taken in 1913 (Castle 1932). Stefansson duly wrote to Ottawa in order to obtain one. The clerk of the Privy Council, E. J. Lemaire, replied on 20 October 1932 with copies of both the oath of office and the oath of allegiance. Stefansson at once protested that he remembered taking only one oath, the oath of office (Stefansson 1932). Unfortunately for Stefansson, Lemaire's next letter made it clear that the explorer had indeed taken the oath of allegiance (Lemaire 1932). Though the oath alone had not made him a Canadian, it was enough to cause the loss of his American citizenship. After further correspondence with the Department of Immigration and Naturalization and with lawyer Charles Hamel, it became clear to Stefansson that his only course was to go through the naturalisation process in the United States. This he did, receiving his citizenship papers on 5 January 1937.

Acknowledgements

We gratefully acknowledge the invaluable assistance we received from Barb Krieger of the Rauner Special Collections Library at Dartmouth College, Katherine Vollen of the National Records and Archives Administration in Washington, D.C., and the staff at Library and Archives Canada in Ottawa. The authors appreciate the courtesy of the authorities of Dartmouth College Library in connection with their consultation of documents held there.

Note

1. Canadian citizenship did not then exist as a separate category from British subjecthood; Canadian citizens were defined as British subjects born in Canada, British subjects born elsewhere but resident in Canada

for more than three years, and aliens naturalised in Canada (*Act* 1910: section 2.f). The naturalisation process was governed by both imperial and Canadian laws (see Karatani 2003: 76–80).

References

- Act*. 1910. *An act respecting immigration*. Ottawa: C.H. Parmalee.
- Acts*. 1881. *Acts of the parliament of the Dominion of Canada, passed in the forty-fourth year of the reign of her majesty Queen Victoria, and in the third session of the fourth parliament, Vol. 1: Public general acts*. Ottawa: Brown Chamberlin.
- Anderson, R.M. 1920. *Diary*. Ottawa: Library and Archives Canada MG 30 B40 (Rudolph Martin Anderson and Mae Belle Allstrand Anderson Papers) vol. 17.
- Boudreau, R. 1913. Memorandum, [May 1913]. Ottawa: Library and Archives Canada RG 42, vol. 475, file 84-2-29.
- British and Foreign State Papers*. 1913. *British and Foreign State Papers*, Vol. CII (1908–1909). London: His Majesty's Stationery Office.
- Canada, Department of External Affairs. 1923. Telegram to British Consul General, New York, 4 May 1923. Ottawa: Library and Archives Canada RG 25, vol. 2667, file 9057-B-40.
- Canada, House of Commons. 1925. *Debates*, 1925. Vol. IV. Ottawa: F. A. Acland.
- Canada, Privy Council Office. Oaths of allegiance and of office, 1901 to 1914. Ottawa: Library and Archives Canada RG, 2 vol. 5740.
- Castle, W.R. 1932. Letter to V. Stefansson, 12 October 1932. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Diubaldo, R. 1978. *Stefansson and the Canadian Arctic*. Montreal: McGill-Queen's University Press.
- Eyford, R. 2006. Quarantined within a new colonial order: the 1876–77 Lake Winnipeg smallpox epidemic. *Journal of the Canadian Historical Association* new series 17(1): 55–78.
- Galbraith, S. 1931. Letter to V. Stefansson, 24 February 1931, and enclosed copy of naturalisation record of J. Stefansson, 4 November 1887. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Hall, T. Letter to J. White, 2 April 1923. Ottawa: Library and Archives Canada RG 13, vol. 934, file 9A.
- Howell, A. 1884. *Naturalization and nationality in Canada*. Toronto and Edinburgh: Carswell.
- Jackson, T. 1925. Icelandic communities in America: cultural backgrounds and early settlements. *Journal of Social Forces* 3(4): 680–686.
- Karatani, R. 2003. *Defining British citizenship: empire, commonwealth, and modern Britain*. London and Portland: Frank Cass.
- LeBourdais, D. M. 1963. *Stefansson: ambassador of the north*. Montreal: Harvest House.
- Levere, T. 1988. Vilhjalmur Stefansson, the continental shelf, and a new Arctic continent. *British Journal for the History of Science* 21(2): 233–47.
- Lemaire, E.J. 1932. Letter to V. Stefansson, 27 October 1932. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Pálsson, G. 2003. *Travelling passions: the hidden life of Vilhjalmur Stefansson* (translator Keneva Kunz). Winnipeg: University of Manitoba Press.
- Perley, G. 1913. Letter to J. D. Hazen, 22 March 1913. Ottawa: Library and Archives Canada RG 42, vol. 475, file 84–2-29.
- Public General Acts*. 1870. *Public general acts passed in the thirty-third and thirty-fourth years of the reign of her majesty Queen Victoria*. London: Eyre and Spottiswoode.
- Record of meeting. 1913. Ottawa: Library and Archives Canada MG 26-H (Sir Robert Borden Papers), vol. 234, file 2117.
- Revised Statutes*. 1907. *Revised statutes of Canada, 1906, Vol. I*. Ottawa: Samuel Dawson.
- Roche, W.J. 1913. Telegram to V. Stefansson, 8 February 1913. Ottawa: Library and Archives Canada RG 42, vol. 475, file 84–2-29.
- Stefansson, V. 1923. Transcript of lecture, 1 May 1923. Ottawa: Library and Archives Canada MG 30 B40 (Rudolph Martin Anderson and Mae Belle Allstrand Anderson Papers), vol. 11, file 8.
- Stefansson, V. 1931a. Letter to O. B. Burtness, 7 January 1931. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Stefansson, V. 1931b. Letter to O. B. Burtness, 13 January 1931. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Stefansson, V. 1932. Letter to E. J. Lemaire, 22 October 1932. Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.
- Stefansson, V. Undated. 'Statement regarding citizenship.' Dartmouth, New Hampshire: Rauner Special Collections Library Stef MSS-98 LXIII-14.