Berlin, Germany, June 17, 1935.

STRICTLY CONFIDENTIAL.

SUBJECT: A resume of the present status of the social, economic and political situation of the Jews in Germany.

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON.

SIR:

I have the honor to refer to the despatches which have been transmitted by this Consulate General since March 5, reporting in detail upon the various events in the social, economic and political fields under the National-Socialist Government as they affect the Jewish population. In order to give the Department a brief, but yet sufficiently comprehensive picture of the situation as it exists to-day, I shall endeavor in this despatch to cover at least some of the outstanding situations.

The violent anti-semitic movement which characterized the first days of the new Government, continues. While physical violence towards Jews has stopped and while less is said in the censored and controlled press of the action against Jews, the movement is continuing and is likely to continue.
Physical violence against Jews had practically been entirely stopped and the higher leaders of the party are absolutely opposed to further physical violence. It is not likely that they have in any way changed any of their views or opinions, but it is quite definite that Messrs. Hitler, Goering and Goebbels as well as some of the intermediary leaders realize the unfavorable effect which the program of physical violence had on opinion in other countries. At first they thought this opinion could be disregarded. They now feel that it cannot be disregarded for various reasons. They realize that their Government must have a reasonably acceptable background in other countries and that this it cannot have with the foreign press reporting physical violence against Jews. They realize further that a very effective boycott exists against German goods in many countries on account of the program against the Jews, and they now understand the disastrous effects which this boycott can have on the German economic situation and on the National-Socialist party. The strictest orders have therefore been issued throughout Germany that physical violence must stop.

In spite of these very strict orders, on Thursday evening, June 15, 1933, some fourteen of the younger well-to-do Jews in Berlin who were holding a meeting in order to discuss ways and means to raise money to help their needy co-religionists, were
were raided by forty S.A. men who took them first to one Nazi meeting place and then to another. These young men were beaten with rubber clubs, kicked and otherwise maltreated by the S.A. men. The police got word of what was happening, and by 5 o'clock in the morning was able to find the place where these men were being held by the S.A., and they promptly released all except one of them. The S.A. men had acted entirely on their own initiative and without any authority from their leaders or from the police. Every endeavor has been made to keep this outrage quiet and so far as I know, no mention of it has appeared in the foreign press. The higher leaders of the party have been very much disturbed that this attack should have taken place because it is a direct violation of the very strict orders which they have given, and because they fear the effects of such incidents on public opinion abroad.

The incident is recited here as it is indicative of a situation which is well-known here in Germany among informed persons, and that is that the mass of the National-Socialists, more particularly of the S.A., are still violently anti-Semitic and not at all happy over the restraint exercised by the superior leaders.

Although the lives of the Jews in Germany may now be said to be comparatively safe, in other respects the movement against the Jews is in many ways more harsh and it is necessary to examine carefully all reports which may come from Germany officially or otherwise to the contrary.
If, for example, in Berlin over half of the Jewish lawyers have been permitted to practice again it must not be left out of account that the new laws and regulations of various kinds which have been issued and which are in effect, make it practically impossible for any young man who is a Jew or even whose grandparents may have been Jews, to become a lawyer. In other words, while throughout Germany approximately 50% of the Jewish lawyers have been permitted to practice again, new admissions of Jews to the profession are excluded. Further, although a considerable percentage of the Jewish lawyers have been re-admitted to practice, various restrictions, legal and otherwise, greatly hamper them in the exercise of their profession. Aside from this, most people will not employ a Jewish lawyer, feeling that their case will be prejudiced before the courts which now for the most part are made up of judges who, it is at least popularly believed, are anti-Jewish and under the influence of the anti-semitic prejudices of the National-Socialist Government. The Jewish judges have been, as the Department is aware, excluded from the courts. I am transmitting with the original of this despatch a clipping from the "Volkischer Beobachter" of June 15 which is practically a warning on the part of the Lawyers' Association to the public not to employ any except Aryan lawyers. In other words, the re-admission of
a considerable number of the Jewish lawyers to practice, while it is a considerably milder measure than that originally contemplated by the party, can hardly be considered as an act of grace or even as a mild measure, for the profession is definitely closed to new admissions on the part of Jews, and the situation of the Jewish lawyers allowed to practice is made so difficult that it might have been more kind to exclude them from practice entirely.

With respect to the physicians there are practically none left of the Jewish faith or origin in any official position or in connection with any official or semi-official organization. Regularly licensed Jewish physicians are allowed to continue their private practice, but the various organizations of physicians throughout the country are carrying on a definite propaganda among the German people to intimidate them from using a Jewish physician. All incentive in the profession has been taken away from the Jewish physicians and their private practice has been practically destroyed. New admissions to the practice of medicine on the part of Jews or those whose grandparents may have been Jews, are under the new regulations and laws, excluded.

In the universities the Jewish professors have almost without exception been excluded and the rectors of the universities now are almost a unit in their anti-semitic attitude. Those rectors and those members
of the various faculties, who were inclined to be liberal, have been removed. The constitution of the governing bodies and of the faculties of the German universities is now such that the admission of a Jew to a professorship is practically impossible for years to come. The attitude of the Government and of the faculties towards the admission of Jewish students is not yet clear. A numerus clausus is to be strictly applied and a certain number of Jewish students will be admitted; but the attitude and the atmosphere of the universities will be such that a German Jewish student will find it intolerable, and it is difficult to see how any foreign student who is a Jew would wish to attend a German university under the conditions which he will find prevailing. While professing that foreign Jewish students are welcome in the German universities and even making emphatic declarations to this effect, it is quite clear that the present Government and the universities do not welcome them and only take this public attitude in order to calm public opinion abroad.

In musical circles practically all Jewish artists and directors have been excluded, and German music is distinctly the poorer. It is not likely, however, that this attitude will change. Klemperer, for instance, who was one of the idols of the musical public in Germany before March 5 and who was looked upon as one of the great exponents of German musical art, has been definitely excluded from participation as a director in the opera. The hypocritical character
character of the controlled and censored press, however, is quite evident from the publicity which is given to the fact that Klemperer has offers from Los Angeles and from Switzerland. The censored press publishes with much pride the fact that an artist whom they exclude, is sought in other countries.

In the theatre the Jewish artists who had in recent years given the German theatre new life, continue to be excluded and undoubtedly this attitude will not change for some years. The German theatre had in recent years made considerable progress and compared favorably with the theatre in London and in New York. Producers and artists of very real merit had been developed, a good many of them being Jews or of Jewish origin. With these gone the German stage has sunk into a lamentable state and attendance has very much gone down and many of the theatres are closed. I went to the Metropol-Theatre the other night to see a musical play of Lehár's, and out of a party of six none of us were able to endure it longer than the beginning of the second act. If this musical play had been produced before March 5 under the then existing conditions, it would have been a work of art. For the most part the plays which are appearing have some relation to the political situation and are supposed to furnish background for the work and aims of the National-Socialist party.

The most popular play in Berlin for the moment is
is "Schlageter", the play being based on an actual incident during the occupation of the Ruhr, and the hero being one who blows up a train through which explosion many people are killed. Schlageter has been made a hero of the National-Socialist party and the entire spirit of the play is one which is incomprehensible to foreigners. One of the best ways in which the present psychology in Germany could be made clear to the rest of the world, would be to have a good and faithful production of "Schlageter" in the United States, in England and in other countries.

In the literary field the Department is aware that publishers will no longer receive anything by a Jewish author and therefore this field is entirely closed to the Jewish population.

In the field of sports in which so much emphasis is now being placed in Germany, the Jews are excluded from all competition. The Olympic Games are to be held next in Berlin and the present Government is endeavoring by all means in its power to make it appear in other countries that German Jews will be allowed to participate. It is evident, however, that they have no real intention to permit Jews to participate, and it is difficult to see how the other countries participating in the Olympic Games and who will have Jews on their teams, will be willing to come to Berlin. Those who know the Olympic Games and who are familiar with some of the incidents which have arisen in the past on purely
purely national grounds, will realize that it would be most inadvisable to have the Games in Berlin where real difficulties could arise on racial grounds. I venture here to make the recommendation that our own Olympic Committee in the United States would hardly wish to have us participate in the Olympic Games to be held in Berlin unless there is a radical change in the situation here which change I cannot foresee in spite of any well-meant protestations of the German authorities. We would not wish to exclude from our teams any Americans on the ground of race or religion, and I am decidedly of the opinion that it would not be safe for any American Jew to come to the Olympic Games in Germany.

From the foregoing it will be apparent that although the physical violence against Jews has practically stopped, the future of the Jews in the country is bound to be difficult. Definite steps have been undertaken to exclude them from the professions and from the arts, and in business and in finance their path will be equally difficult. All protestations therefore coming from Germany that the Jews are not being disturbed and that there is no reason for the outside world to be concerned about their fate, can be taken to mean only that so far as physical attacks are concerned they are safe. So far as their social and economic existence is concerned they are definitely threatened,
and the measures being taken in this direction are progressively effective. As the months continue to pass, the situation of the Jews in Germany will become continuously more difficult and many of them are already in desperate straits. The fears which are expressed by Jews in Germany and in other countries that there may be a pogrom under certain conditions, are I believe for the most part unfounded. There is a feeling among the Jews that should some person, no matter who he may be, make an attack on Hitler or one of the leaders of the National-Socialist party, the Jews would be blamed and it would result in a general pogrom. Such an attack on Hitler or on one of the primary leaders of the party cannot be excluded from consideration, but I doubt whether a general pogrom against Jews would result. The leaders of the party so definitely understand the outside situation in this respect that they would do all in their power to avoid any general or local attacks on Jews. It is not impossible that if such an attempt were made on the life of one of the primary leaders, there might be attacks against Jews in some of the smaller communities where the central authority is not so strongly felt, but I believe that any general attack or pogrom need not be feared.

The resume of the situation which I have given so far covers the personal safety and the social situation of the Jews. There is another important aspect
aspect which I must mention and that is the one of property. There is reason to believe that the property of the wealthy Jews in Germany is in danger. Most of the private banking firms in Germany are owned by Jews, and it is not unlikely that the whole banking structure of Germany will be put under the control of the Government, and indirectly all banking carried on by the Government. If such steps are taken it is practically certain that all private banks will be dissolved and in that case under some pretext or other the assets of these banks absorbed by the Government. One cannot blind oneself to the fact that any such action by the Government would meet with a good deal of approval. The mass of the people have been taught that the Jew is their political, social and financial enemy and the confiscation of the property of the Jewish private banks would be looked upon with a good deal of general complacence. Such a step would cause serious losses to American interests for in at least several of the private banks the greater part of the capital is American.

The Department is also aware that the various restrictions which have been placed upon the departure of Germans from their country make it impossible for well-to-do German Jews to leave. The real intent was to prevent these persons from taking
taking their capital and assets out of the country. A new law has been issued, placing even heavier penalties upon those who have been guilty of any irregularities in tax declarations, etc., and who have not properly declared or do not declare all of the assets they have in other countries. As many people have not been entirely clear as to their obligations under the former law it will be very easy to find technical violations of the law if the authorities wish to do so, and there is increasing fear that the authorities will begin to do this, using the technical violations as a pretext for the confiscation of the private fortunes of Jews. While up to this time little definite has developed in this direction, there is increasing evidence that such action is entirely within the range of probability.

I have thought it proper to give the foregoing resume in view of the fact that constant protestations are being made by the authorities and by well-meaning persons, that the situation of the Jews in the country is quite normal and that their persons, lives and future are safe. Only one who is fairly cognizant of what is really taking place in the country is in a position to pass an opinion on this matter, and I who am without prejudice either for or against the present Government in Germany, and without any prejudice in favor of or against any race or creed, must say that the situation of the Jews in Germany is a most deplorable one, and I see
no future for them in this country. I make this statement because I believe it is important that the Department should appreciate that protestations with regard to the normalcy of the situation, whether they be official or otherwise, cannot be accepted at their face value. The attitude of the National-Socialist party, which is merely another way of saying that of the German Government, is definitely anti-Semitic, and it is the definite intention of the Government and of the party to relegate the Jews into an inferior position in the country, to drive them out as much as possible and to keep them from any participation in the social, economic, financial, artistic and political life of the country. Attacks on lives will be avoided on account of sentiment abroad, and an endeavor will be made to mislead public opinion in other countries with respect to the treatment of Jews in other respects, but the program of the Government and of the party will be carried through relentlessly in all respects except physical violence, without regard to public opinion abroad.

There is another point which I believe should be emphasized. I have found that certain American Jews of my acquaintance who came to Berlin, find it extremely difficult to believe that the situation is actually as it is. Their racial pride fights any recognition of the facts. After having been here for some time, however, they do get in almost every case an accurate picture.

I have
I have reason to believe that Messrs. Hitler, Goering and Goebbels would like very much to carry through a more moderate and tempered program in every way with respect to Jews. Their personal dislike and antagonism may be as great as ever, but they have learnt much since the 5th of March and the assumption of responsibility of the Government of a country of sixty-five millions. They would like to see more liberal treatment of the Jews in the professions, in business and in the musical and artistic world. I have reason to believe that they would even like to be able to admit them to certain positions in the Government and probably in the courts. In other words, although they have unchanged prejudices they have learnt that this part of their program cannot be carried through without grave dangers to the country and to the party, and if I may say so, to their personal fortunes. They have had, however, the greatest difficulty in imposing on the party the more moderate measures already put through. One must bear in mind that there is not a real dictatorship in Germany by one or even by three individuals. It is a dictatorship of a party or of a fairly considerable group in the party. It is apparent that the primary leaders have not been able to impose
impose all their moderate views on the secondary leaders and on the masses. They know how far they can safely go and which limits they cannot pass. In this Jewish question the leaders realize that the mass is practically as radical as it was and that it will take years for the mass to unlearn what it took the party years to teach it. While it may be expected, I believe with certainty, that the primary leaders of the party will restrain in every possible way the anti-Semitic movement, we must recognize that there are limits to which they can do this without endangering their authority in the party and the control which the party has of every aspect of German life.

Respectfully yours,

George S. Messersmith,
American Consul General.

Enclosure:
Newspaper clipping.