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NO. 1330

AMERICAN CONSULATE GENERAL,
Berlin, Germany, May 23, 1933.

SUBJECT: With reference to the present status of
the anti-Semitic movement in Germany.

CONFIDENTIAL.

THE HONORABLE

THE SECRETARY OF STATE,
WASHINGTON.

SIR:

I have the honor to refer to my despatches
No. 1196 of March 21, and Nos. 1205, 1210, 1214,
1216, 1222, 1234, 1244, 1282, 1283 and 1286, in
which I have reported on the various aspects of
the anti-Semitic movement in Germany and particular-
ly with reference to the displacement from public
office and the disbarment from the professions and
certain forms of business, of Jews. There is now
transmitted the following further information which
may be of interest to the Department.

There has been a determined and consistent
effort on the part of the National Socialist Party
to exclude Jews from important positions in busi-
ness. In practically every large German company
the control is exercised through a so-called

"Aufsichtsrat"

"Aufsichtsrat" or board of supervisors, and through the "Vorstand" or board of directors. The Aufsichtsrat is generally small and is composed of very outstanding persons whose names are intended to give prestige to the company but whose actual duties in connection with the management and operation of the company are limited. The Vorstand or board of directors, is usually fairly large and is made up of the managing officers of the company as well as of important persons in finance or industry whose advice is of value to the company or who represent other companies which may be interested in the particular firm. As the Jews have played a very important part in the industrial and financial structure of Germany, there have been in the Vorstand and in the Aufsichtsrat of practically every large company a fair number of Jews. By a process of intimidation a very considerable number of these have already of their own volition resigned, or at the request of their colleagues done so. I am informed that the Government is now contemplating the promulgation of an emergency decree which has the effect of law, that in the Vorstand a majority of the members must be Aryan, while the Aufsichtsrat must be 100% Aryan. This law under contemplation is already more liberal than the first action of the Party which was to endeavor to remove all

Jews.

Jews. The fact that the law is contemplated in the above mentioned form is already an indication of a moderated attitude on the Jewish question. There is considerable opposition in business to this law even within the Party itself and it is not yet certain that the projected law will be promulgated.

The Department is aware from the despatches above recited that shortly after accession of the National Socialist Party to power, the Jewish lawyers in Berlin and in other parts of Germany were prohibited from appearing before the tribunals and from practice until a law had been passed regulating their re-admission to the bar. Under the original decree only some 36 out of the several thousand Jewish lawyers in Berlin were re-admitted. The reaction without Germany to the treatment of Jews in the professions brought about a reaction within Germany and a new decree was issued in accord with which the admission of some 12- to 1400 lawyers was possible in Berlin. There was severe objection to this law by the Aryan lawyers of Berlin and of Germany, and the Ministers of Justice of both Bavaria and Prussia stated publicly that the large number of Jewish lawyers who could be admitted under the decree would never be permitted to practice. Nevertheless I am reliably informed that up to to-day, out of the 1800 lawyers again practicing in Berlin, 1203 are

Jews

Jews or of Jewish origin. Two-thirds of the lawyers practicing at the Berlin bar are therefore of Jewish origin. This is not as large a percentage as before March 5, but it will be apparent without comment that even this action indicates a very much moderated attitude of the authorities. Some 800 of the Jewish lawyers in Berlin have not been re-admitted to practice.

This action with respect to the lawyers has not been an easy one for the authorities to carry through. There has been very real objection ^{resistance} to it on the part of the Aryan lawyers all over the country who hoped to use this movement to get their Jewish competitors out of the way. It is not unlikely that a similar moderated attitude will be shown towards Jews in the other professions, such as medicine.

In the universities the action against the Jews is as strong as ever and the student bodies are practically in charge of the higher institutions of learning. The few Jewish professors who remained have been practically all forced out and Aryan professors who have shown opposition to the student bodies' arbitrary actions are finding their positions in the universities intolerable and are either resigning voluntarily or under pressure. The anti-Semitic attitude in the universities will undoubtedly continue for some time. The definite regulations with regard to the admission of Jewish students both

native

native and foreign to the universities, have not yet been issued, and the fact that they have not been issued indicates that the radical and drastic action at first contemplated is being seriously re-considered. It is not unlikely that foreign Jewish students will eventually be given better treatment in the German universities than the native Jews whose admission it seems clear will be controlled by a strictly applied numerus clausus. The Consulate General is following carefully the question of foreign students in the German universities and will report to the Department in detail when the Government takes a definite attitude on this question.

I am informed by Americans of prominence who have recently conferred with the leaders of the Government, that the leaders are greatly concerned over the Jewish question. According to them, the leaders of the Party and of the Government realize that a very serious mistake has been made in the way in which the Jewish question has been handled and understand that the interests of Germany have in some respects been definitely prejudiced for years. The attitude of the leaders towards the Jews is undoubtedly very much modified and that this is so can be determined from the facts already recited in this despatch. The leaders are now searching for a solution which will enable

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them to keep their face both at home and abroad. They are considering the possibility of informing all Jews who have been admitted to Germany since 1918 that they will have a year in which to find a place outside of Germany in which to settle, and to make their arrangements to leave the country. This solution appeals to them because it would enable them to say to the Party that the so-called Eastern European Jews would be driven out of Germany and it would retain for Germany those Jewish elements which they now recognize are an important and integral part of the life of the country. This solution, however, presents difficulties for it is feared that if Polish Jews living in Germany are notified to leave, the Poles would retaliate against German farmers in Poland on the German frontier.

I can, from personal conversations which I have had with prominent National Socialists, confirm the fact that the leaders of the Party are eagerly examining all suggestions which would lead towards a solution of the Jewish problem. It has been brought to them from American, Italian and other foreign sources that the action which they already have taken seriously prejudices the future of Germany, and the economic arguments particularly have had a very real effect on the leaders. This moderated attitude, however, has as yet not penetrated very far into the

mass

mass of the Party. The intermediate leaders are as radical as ever and in their public announcements have not moderated. It is believed, however, that they are already prepared to succumb to the changed ideas from the top.

There is increasing evidence that not in the immediate future but in the not distant future an endeavor will be made by the Government to show that it is really treating Jews very well. For example the great conductor Klemperer has been practically persuaded to return to Germany and to undertake his former activities. Outstanding Jews in professional, musical and theatrical circles will undoubtedly slowly be brought back into their former places as rapidly as inflamed public opinion will permit.

I believe, however, that I should repeat what I have already said in previous despatches, that although this moderated attitude towards Jews is beginning to be felt throughout Germany, the position of Jews particularly outside of the larger cities, will be difficult for years. The prejudices of the masses have been aroused to such an extent that in the smaller cities, towns and rural districts the professional or private life of a Jew will be particularly difficult. Even in the larger cities the lawyers and doctors who will be re-admitted to practice legally, will find serious prejudice against

them

them affecting their professional earnings and status. The movement which has been awakened and the prejudice which has been instilled into the masses will not be unlearned and forgotten as rapidly as it was taught and absorbed. That this will mean that the type of Jew who has contributed so much to German life will prefer to live and work in other countries, is almost certain. I have increasing evidence of this daily. German Jews who fought at the front during the war and who have been of all the Germans the most German, now feel that there is really no place for them in the country, and as self-respecting and thinking individuals they want, if they cannot do so for themselves, to assure at least for their children life in a country in which they will not be looked down upon as inferior persons. The Jews of the professional and banking classes in Germany realize that they themselves may not have much future in other countries, but they are invariably filled with the idea that their children shall make their career under more favorable circumstances than can be anticipated in Germany.

Respectfully yours,

George S. Messersmith,
American Consul General.

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GSM:P

A true copy of
the signed original.
GSM