

WEDNESDAY OCTOBER 13, 1999  
AFTERNOON SESSION B 16:30-18:00

**No Longer A Haven:  
Varian Fry and the Refugees of France**  
*by*  
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Hannah Arendt recognized Freda Kirchwey's article, "Nightmare in France," published in the August 17, 1940 edition of *The Nation* magazine, as the *only honest report* on the refugee crisis in France made available to the American public. Several years after her internment in the Gurs concentration camp in France, Arendt wrote:

Before this war broke out we were even more sensitive about being called refugees. We did our best to prove to other people that we were just ordinary immigrants. We denied that our situation had anything to do with "so-called Jewish problems.

We lost our home, which means the familiarity of daily life. We lost our occupation, which means the confidence that we are of some use in this world. We lost our language, which means the naturalness of reactions, the simplicity of gestures, the unaffected expression of feelings. We left our relatives in the ghettos and our best friends have been killed in concentration camps, and that means the rupture of our private lives.

. Hell is no longer a religious belief or a fantasy, but something as real as houses and stones and trees. Apparently nobody wants to know that contemporary history has created a new kind of human beings—the kind that are put in concentration camps by their foes and in internment camps by their friends.

Hannah Arendt, her husband, and her mother owe their lives to the efforts of the Marseilles office of the Emergency Rescue Committee established on August 13, 1940 under the leadership of American journalist Varian Fry. Despite the U.S. government's aversion to the influx of European Jewish refugees, the Emergency Rescue Committee helped to make the United States, not Auschwitz, the destination for a number of refugees whose prominence and opposition to fascism made them especially vulnerable to the wrath of the Nazis.

Hannah Arendt described the experience of thousands of refugees who poured into France during the 1930s to escape the long arm of the Gestapo. In this paper, I will demonstrate that the precarious condition of France's resident aliens became increasingly dangerous once France signed the armistice agreement with Germany in June of 1940 and established the Vichy regime one month later. The gradual restrictions in its refugee policies coupled with its virulent, public antisemitism resulted in France becoming, in 1942, only one of two European

countries to hand Jews over to the Nazis for deportation from areas not directly subject to German military occupation. Until then, escape or rescue, as difficult as each one was, represented the only reliable avenues to safety.

With those issues in mind, I pose the following questions: Why did France, known for its great service to humanity as Europe's primary nation of asylum, adopt gradual policies of restriction against the refugees of Europe to such an extent that France became a way station to death rather than to safety? How did the evolution of these French anti-refugee policies influence the Emergency Rescue Committee's decision to offer help to refugees stranded in France, and how did the intensification of this policy under Vichy create difficulties for Fry in his administration of the rescue effort? And, how does the examination of Varian Fry's successes and failures illuminate the U.S. State Department's inadequate, inconsistent, and eventually more restrictive immigration policies that drastically curtailed his activities in France more than any French or German measures?

The Papers of Varian Fry, his magazine articles, and his eyewitness newspaper reports illuminate the most successful private rescue effort on behalf of refugees to be waged from within the United States. The papers also illustrate Fry's constant encounter with opposition by the authorities both in France and in the United States, enhancing our understanding of the pressures, both psychological and diplomatic, that led to the standoff between Fry, his host government, and even his home government. More significantly, however, is how the use of his under-utilized documents expands our knowledge of the failure of both the United States and France to adequately address the refugee crisis; demonstrates how a country's xenophobia grows in direct proportion to the severity of its economic and political woes, and how sympathy for the plight of outsiders diminishes accordingly; and indicates that American and French concessions to the refugees were the result of strategy, not sympathy and were usually the by-product of other, more pressing national and international concerns.

### **The Refugee Crisis**

All wars, great and small, can be counted on to produce four things: misery, death, destruction, and refugees. As far as the first three are concerned, the Second World War differed from its predecessors only in scale. In the matter of refugees, however, the conflict produced a wholly new phenomenon the mass transplanting of the intelligentsia of one continent to another continent. From Spain, Germany, and Czechoslovakia, individuals and families fled to avoid political and religious persecution. Switzerland and Great Britain became increasingly inhospitable. South American visas were rarely obtained and when available, prohibitively expensive. The British did their best to slow the flow of refugees to Palestine and to the less popular but nevertheless acceptable port of Shanghai.

The process by which France abandoned its policy of giving sanctuary to refugees will be described in three phases: (1) immigration policy in France prior to 1938; (2) emerging hostility to this policy, culminating in the Evian declaration; and (3) specific initiatives taken by Vichy against non-citizens, including the consequences of this legislation.

Throughout much of the interwar period, France was Europe's foremost nation of asylum, promising protection, adequate living conditions, and, best of all, steady work to thousands of international political refugees. Suffering from a declining national birthrate and a manpower shortage due to heavy losses during the First World War, France recruited thousands of foreign workers in the 1920s and thus accommodated nearly three million foreign residents in order to increase production and to speed reconstruction. From 1932, intellectuals from all over Europe poured into France to escape the Gestapo. By 1933, the French government's liberal refugee policy extended to these German refugees who were granted special status that exempted them from normal visa requirements. Accepting no fewer than 25,000 refugees during 1933 alone, France provided a haven of safety to these victims of Nazi terror, eighty-five percent of whom were Jews.

This burst of liberalism proved short-lived, however. As early as 1932, legislation was enacted that set quotas for the number of foreigners who could work as salaried employees.; In 1933, the central government closed border provinces fearing competition from refugees who had already begun to create new businesses and industries in the region .Professions such as law and medicine supported legislation that stipulated a five-year waiting period on the practice of naturalized doctors and lawyers; in 1934 and naturalized foreigners were legally barred from civil service posts for a full ten years following the receipt of their citizenship. By spring 1938, French generosity soured in the face of the ever increasing numbers of refugees, the perceived threat to French culture, the threat of unemployment in the face of continuing economic depression, the threat of war with Nazi Germany and its allies, and the urgent threat to involve a deeply anxious France in other unwanted international complications. The refugees became scapegoats for the economic troubles of the country, and their political loyalties also became suspect. The French administration set in place the machinery to deal with refugees which Vichy later used against the Jews. Underlying the passage of the 1938 decree-law, the first such law on French residence rights in over one hundred years, was the belief that France had reached its "saturation point"—an argument many Frenchmen found more persuasive than the argument of moral defense and the right to asylum.

The international community hesitated to open their doors for a variety of reasons. Determined not to raise the United States's slim quotas, President Roosevelt called for an international conference at Evian in July 1938 with the charge to establish a plan of cooperation on behalf of refugee relief and resettlement. Because of its reputation of "great service to humanity," France was selected to host the gathering of thirty-one nations and thirty-nine private charitable organizations. During the conference, the French delegation clearly announced to the world that it was "no longer a haven" for the oppressed. The delegation's strong defense of France's immigration restrictions set the tone for the conference, shocking a number of countries who came to Evian hoping that France might accept part of their growing refugee burden; but no one wanted the refugees.. Henri Bérenger, head of the French delegation and chairman of the Evian conference, accused the United States of being selfish—a country with the financial resources and obligation to begin the resettlement operation immediately in order to make amends for past aloofness to European

refugee problems. Michael Marrus and Robert Paxton calculated that if each of the thirty-one reluctantly participating nations had agreed to admit 17,000 German Jews, the stateless persons of the summer of 1938 could have been absorbed.

### **No Longer a Haven**

There appeared to be no alternative to strict refugee control. The moral arguments in favor of the French humanitarian tradition seemed old-fashioned, ineffective, and unrealistic to those who feared the refugees. A new phase of the refugee story began when war broke out between France and Germany in September 1939. The government declared all males of German and Austrian origin as “enemy aliens”; those between 17 and 65 years of age were rounded up and thrown into internment camps. Internees’ bank accounts were frozen creating additional hardships for families left behind. Relief organizations found themselves saddled with an insurmountable burden.

Article XIX of the Franco-German Armistice signed June 24, 1940 required the French government to “surrender on demand” German nationals designated by the Third Reich as eligible for extradition to Germany. Although the French retained jurisdiction over the southern third of the country, Article XIX gave the long arm of the Gestapo power to reach the unoccupied zone, exposing German refugees there to renewed threat. By August 1940, German refugees and persons from conquered territories no longer were able to obtain exit visas from French authorities. Visa applications were processed through Vichy where “it was believed that the Pétain government submitted them to the armistice commission at Wiesbaden.” This meant not only that applications by known anti-fascists would be turned down, but more crucially it meant that every application would reveal to the Gestapo the whereabouts of one of its victims. Even many anti-fascists who had already secured that most precious of all documents—an American visitor’s visa—were trapped by this provision. Suffering grew faster than relief could be supplied; and political exiles exercised constant caution even when applying for help

For a two-year period, 1940 to 1941, the French government at Vichy began a legislative assault upon the Jews, called the *Statut des Juifs*. Marshal Pétain decreed null and void the old French law protecting minorities against libel and slander on the basis of race or religion; and daily, in posters, in newspapers, in broadcasts from Radio Vichy, a torrent of vilification poured forth against Jews and other “traitors.” Thousands were stripped of their French citizenship if they were designated as “undesirable.” Based upon race, the laws defined who was Jewish in the eyes of the French state. Jews were excluded from top positions in public service such as the military, teaching, the press, theater, medicine, and law, and were limited to only three percent of any university student population. Even though religion or ethnicity had not been part of vital statistics in France for nearly seventy years, an additional law required the detailed census of all Jews in the unoccupied zone registering children, parents, grandparents, and religious affiliation, as well as professional and economic activities. The “Aryanization” statute allowed the state to label all Jewish property and place it in the hands of a non-Jewish trustee who had the authority to liquidate the assets at will. French Jewish

citizens were devastated to learn that Vichy policy applied not only to foreign Jews, but also to them as well.

For the refugees of Hitler, France could no longer be their final refuge. In concluding her article, Freda Kirchwey wrote: *“But to this day not a single anti-fascist trapped in France has escaped except through his own efforts or the efforts of his fellow refugees. What is being done?”* In the United States interested persons are making grim, last-ditch efforts to save Hitler’s enemies in France. One of those is the Emergency Rescue Committee . . .

### **Ambassador to the Hunted**

In the United States, the American Friends of German Freedom prepared for their fundraising luncheon, co-chaired by Varian Fry and scheduled for June 25, 1940, for the specific purpose of bringing notable cultural and intellectual refugees to the United States. The urgency of the situation intensified when the June 24th front page of the *New York Times* read: “Nazi Shadow Falls on Half of France Under Terms.” As a result, the luncheon raised \$3,500 and the Emergency Rescue Committee (ERC) was immediately established.

Internationally astute and fluent in French and German, Varian Fry volunteered to go to Marseilles and arrived on August 13, 1940 with two suitcases of clothes, a list of 200 names in his pocket, \$3,000 in cash taped to his leg, and instructions from the Committee’s New York office to spend only three weeks in this search, rescue, and information-gathering operation. Czech writer Hans Natonek recalled in his memoirs: “Like the first bird note of a gloomy morning, a rumor ran around the cafes. It was said that an American had arrived with the funds and the will to help.” Working both outside the bureaucracy and often in opposition to it, Fry was responsible for the rescue of many of the world’s leading cultural, intellectual and political exiles. Dedicated to a cause he believed worthy of his moral and intellectual passion, Fry spent thirteen months in Marseilles, instead of the intended three weeks. He related in his own words why the situation in France was so compelling that he was willing to risk both comfort and personal safety.

I knew, from first-hand experience, what defeat at the hands of Hitler could mean. While I was in Berlin in 1935, I witnessed the first great pogrom against the Jews; I saw it with my own eyes and watched with horror . . . The crowd raised the shout “Jude! Jude!” and the chant would begin, “the best Jew is a dead Jew!” One German youth told me, “This is a holiday for us.” Now that that same oppression had spread to France, I could not remain idle as long as I had any chance at all of saving even a few of its intended victims.

From first-hand experience, I relate a story of horror. Not the horror of sudden death on the battlefield, but a slow horror of a manhunt by the Gestapo. Of arrests, extraditions, and kidnappings. Of suicide, murder, and death in a Gestapo prison. It is a story of gangsters, smugglers and spies. Of baseness and heroism, treachery and devotion. Of escapes which succeeded and some

which didn't. Of bureaucracy and indifference which cost men their lives. Of human solidarity and the anguish of human suffering

What a novice I was at the sort of work I was setting out to do, and how little I really understood what it means to a country like France to be defeated by the Nazis. Or what it means to the refugees in France to have no place to flee. Now I know, and I want others to know before it is too late.

The Marseilles office established a cover organization for the operation and adopted the name *Centre Américain de Secours*, in part as an attempt to create the impression that its purpose was to improve the day-to-day conditions of life for the refugees. They established codes for keeping financial documents and cables and systematically destroyed lists, correspondence, and client records for fear of censorship and confiscation.

Only a short time after the promulgation of the census law in June 1941, Fry reported a total collapse of cooperation from the prefecture and an increase in police roundups. In addition to extending the enforcement of the Status des Juifs to include resident Jews, Vichy expanded their visa regulations designed for bureaucratic obstruction and for the fullest indulgence of antisemitic impulses and tyrannical dispositions. For example, four types of visas were necessary: an entry visa for country of destination, a Portuguese transit visa, a Spanish transit visa, and a French exit visa. Money was required to secure a variety of documents and to purchase a place on a ship that may or may not sail. Passes were required for travel needed to obtain all the necessary exit paperwork. When any piece of the document process expired, it had to be renewed or the whole chase had to be resumed from the start. For those interned, these formalities were impossible to accomplish. No one was allowed to leave the country without an exit visa and frequently required a "certificate of good behavior." Since all applications were handed over to the Gestapo for final review, just asking to leave was sufficient guarantee of arrest and internment in a concentration camp.

Escape or rescue represented the only reliable avenues to safety. Escape routes from Marseilles constituted the Committee's biggest problem when exit visas from France became nearly impossible to procure. Transit visa regulations for Spain and Portugal changed, sometimes daily, creating confusion and panic. Travel by sea was the most perilous. When escape over the Pyrenees became even more tenuous, Fry's assistant discovered an alternative route and drew for him a sketch of it on a little scrap of paper which was to become a crucial document in the cultural history of our time.

Unable to travel under their real names, refugees needed passports and blank identity cards which Fry secured from the black market. To forge the documents, he recruited Austrian cartoonist Bill Freier who escaped from Vienna in 1938. The first recipient of Freier's handiwork was Konrad Heiden, the man who wrote the famous biography of Hitler, *Der Führer*, and who made it safely to Lisbon.

Getting money into France to finance his operation and getting messages out proved to be more and more critical for Fry. He enlisted the help of a "well-known Corsican gangster" in

Marseilles who had friends wanting to get money out of France. Fry would cable ERC to pay that sum in dollars to a bank account or designated agent in New York, and then the Corsican gave Fry the money in francs. To assist with communications, Fry cut paper into thin strips—each containing a single line—glued together end to end, rolled up tightly, and placed in a condom. Through a slit near the bottom of a half-empty tube of toothpaste, Fry slipped the message inside, and then rolled the tube so that it looked like every other half-used tube of toothpaste. The “tubegram” was then given to a refugee to deliver when he or she arrived in America.

### **The Politics of Rescue**

From the very first days of his arrival, Fry challenged local consuls and openly criticized their slow, bureaucratic and difficult methods of processing visa applications. As the war continued and the French succumbed increasingly to German pressure, French authorities exercised closer scrutiny of Fry’s work and threatened the effectiveness of his underground operation. The local police interned Fry and his staff during Marshal Pétain’s official visit to Marseilles in December 1940. The police report described Fry as a man who “under the pretext of emigration protects foreigners of doubtful morality or political beliefs unfavorable to the French government. . . . He spends time with anarchists and receives them in his home.” At the same time, the United States government became uncomfortable with the increasing notoriety of Fry’s behavior. The American diplomatic corps in France launched a serious campaign to have him expelled within his first few months in Marseilles. The American consul general distrusted Fry because he appeared sympathetic to leftists at a time when fear of Communist infiltration to the United States reigned supreme. Fry wrote to his mother that the consul warned him of what might happen if his conduct continued—he would be subject to arrest and searches of his house and office, in addition to rumors of his possible sudden disappearance with his body found in the harbor. He told his mother that, “The closeness, intimacy, and collaboration between the French and U.S. authorities was startling.” In Washington, State Department officials pressed his home committee to recall him. In January 1941, the department ordered the American consulate in France not to renew Fry’s passport. On June 20th, the United States, for the most part, closed its doors to European immigrants.

When the French police believed that the U.S. government would mount no protest and that their actions would have no repercussions on Franco-American relations, they arrested Fry in September 1941 on charges of currency regulation violations, subversive activities, and suspicion of communist sympathies. Later in the month, the regional intendant of police succeeded in ousting him as an “undesirable alien” for protecting Jews and anti-Nazis. He was personally escorted by the authorities to the French and Spanish border. Before his expulsion, Fry learned of a U.S. communiqué with a simple message: “This government cannot countenance” Fry’s activities and his “efforts in evading the laws of countries with which the U.S. maintains friendly relations.”

### **Conclusion**

More German refugees sought asylum in France in the 1930s than in any other European country. France appealed to them not only because its proximity seemed convenient to a group who hoped exile would be temporary, but also because many of them admired France for its liberal traditions and its reputation as a haven for Europe's oppressed. At the outbreak of World War II, the refugees of Hitler found themselves victims of expediency. Suddenly, an increasingly xenophobic French populace began to perceive the beleaguered exiles, many of whom had abandoned all in the struggle against Hitler, as enemies in their midst. With the outbreak of Franco-German hostilities in May 1940, refugees who fled south ahead of Hitler's armies to the unoccupied zone of France found themselves penniless, homeless and branded enemy nationals by a French government willing to sign an armistice that contained a clause stripping them of the basic right of asylum. When the German refugees tried to flee, they often encountered obstructionist Vichy policies that blocked legal exit. They found themselves pawns for a France vying for position in Hitler's new Europe.

Neither French nor American policymakers offered a satisfactory response to the refugee crisis. By the middle of 1941 the State Department, pledged to protecting the United States from Communist and Fascist "infiltrators," brought immigration of German nationals to a near standstill. This decision to bar entry to aliens who left relatives behind in German territory was tantamount to a death sentence for many of them. Fear of spies, fifth columnists and Communist infiltrators stirred up wartime hysteria on both sides of the Atlantic, and refugees who were genuinely in danger fell victim to the attitudes of two governments in which xenophobia played a significant role.

Article XIX of the Franco-German Armistice and the threat it posed were the Emergency Rescue Committee's call to action to address the desperate plight of the anti-Fascist refugees. From his fourth floor hotel room, ERC representative Varian Fry ran a relief organization by day, but after hours he clandestinely plotted the escape of hundreds of refugees. He endured hardships that ranged from periods of hunger to harassment by the Vichy police and hostility from American consular officials. As immigration procedures became mired in obstructionist bureaucracy, each refugee that Fry rescued represented a significant victory that succeeded despite the policies of the French and American governments. Against great odds, he helped spirit nearly two thousand people from France. Their arrival in the United States was a significant contribution to the intellectual exodus from Europe during the Hitler period, one that would permanently change the face of American culture.