CHAPTER THREE

THE KEY YEAR: 1938

Even though Mexico remained distant from the problem of the Jewish refugees until the end of 1937, various events in the world brought on the internationalization of the conflict in 1938 and American countries became involved. The most important event took place during the first months of that year, exacerbating the Jewish refugee crisis: Germany annexed Austria on March 12, 1938. To this would be added the crisis Hitler caused in Czechoslovakia and the annexation of the Sudetenland in September, the deportation of German Jews to Poland in October, and the “Night of Broken Glass” in November.

In Mexico the most important event of the year, and probably of Lázaro Cárdenas’s presidency, was the decision to expropriate the foreign oil companies, once the Mexican government felt it had exhausted all the institutional channels available to solve the labor-management conflict in the oil industry. A few days later, the government of Franklin D. Roosevelt invited his Mexican counterpart to participate in the Évian Conference, on the matter of refugees, which would take place in France, in July 1938; thirty-two representatives, twenty-three of whom were Latin Americans, would participate.

By accepting the invitation, the Mexican government would become directly involved in the question of the Jewish refugees fleeing Nazism and would begin to lay out a policy for confronting this problem. Before proceeding to discuss this matter, it is necessary to deal with, if only briefly, the question of asylum, which Cárdenas’s government had offered to politically persecuted persons. This will serve to establish the context for the political stance adopted towards the Jewish refugees.

Mexico’s Welcoming Tradition towards Politically Persecuted Persons

Mexico had previous experience with asylum: it had signed the pact of the Convention of Havana (1928) and ratified the Convention of Montevideo (1933) on asylum, and since the time of the Mexican Revolution (which, according to Fernando Serrano Migallón, modified the way in which the Mexican government understood asylum) had offered refuge to Latin
American revolutionaries and dissidents (above all those from Guatemala and other nearby countries).\(^1\) However, it was President Lázaro Cárdenas who would adopt an exceptional attitude towards matters of asylum, by generously opening the ports of the country to Republicans of the Spanish Civil War and other great figures among the anti-Fascist exiles, such as Tina Modotti and Mario Montagnana, Anna Seghers, Paul Merker, Jacques Soustelle, Paul Rivet, and, of course, Leon Trotsky.

Cárdenas had expressed his position in relation to refugees in his first State of the Union address in September 1935, in which he stated that while Mexico would make sure that the country would not serve as a base for activities against other governments, that did not mean that Mexico “would cease being a selfless asylum for political refugees, in specific situations.”\(^2\) Meanwhile, the General Law of Population of 1936 stipulated that foreigners fleeing political persecution who reached Mexico would be provisionally admitted by the immigration authorities, with the obligation of remaining in the port of entry while the Ministry of the Interior resolved each case.\(^3\) The tradition of solidarity between Mexico and politically persecuted people was more precisely defined by Cárdenas at the end of 1936:

> The policy of Mexico […] not only adheres to the universally established norms, but throughout our history has made a permanent effort to achieve the evolution of the law in the correct sense of justice for nations and liberty for men, whatever their provenance or origin.

> Faithful to this behavior, Mexico now feels the obligation to demand, by way of its actions, one of the most human of conquests obtained by the Rights of Peoples: the prerogative of Asylum for political exiles.

> Asylum does not necessarily assume the affinity of thinking, intentions, or tendencies between the country granting it and the person benefitting from that asylum. This concept is so evident, that it is only expressed here in order to avoid skewed interpretations, which might be fueled by mistake.\(^4\)


\(^3\) Ley General de población, article 58.