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LAW BULLETIN MEDIA

## 'Ship of the damned' recalled 80 years after refugee tragedy

Thousands of Central Americans fleeing oppression and violence in their homelands are huddled along the U.S.-Mexican border. So far, they have been denied asylum and may well be forced to return to an uncertain destiny.

Eighty years ago a similar crisis arose when more than 900 European refugees were not allowed to land in Florida or Canada and were returned to Europe. They were the passengers on the MS St. Louis, "the ship of the damned."

By 1938, the world knew that almost all of Europe's Jews — and some gentiles — were trying to escape persecution by Adolf Hitler. At a conference held in Evian, France, in July 1938, countries debated which of them could accept the refugees to alleviate the crisis.

Yet most "safe" countries, with the exception of some in the Caribbean, imposed almost impossible restrictions on the refugees, partly from anti-Semitism and partly from a fear that refugees would need government support or take jobs away from citizens in those countries.

On May 13, 1939, the MS St. Louis, a passenger ship of the Hamburg-America line, set sail from Hamburg, Germany, for Cuba. At that time, Hitler was eager to see Jews leave and allowed the departure. Cuba was their destination because it had already accepted so many refugees.

All of the passengers had Cuban tourist visas. The ship carried 937 passengers, most of them Jews from Germany or Eastern Europe. One passenger died on the crossing, but 936 made it to Cuba.

Capt. Gustav Schroeder, the master of the ship, was by all accounts a fair man who insisted upon fair and equal treatment of his passengers. He ordered a bust of Hitler covered with a cloth and allowed Sabbath services to be held openly on the ship even though he knew his government would not approve of his actions. If there is a hero in this story, it is Schroeder.

Cuba, which had already absorbed thousands of refugees, changed its rules on May 5, 1939 and forbade entry to all foreigners except U.S. citizens, retroactively invalidating all permits issued beforehand.

When the St. Louis docked at Havana on May 27, 1939, the Cuban government denied the passengers entry. The U.S. government and the American Jewish Joint Distribution Committee pleaded with the Cuban officials. After five days, the government relented as to 28 passengers, all of whom held U.S. visas or were Spanish or Cuban nationals.

Schroeder immediately sailed for Florida, but the U.S. government forbade the passengers to disembark. Secretary



### LAW AND PUBLIC ISSUES

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of State Cordell Hull ran a department well known for its anti-Semitism and hostility to Jewish refugees.

American public opinion was divided between sympathy for refugees and nativism. One Southern congressman reportedly said he would not allow even children to land "because they will grow up to take jobs

away from Americans."

In the end, Hull persuaded President Franklin Roosevelt to forbid any passengers to land and to send the Coast Guard to shadow the ship. This prevented Schroeder from running the ship aground to let the passengers escape.

Canada was the next option. A group of Canadian academics and clergy begged Prime Minister William King to allow entry at Nova Scotia, but the Canadian immigration director, who was hostile to Jewish immigration, prevailed. On June 9, 1939, Canada denied entry.

The MS St. Louis turned eastward. Conditions on board were deteriorating. I have been unable to determine the route she took, but if she passed New York harbor, those aboard would have seen the Statue of Liberty raising her torch and proclaiming "give me your huddled masses yearning to breathe free."

Schroeder refused to take the ship back to Germany until some other European country took all of the passengers.

The ship docked at Antwerp, Belgium, on June 17, 1939. Meanwhile, the U.S. and British governments worked with continental governments to find safe havens for the passengers. In the end, British Prime Minister Neville Chamberlain allowed almost a third

of the passengers, 288, to board other steamers and travel to the United Kingdom on entrance visas.

Schroeder negotiated disembarkation for the remaining 619. France accepted 224; the Netherlands accepted 181; and the remaining 214 stayed in Belgium.

Schroeder sailed the St. Louis back to Germany. He

commanded the St. Louis for a few months and then was assigned desk duty during the war. He was honored by both Israel (as one of the “righteous among nations” in 1993) and the Federal Republic of Germany (Federal Order of Merit in 1957).

The passengers were not so lucky. Apart from those who went to Britain, all were sub-

ject to persecution during the Nazi occupation of Europe. The fate of many is unknown, but an estimated 254 died, most of them in concentration camps. Approximately 365 of the 619 passengers who disembarked in Antwerp survived the Holocaust.

What is the lesson? In the 21st century both Canada and the United States formally

apologized for refusing to accept the passengers of the St. Louis. Eighty years ago, in July 1939, 619 people were scrambling to find safety somewhere, anywhere in Europe. Many failed.

And the tragedy is that some American organizations and families were willing to give them a home here, but the government refused.