The following is an excerpt from an article found on the Canadian Museum of Immigration at Pier 21 titled “‘The existing Immigration regulations will not offer any solution”: MS St. Louis in Canadian Context” by Steve Schwinghamer, Historian. The article can be found in its entirety at: https://pier21.ca/research/immigration-history/canada-and-ms-st-louis .

St. Louis and Canada

MS *St. Louis* was a well-appointed 17,000 ton liner for the Hamburg-America Line, completed in 1929 for trans-Atlantic service between Hamburg and New York.[41] On 13 May 1939, the ship departed on a special cruise from Hamburg, Germany, to Havana, Cuba. *St. Louis* had 937 passengers aboard, **mostly Jewish Germans who had been driven out by the violent persecutions** of the Nazi state. They had secured Cuban tourist visas, which were attractive for several reasons. First, those visas did not require verification of the right of return. Second, the visas were available (for a bribe). Third, Cuba was very close to the United States (US). Many of the passengers were on waiting lists for entry into the US or had family there.

Unknown to the passengers, Cuban President Laredo Brú had expanded the documentary requirements for foreign tourists before the ship had departed Germany. Cuban domestic anti-Semitism, political infighting, and corruption all contributed to the new regulation (Decree No. 937), which was a nearly complete barrier to entry for the passengers aboard *St. Louis*. **Only twenty-eight passengers were able to land at Havana** after the ship arrived on 27 May. The rest were put through a series of delays and denials from the Cuban government. Ultimately, *St. Louis*, still carrying 907 passengers, was ordered out of Cuban waters on 2 June.[42]

During this ordeal, the passengers petitioned the US for aid and admission and also contacted countries in Central America looking for refuge. The US position was that the passengers could not be admitted, and although Captain Gustav Schröder considered an illegal landing of the passengers in Florida, getting *St. Louis* close enough to shore would have been dangerous.[43] After several days of failed negotiations, *St. Louis* finally left waters between Florida and Cuba on 7 June, bound directly for Europe.[44]

That evening, **a group of prominent Canadians led by historian and professor George Wrong telegraphed a petition to the Prime Minister**, William Lyon MacKenzie King, who was aboard the Royal Train at Niagara Falls, Ontario. The petitioners suggested that King “forthwith offer to the 907 homeless exiles on board the Hamburg American ship *St. Louis* sanctuary in Canada.”[45] King’s response was to instruct Undersecretary for External Affairs Dr. Oscar D. Skelton to consult with Minister of Justice Ernest Lapointe, and the Director of Immigration, Frederick Blair, as he “would like to be advised immediately as to powers of government to meet suggestion which communication contains” as well as requesting that they send a reply to George Wrong.[46]

In Canada, Parliament was not sitting. The Cabinet was not scheduled to meet until a week after King requested action. Further, the minister responsible for immigration, Minister of Mines and Resources Thomas Crerar, was away from Ottawa until 19 June. Lapointe took time merely to voice his opposition to admitting the passengers before leaving Ottawa on the evening of 8 June, and not returning until 13 June.[47] Therefore **these critical days for the passengers**

of *St. Louis* fell amid a power vacuum in Ottawa. After Lapointe's initial response, which seems to have been the only input on the situation from an elected official besides the Prime Minister, Blair and Skelton were left to craft a Canadian response to the refugee situation for King.

Blair's first response to Skelton and King's request was to detail the powers that King had to admit the passengers of *St. Louis* by way of Order-in-Council. It merits quoting in detail:

In answer to the Prime Minister's request as to the powers of Government to grant what is requested, I may say that most of the regulations which prevent a free movement of people to Canada from Europe, are made by Order-in-Council and assuming that these refugees are in good health and of good character, they could be admitted by a general Order-in-Council such as are passed from week to week for the admission of individual refugees who are named in the Orders.[48]

In his note to Skelton, **Blair moved from this explanation of the possible process for admission to argue against allowing the refugees to enter**. He argued that domestic backlash to a large-scale admission of Jewish refugees would prevent "what we are doing in a less spectacular way by putting up lists every few days," referring to the lists of names of immigrants that accompanied Orders-in-Council for admission of people who were otherwise not eligible to enter the country. (A substantial portion of those admitted by these "lists" were Jewish.) Skelton followed up Blair's advice with a telegram to King, but only after a noon-hour telephone conversation with Blair. The result of these conversations was that Blair and Skelton told King that only people from four specified groups (family, investors, entrepreneurs, and highly-skilled immigrants) could be admitted by Order-in-Council.[49]

The policy basis for limiting Order-in-Council admissions to these four groups is not clear. Blair's later note to Skelton regarding the passengers of *St. Louis* simply states that the passengers "could not have been admitted otherwise than by naming them in a special Order-in-Council since none of them, so far as we know, were able to comply with existing Canadian Immigration Regulations."[50] The implication follows the direction of Blair's first response: **the passengers were admissible by obtaining a suitable Order-in-Council**. Further, the availability of ministerial permits to bypass the provisions of the Immigration Act by allowing entrance to inadmissible immigrants in justifiable circumstances does not seem to have entered the discussion at all, but Crerar's absence may have prevented Skelton and Blair from proposing that option.[51]

As a result, King did not receive advice on the government's powers to decide in favour of and admit the passengers. Instead, **the Prime Minister received a statement of the restrictive immigration regulations** and a limited description of who could be admitted under Order-in-Council. This amounted to advice that the passengers of *St. Louis* were not admissible.

Blair wrote to Skelton a week after the initial exchange. In that note, he spelled out some of the key arguments against admission: the requirement for a special order in council; the fact that most of the refugees intended to reside permanently in the United States; and the potential precedent for other refugees from German persecution. Blair also pointed out that "no request was made by the ship and so far as we know, by the passengers, for their landing in Canada," which is consistent with the ship's route: *St. Louis* did not head for Canada or enter Canadian waters.[52] These arguments, coupled with a rigid attitude towards the enforcement of the

exceedingly restrictive immigration policies of Depression-era Canada, were the crux of the **brief and exclusionary advice sent by Skelton back to King** on 9 June.

There were other petitioning letters to government, but Lapointe, Blair, and Skelton did not shift from their position of inaction or exclusion. They may have been protected from scrutiny by some **false reports of sanctuary arrangements** that emerged while the refugees had no certain destination between 2 and 13 June. Conflicting reports of success for the passengers in finding refuge in Cuba, in Dominica, and in other states, ran in Canadian newspapers and may have blunted the sense of urgency for offering refuge to the passengers in Canada.[53] The confusion on the part of the press might be excused in that even the American Joint Distribution Committee (JDC, a Jewish advocacy and relief organization that worked on behalf of Jewish refugees from Europe) still circulated internal opinions that Cuba might yet relent as late as 8 June.[54] King witnessed some of the US government's consideration of the affair and interactions with the JDC as he travelled on the Royal Train in company with President Franklin D. Roosevelt, and he seemed to feel no imperative for Canada to act. He recorded in his diary that the refugee situation was "much less our problem than that of the U.S. and Cuba" and perceived from his discussions with Roosevelt that some resolution was in process.[55] A quote from Blair written during the *St. Louis* crisis remains the best-known summary of Canada's response: "It is manifestly impossible for any country to open its doors wide enough to take in the hundreds of thousands of Jewish people who want to leave Europe: the line must be drawn somewhere."[56]

Aftermath: Passengers and Policy

The passengers were given a safe return to Europe thanks to the JDC **brokering a last-minute arrangement for sanctuary**, announced on 13 June. The refugee passengers were distributed between the Netherlands (181), Belgium (214), France (224) and the United Kingdom (288).[57] However, the Second World War broke out not long after their return to Europe, and in 1940, more than six hundred of the passengers were in territories that fell under Nazi authority. Researchers Sarah Ogilvie and Scott Miller have shown that 254 of the passengers were murdered in the Holocaust; one passenger also died in later German air attacks on Britain.[58]

Historian Adara Goldberg says that the event "left an indelible stain on the country and provided an argument for changes to policy, and a driving force behind governmental actions, in the postwar period."[59] There was certainly no immediate change, not in time to benefit the Jews of Europe. Despite this intransigence, Canada did inadvertently admit a single large movement of Jewish refugees during the Second World War. Among "enemy aliens" sent for internment in Canada from the United Kingdom, 2300 were escapees from Nazi terror, mostly Jewish.[60] Canada had a large network of internment camps during the Second World War, holding about 34,000 German prisoners of war in detention, along with these accidental refugees.[61] There was a steady movement towards easing conditions for the refugees, and release, during wartime; at the end of the war, about 1000 of the former internees elected to remain in Canada as immigrants.[62]

This one accidental contribution to Jewish refugee resettlement aside, **Canada's record for refugee admission was abysmal**. Discussions about refugee entry in Canada during the war were quite deliberately inconclusive, with obstruction and obfuscation the two main bureaucratic objectives (and practices) of Canadian officials from the departments of immigration and external affairs. The summary offered by Abella and Troper regarding the Bermuda Conference

of 1943, that the efforts “successfully failed,” is appropriate throughout the war years.[63] The Canadian policy on refugees, as announced by Prime Minister King, was “to win the war as quickly and completely as possible... efforts to aid them would prolong their agony if these efforts were to prolong the war.”[64] Nevertheless, about 5000 Jews did enter Canada during the 1930s. During the war, there was a tiny trickle of regular admissions made by way of Order-in-Council—Blair’s “lists” referenced during his refusal of *St. Louis*.[65]

After the Second World War, the immigration department was confronted with the discussion of the operation and consequences of anti-Semitism in its policies by Saul Hayes, then the Executive Director of the CJC. This, and other advice to the Senate Committee on Immigration and Labour, finds expression in the clear advice of the committee that **discrimination based on race and religion should be cut out of immigration policy**—saving the distinction outlined by political scientist Freda Hawkins, that limits on groups like Asians were consistent with the “absorptive capacity” of the country.[66] Amid the significant shifts in policy and the post-war arrival of displaced persons and refugees of all kinds, **the Canadian government admitted 35,000 Holocaust survivors**.[67]

The coda for the long history of anti-Semitic exclusion and the denial of sanctuary to the passengers of MS *St. Louis* reflects a **significant and lasting impact on immigration practice and policy**. When another refugee crisis loomed in the 1970s, the history of anti-Semitic exclusions as told by Irving Abella and Harold Troper in None Is Too Many swayed the immigration minister of the day, Ron Atkey, and “emboldened him not to behave in the same callous way a previous government had rebuffed European Jews.”[68] Shortly thereafter, the federal government moved quickly to accept many refugees from among the “Boat People,” a decisive and generous intervention that played a part in the people of Canada receiving the Nansen Medal from the United Nations High Commissioner for Refugees in 1986.