

# Spared Lives

## The actions of three Portuguese diplomats in World War II

10 Aug. 1940

Defense of Aristides de Sousa Mendes in reply to the Charge Note, indicating his witnesses, the diplomats Francisco Calheiros e Meneses, Portuguese Minister in Brussels, Agapito Pedroso Rodrigues, Consular Inspector, and Agnelo Lopes da Cunha Pessoa, Consul (1st class).

(AHD - Disciplinary Proceedings against Aristides de Sousa Mendes)

Lisbon. 10 August 1940

To  
the Minister of Foreign Affairs

Excellency,

Having been notified to reply to the charge note delivered to me by Dr. Francisco de Paula Brito Júnior, Legation Councilor and Head of the Economic Affairs Department, on 3 August inst., I have the honor to say the following:

As regards the fact mentioned in nº 1 of said charge note – visa in the passport of Dr. Arnold Wiznitzer, Professor of International Law in Vienna, and his family, issued without the prior authorization of the Ministry of Foreign Affairs, on 21 and not 2 November 1939 as mentioned in the charge note, which led to a Dispatch from the Ministry querying my procedure – I have nothing further to add to what I wrote in my official letter nº 216 dated 22 January 1940 (pp. 74 of the proceedings).

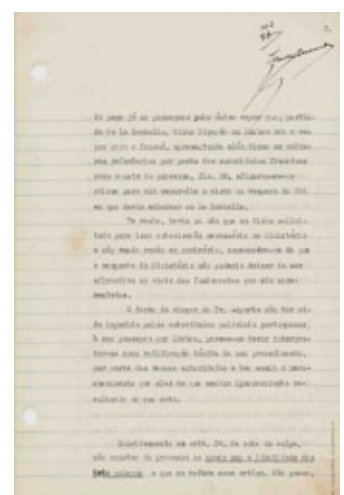
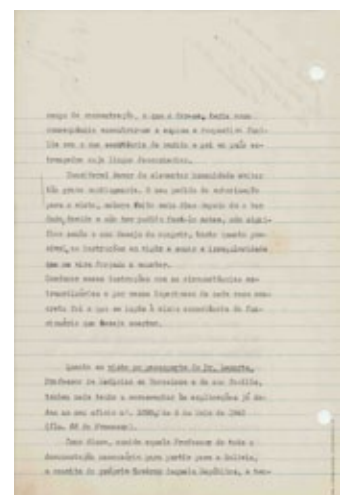
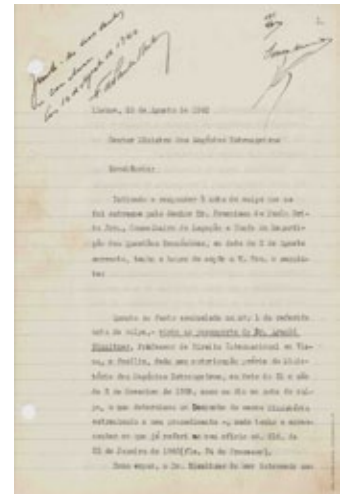
As I said at the time, Dr. Wiznitzer was about to be interned in a concentration camp which would leave his wife and respective family without the assistance of husband and father in a strange land whose language they did not speak.

I considered it a duty of elementary humanity to avoid such a serious contingency. Although sent six days after I had issued the visa, having found it impossible to send before, my request for authorization shows nothing more than my wish to comply insofar as possible with the instructions in force and make good the irregularity I had been forced to commit.

Harmonizing these instructions with the extraordinary and sometimes imperative circumstances of each concrete case was the wish of this functionary who only wishes to do right.

As regards the visa in the passport of Dr. Laporte, Professor of Medicine in Barcelona, and his family, I have nothing further to add to the explanation set out in my official letter nº 1093 dated 6 May 1940 (pp. 68 of the Proceedings).

As I said, the Professor was in possession of all the documentation required to depart for Bolivia at the invitation of the Bolivian



Government and had paid for tickets on the only steamer leaving La Rochelle which connected in Lisbon with the steamer to Panama. Furthermore, as he had the best references from the French authorities as contained in the proceedings, pp. 69, it seemed to me shocking to deny him the visa on the eve of the day when he should embark at La Rochelle.

Besides, I had requested the necessary authorization from the Ministry and seeing no reason to the contrary was convinced that the reply from the Ministry could be none other than affirmative given the grounds presented by me.

The fact that Dr. Laporte's voyage was not cut short in Lisbon by the Portuguese police I interpret as tacit ratification of my procedure by said authorities and their acknowledgment that there would be no inconvenience arising out of my act.

As regards article 3 of the charge note, the proceedings do not mention either the names or the identity of the three Poles mentioned. Therefore I cannot shed any light on this matter. It is a gratuitous statement made by the police and accordingly has no legal value.

In any case I can assure you that I granted no visa after 29 May which had not been previously authorized or in any way justified in view of the Ministry's instructions.

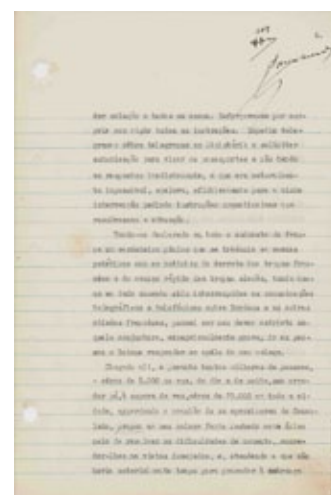
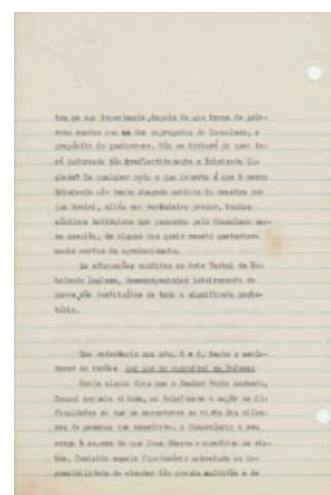
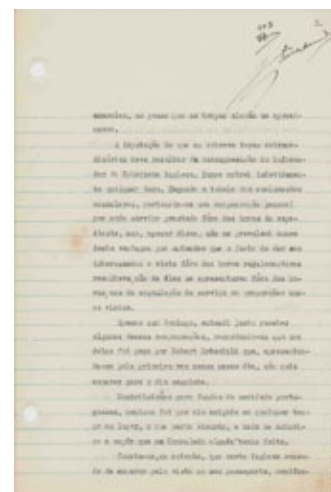
As regards article 4 of the charge note, I have no doubt in declaring that these are frivolous statements.

I have never issued visas or effected any other service outside consular hours. Since the increase in visa applications started, however (a few hundred per day) nothing else was dealt with in the Chancery. Work began at 9 in the morning, sometimes earlier, and often continued until 1 or 2 in the morning. The applicants had to wait for a reply to the telegrams applying for their visas to the Ministry. Hence their unease and impatience and the pressure exerted on me, as the German troops drew closer.

The imputation that I was levying extraordinary rates must be due to misunderstanding on the part of the informer at the British Embassy. I never levied rate improperly. According to the table of consular emoluments, I was allowed personal compensation for each service provided outside working hours but despite this I did not make use of this advantage as I thought that the fact that I was issuing visas outside regular office hours was not because the applicants came at those times but because service was piling up as I had never seen before.

I recall only one Sunday when I thought it fair to receive some of these compensations, and remember that one of them was paid by Robert Rothschild who, coming for the first time that day, did not wish to wait until the following day.

I never demanded contributions to Portuguese charities at any time, this would be absurd, and I do not think that anyone in the Consulate would have done so.



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I heard, however, that a certain Englishwoman, tired of waiting for her visa, became impatient and on exchanging a few ill-humored words with one of the Consular employees, said that she would be lodging a complaint. Might this not be the person who so thoughtlessly informed the British Embassy? In any case I regret that the Embassy was not informed of the manner in which I treated (with great pleasure, in fact), the many British subjects who passed through the Consulate at that time, some of whom later sent me letters of thanks.

The affirmations contained in the Verbal Note from the British Embassy, unaccompanied by any proof, are devoid of all probative significance.

As regards nº 5 and 6, I must explain the reason why I was in Bayonne:

For some days, Mr. Faria Machado, the Consul in that town, had been telephoning me with news of the difficult situation he was in, as thousands of people hounded the Chancery under his charge waiting for their visas. He mainly insisted that it was impossible to attend such a large crowd and provide a solution for all the cases. He was endeavoring to obey all instructions to the letter. He sent telegram after telegram to the Ministry requesting authorization to issue visas and as replies were not immediately forthcoming, this being naturally impossible, appealed in distress for my intervention, requesting urgent instructions that would resolve the situation.

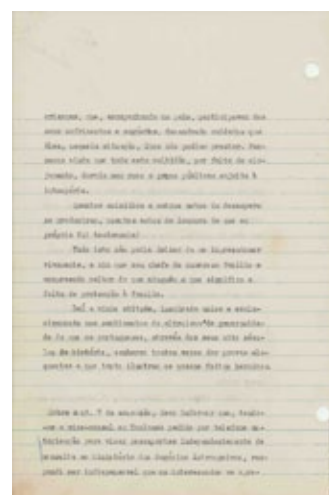
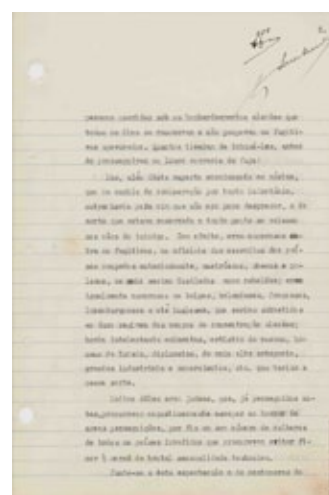
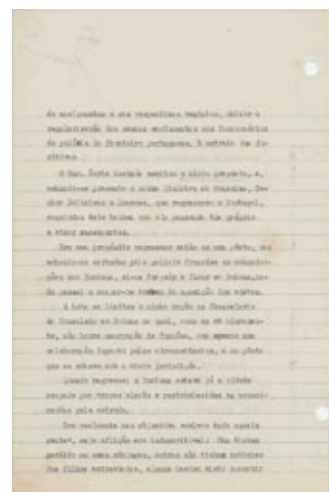
As panic had reached the entire south of France, expressed by pathetic scenes on the news of the defeat of the French troops and the rapid advance of the German troops, at one point telegraph and telephone communications between Bordeaux and other French cities being cut, I thought it my strict duty at that exceptionally serious moment to travel in person to Bayonne to respond to my colleague's appeal.

On my arrival where there were so many thousands of people – about 5.000 in the street, day and night, without moving, waiting their turn, about 20.000 all told the city, waiting to get to the Consulate, I suggested to my colleague Faria Machado that the only way to resolve the momentary difficulties would be to give them the visas they so desired and as it was materially impossible to charge emoluments and make the respective registrations, the former should be charged by the police on the Portuguese border on the refugees' arrival.

Mr. Faria Machado accepted my suggestion and as Mr. Calheiros e Menezes, our Minister in Brussels, was also there on his way back to Portugal, he also agreed and himself began issuing visas.

It was my intention to return to my post but as the French police had cut off communications with Bordeaux I was forced to remain in Bayonne where I also started issuing visas.

This was the extent of my action at the Chancery of the Bayonne Consulate where as you can clearly see there was no usurpation of functions, but only collaboration imposed by circumstances in a post under my jurisdiction.





On my return to Bordeaux the city was already occupied by German troops and road communications were restored.

It was indeed my aim to "save all those people", whose suffering was indescribable: some had lost their spouses, others had no news of missing children, others had seen their loved ones succumb to the German bombings which occurred every day and did not spare the terrified refugees. How many must have had to bury them before continuing their frenzied flight!

In addition to this extremely emotional aspect, however, which filled me with commiseration for so much misfortune, there was another aspect which should not be overlooked, the fate of so many people if they fell into the hands of the enemy. Indeed, in the midst of these refugees were officers from the armies of countries that had already been occupied, Austrians, Czechs and Poles, who would be shot as rebels; there were also many Belgians, Dutch, French, Luxemburgers and even English, who would be subject to the harsh regime of the German concentration camps; there were eminent intellectuals, famous artists, statesmen, diplomats, of the highest category, major industrialists and businessmen, etc. who would suffer the same fate.

Many were Jews who were already persecuted and sought to escape the horror of further persecution, finally an endless number of women from all the invaded countries attempting to avoid being at the mercy of brutal Teutonic sensuality.

Add to this spectacle hundreds of children who were with their parents and shared their suffering and anguish, needing cares they often were unable to provide. Moreover, because of the lack of accommodation this multitude slept in the streets and public squares in all weathers.

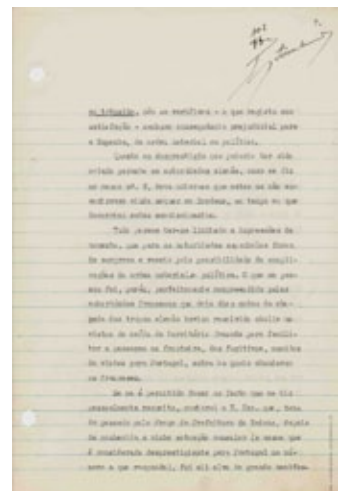
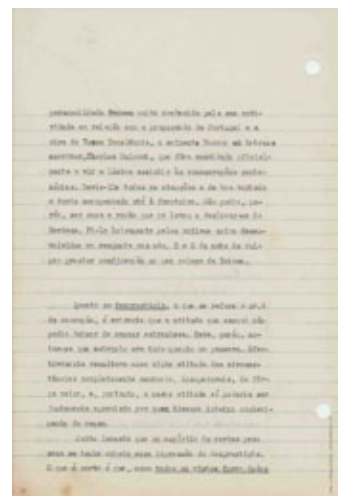
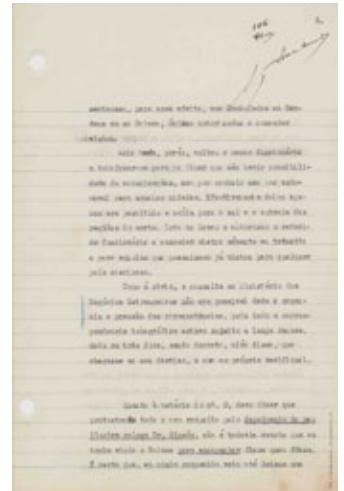
How many suicides and how many acts of despair must have taken place, I myself witnessed several acts of madness!

All this could not fail to impress me vividly, I who am the head of a numerous family and better than none I understand what it means not to be able to protect one's family.

Hence my attitude, inspired solely and exclusively by the feelings of altruism and generosity which in eight centuries of history have been eloquently proved by the Portuguese and amply illustrated by our historic feats.

As regards n° 7 of the charge note, I must inform that as the vice-consul in Toulouse had requested authorization over the telephone to issue visas without consulting the Foreign Ministry, I said it was vital that the applicants present themselves at the Bordeaux or Bayonne consulates, the only ones allowed to issue visas.

Later, however, the same functionary telephoned again to say that there were no communications, either by train or car, from that city. People were only allowed to leave to go south and allowed to arrive from the northern regions. I therefore authorized said functionary to issue transit visas only, and only to those people who already had visas for any American country.



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It would obviously be impossible to consult the Foreign Ministry in view of the urgency and the pressure of events, as all telegraphic correspondence took two or three days, there being even no guarantee that it would reach its destination, as I was able to see for myself.

As regards nº 8, I must say, with all due respect for the testimony of my illustrious colleague Dr. Simeão, that it is not altogether true to say that I had come to Bayonne to accompany whoever it may have been. It is true that with me to Bayonne went a French personality who is well-known for his activities in connection with the propaganda of Portugal and of Your Excellency's work, the eminent Doctor of Letters and writer, Charles Oulmont, who had been invited to pay an official visit to Lisbon to attend the centenary celebrations. I owed him every attention and would willingly have accompanied him to the border. However, that was not the reason that took me from Bordeaux. I went only because of the reasons explained above in reply to nº 5 and 6 of the charge note: to help my colleague in Bayonne.

As for the discredit mentioned in nº 9 it is obvious that the attitude I took could not fail to cause strangeness. However, it should be noted that everything was strange at the time. My attitude was in fact a result of the totally abnormal and insuperable circumstances, of force majeure, and therefore that same attitude could only be evaluated in all fairness by those who were entirely apprised of all the facts.

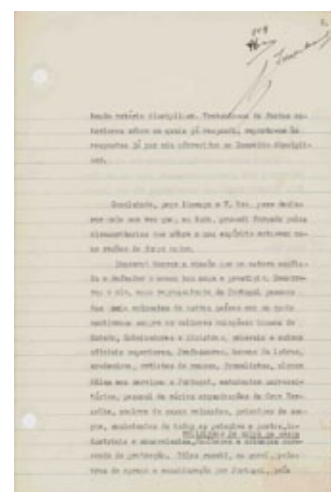
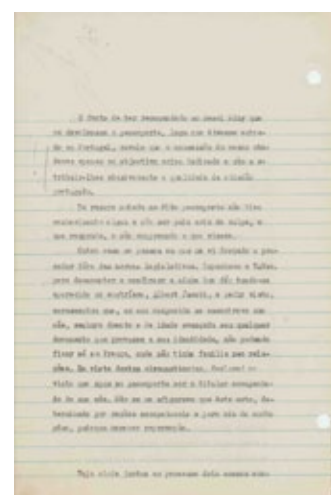
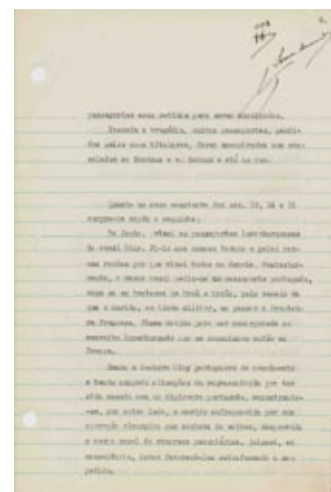
I regret that certain people should have believed in the idea of discredit. The fact is that, as all the visas were transit visas, I am pleased to record that there was no damaging consequence for Spain, either material or political.

Regarding any discredit that could have arisen before the German authorities, as said also in nº 9, it should be noted that they had not even reached Bordeaux at the time of these events.

It all appears to have consisted of momentary impressions, surprise and apprehension on the part of the Spanish due to the possibility of material and political complications. Events, whoever, were fully understood by the French authorities who, two days prior to the German troops' arrival, had decided to abolish exit visas from French territory to ease the passage at the border of the refugees (many of them French) who had visas for Portugal.

If I may focus on one aspect that personally concerns me, I would like to say that as I was crossing the square on which stands the Bayonne Prefecture, my consular actions having been made public (the same actions that are considered a discredit to Portugal in nº 9 to which I am now replying) I was cheered by many hundreds of people who also cheered Portugal and Your Excellency.

As regards nº 10, I must note that most of the foreigners who reached the Portuguese frontier had visas issued by me for the simple reason that in their flight they went to the Consulates nearest the border.



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As regards the facts of nº 11, I could not differentiate between nationalities as I was obeying reasons of humanity that distinguish neither race nor nationality.

As regards nº 12, I must explain that not all refugees were able to procure the documents the law requires for travel purposes. They did what they could to save themselves, some had had no time to obtain a passport, others had lost theirs, others had left them behind in the haste of the flight in the public departments, consulates or prefectures, through which they had rushed and where these were retained for examination. Once the tragedy ended, many passports were found in the Bordeaux and Bayonne consulates and even on the streets.

As for the case mentioned in nº 13, 14 and 15, I would like to say the following: I did in fact issue a visa in the Luxemburger passports of Mr. and Mrs. Miny. For the same reasons and under the same terms of all the rest. Later, this couple asked me for a Portuguese passport, where they would figure as brother and sister, for fear that the husband, who was still of military age, would be detained on passing the French border and incorporated in the Luxemburger army then being organized in France.

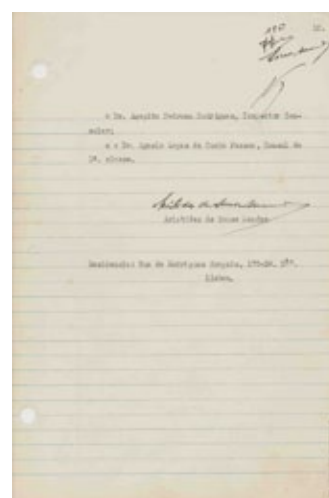
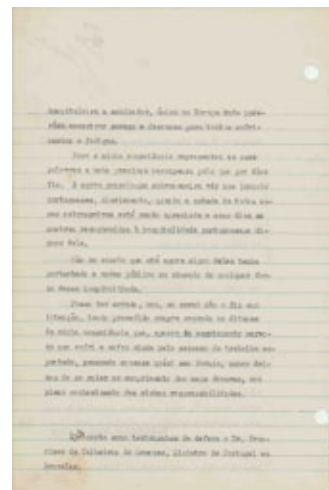
Mrs. Miny was Portuguese by birth and had occupied positions of representation whilst married to a Portuguese diplomat; her husband was weakened by surgery he had undergone recently and the couple had no money, so that in all conscience I thought I would help them by complying with their request.

The fact that I recommended that they should return their passport to me as soon as they reached Portugal shows that my concession complied with the aboveindicated aim and was not to grant them the quality of Portuguese citizens.

I only knew of the erasure noted in said passport from the charge note to which I am replying, and know nothing about it.

There was another case in which I had to act outside the legislative rules. I will expound it to you in order to document and confirm my good faith: an Austrian, Albert Jacobi, came to me requesting a visa. He was accompanied by his mother, a sick and elderly lady with no documents to prove her identity, and who could not remain in France on her own, where they had neither family nor relatives. In view of these circumstances, I declared in the visa I affixed to his passport that the bearer was accompanied by his mother. I do not see that this act, determined by exceptional reasons which weighed considerably on me, should merit a reprimand.

I see also that two annexes containing disciplinary material are attached to the proceedings. As these facts occurred previously and I have already replied to them, I would ask you to consult the replies I gave the Disciplinary Board.



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In conclusion, I request permission to state, once again, that all I did was motivated by the circumstances which acted on my spirit as reasons of force majeure.

I sought to honor the mission entrusted to me and to defend our good name and prestige. As Portugal's representative I was sought out by eminent people of many countries with whom we have always been on excellent terms: statesmen, Ambassadors and Ministers, generals and other high officers, Professors, men of letters, academics, famous artists, journalists, some of whom had served Portugal, university students, people from various Red Cross organizations, members of ruling families, princes of the blood, soldiers of all ranks and posts, industrials and businessmen, priests and nuns, women and children in need of protection. In general they spoke words of esteem and consideration for Portugal, a hospitable, welcoming country, unique in Europe, where they might find peace and quiet after so much suffering and pain.

My conscience considers these words the most precious reward for all I did for them. I am particularly consoled now to see in the Portuguese newspapers that these foreigners are enjoying their stay here and how grateful to and worthy of Portuguese hospitality they are.

To my knowledge none of them so far has disturbed the public peace or in any way abused this hospitality.

I may have erred but if so I did it unintentionally, having followed the voice of my conscience which, despite the nervous breakdown I am still experiencing due to the workload, during which I spent weeks with practically no sleep, never failed to guide me in the fulfillment of my duties, and in full awareness of my responsibilities.

I submit as witnesses for the defense Dr. Francisco de Calheiros e Menezes, Portuguese Minister in Brussels;

Dr. Agapito Pedroso Rodrigues, Consular Inspector;

Dr. Agnelo Lopes da Cunha Pessoa, Consul (1st Class)

s/ Aristides de Sousa Mendes