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AMERICAN CONSULATE GENERAL

Berlin, Germany, March 31, 1933.

SUBJECT:

With further reference to the manifold aspects
of the anti-Jewish movement in Germany.

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON.

Handwritten signature: Kurt C. G. [illegible]

SIR:

I have to refer to my strictly confidential despatches No. 1196 of March 21, 1933, 1205 of March 25 and 1210 of March 28 with reference to the displacement from public office and disbarment from the professions of Jews, and of molestation of Jews in various ways. Since March 28 the developments in the situation have been so rapid and of a momentous character that as from yesterday a state of crisis exists and it is not possible for anyone, not even those who are supposed to be leading and directing the Government and the National-Socialist movement, to state definitely what will happen to-morrow and in the days immediately following. It is increasingly difficult in the face of these rapidly occurring events of such first importance for even a trained and objective observer to entirely maintain his perspective. During the two and a

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half years that I have been in Germany I have succeeded in making contacts in practically all classes of German life in the capital as well as in many of the major cities of the country and this has been of very particular help to me as an officer of our Government in Berlin at this time. It has in this way been possible for me to keep currently in touch with at least the major developments in the situation and I arrived at the conviction yesterday that a state of affairs existed which was of so precarious a nature that almost anything might happen and I felt it my duty to inform the Embassy to that effect. To give all the factors involved in arriving at this conclusion would be impossible even in a lengthy despatch. So I shall endeavor to set forth only a few of the major considerations.

The background of the anti-Jewish movement fostered by the National-Socialist party and its progress since the 5th of March 1933 has been set forth in previous despatches. It is now evident that the movement has reached an intensity and a ~~confusion~~ ^{fusion} of action which was not contemplated even by its most fanatic proponents, and there is real reason to believe now that the movement is beyond control and may have a bloody climax. If this will be avoided it will be by a miracle of power and resolution on the part of the Chancellor, Mr. Hitler, and a few moderates associated with him which it is almost too much to expect.

In Government office, whether it be national, state

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or municipal, practically all Jews have already been eliminated. Very few are left except in a few responsible positions in the Finance Ministry or in positions where the National-Socialists for the time being believe them indispensable because of their special knowledge. One must realize the important part which Jews played in the various administrations to be able to realize the intensity and extent of this movement in Government circles alone.

In the courts practically all Jewish judges have been removed and it is only a question of days before the last one will be out. In a previous despatch I recited the substantiated ~~incident~~ of an ordinary embezzler, but a member of the National-Socialist party, who asked that his case not be heard before the Jewish judge who was to sit, on the ground that he could not expect an unprejudiced decision, and that the judicial authorities decided that his objection had proper basis, suspended the action and ordered that it be heard by another judge. The newspapers of March 29 carry a similar incident where in a Potsdam criminal court one Hermann Panitsch of Berlin accused of embezzlement asked that the case not be heard before the judge who was to sit, on the ground that the judge was a Jew and he, the accused, had been a member of the National-Socialist party since 1923. In place of the presiding judge Dr. Lowenthal another judge was substituted.

In Goerlitz on March 29 Jewish judges and lawyers were

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taken into custody "in order to protect them". At the moment of writing this despatch authenticated information reaches me that before one of the principal courts in Berlin, the Landesgericht I, S.A. men assembled to prevent the entry of Jewish lawyers and raised such a disturbance that the building was closed by the President of the court. At the present time it does not look likely that any Jewish judges will be allowed to sit in German courts in any part of the country, at least for a considerable period. It is impossible in this despatch to recite the reports which have appeared in even the controlled and thoroughly censored German press of the taking of judges into custody "in order to protect them" and of suspension or definite removal from office.

In previous despatches it has been reported that the national and local associations of lawyers have decided that no Jews shall be in the governing boards and that hereafter only a small percentage shall be admitted to practice or to continue to practice. It has been definitely decided that no non-Jewish lawyers shall be able to temporarily take over the practice of a Jewish colleague. This is intended in order to definitely divert the clients from Jewish lawyers. In legal circles it is still contemplated applying a numerus clausus in the profession and of permitting certain lawyers who served in the war to continue to practice, but the attitude has changed so rapidly during the past few days as a result of the

boycott

boycott movement that it is a question as to how far this idea will be made effective. Under the boycott proclamation all persons are to abstain during the period of the boycott from visiting any Jewish lawyers.

In the medical profession the national and local associations have taken action similar to that above recited on the part of the legal profession. Practically all the Jewish physicians associated with the social insurance and sick insurance organizations can no longer receive compensation for the services rendered to insured persons or contributors and this is equivalent to destroying their practice. The Jewish physicians connected with the state and municipal hospitals have for the most part been relieved from all duty. Under the boycott order of the National-Socialist party to be effective April 1 physicians are included and all persons are warned not to go near a Jewish doctor.

As illustrative of what is going on in the medical profession a well-substantiated incident is that of Professor Sauerbruch, one of the outstanding surgeons of Europe and of the world, who is the chief of the surgical staff of the famous Charite hospital in Berlin. The discharge of several of his Jewish assistants was ordered and Professor Sauerbruch stated that if they were let go he himself would immediately emigrate to America, and in order to avoid such action (he is not a Jew) he was permitted to keep these men who are apparently

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the only Jewish doctors retained on the staff of the city hospitals. There is an authenticated incident of a well-known Jewish doctor in one of the hospitals who was discharged and told by the National-Socialist officers that his automobile which stood before the hospital would be very helpful to the party during the next days as well as the chauffeur. The doctor in order to avoid ^{at} ~~which~~ he believed to be certain physical injury permitted them to take his automobile with the chauffeur and is paying for its maintenance. An associate of his, a Jewish doctor in the same hospital, refused to resign voluntarily and the Consulate General is informed by a responsible physician that this doctor was thereupon taken into a room, made to sit in a receptacle containing cold water and given a large dose of castor oil. Incidents of rough and maltreatment of physicians came to me so frequently and from such good sources that there is no possibility of ^{that} doubt/at least some of them are correct. I am informed from an entirely reliable source that a well-known Jewish physician and surgeon who had recently operated upon a person well-known to me here was compelled to resign from the hospital staff and asked that he only be allowed to remain and take care ~~of~~, without pay, of those patients on whom he had so recently operated, including this woman. He was not allowed to do so and she had to be cared for by a physician and surgeon who had not performed the operation and had no immediate knowledge of her case.

Newspaper

American newspaper correspondents in Berlin have brought to my attention cases of maltreatment of all sorts of persons of various nationalities which they have personally investigated and found correct but which more recently they have not been able to publish. I can make no definite statement with regard to these cases as obviously the Consulate General has taken no action with regard to reporting them to the Department other than the cases of American citizens, but I have confidence in the correspondents who have been giving this information. All the information which I have is to the effect that they have been most careful in verifying the stories which they have transmitted.

The Department is probably aware through the Hearst press that Mr. Deuss, the head of the International News Service in Germany, was informed yesterday in a personal interview by Reichsminister Goering that all sources of information from the National-Socialist party would be closed to him and that he would leave it to Mr. Hearst as to whether he would permit him to remain in Germany. As Mr. Deuss is a careful and reliable correspondent I hope to send to the Department in the near future a despatch covering his interview with Reichsminister Goering.

The terror in which the Jews in Germany live and the suppression of honest opinion exercised upon other persons since March 5 is evident from the following circumstances: The Department is familiar with the boycott against Jewish firms, physicians and lawyers which has been ordered as from April 1, 1933. This boycott is naively pictured

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to the German people as a defense measure against the stories which have appeared in the foreign press with regard to what is going on in Germany and on the ground that these stories were instigated by Jews abroad. A Jewish organization which had been forbidden by the authorities and disbanded according to reports in the censored press was resurrected so that a telegram in its name might be sent to Jewish organizations abroad that all was quiet in Germany. Various business organizations of Jews and practically all existing Jewish organizations have sent telegrams to the effect that everything is normal in Germany. The same people who are sending these telegrams are living here in daily and in many cases abject terror and have only sent these telegrams in order to avoid what they believe to be sure physical consequences of a refusal.

The pressure, however, has extended to others as well. I have already informed the Department of the pressure brought to bear on Professor Morlin, the Roosevelt exchange professor at the University of Berlin. Dr. Bergmann, formerly the director of the state railroads in Germany and later closely connected with the reparations commission and who is now the Reichskommissar in the reorganized Dresdner Bank and who is one of the leading personalities in the German business and financial world, has been holding during the past few days conferences with the representatives of American banks in Berlin. Dr. Bergmann

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is a man of high qualities and I have known him well and have respected him for his opinions and for his wide knowledge of German and international conditions. I have maintained very friendly and intimate contact with him. He informed me on Wednesday noon that he was beginning to hold conferences with the American bankers and asked me what I thought he could tell them. I told him that the best service which I thought he could render to American - German relations as well as to his own country was to ask them to interpret as fully and as clearly as possible the German situation to their American principals but not to try to influence them in what they said and in no case insult their intelligence and that of their principals by asking them to send information which was obviously incorrect or which did not give a true picture. I told him that I was sure that the American bankers would have all due patience and consideration but that there was no use in endeavoring to hide the real situation from them. In spite of this I find that the conversations which Dr. Bergmann has been having with some of these bankers have taken the line of trying to influence them to send statements which would not give a really correct picture of the situation. The first bank representatives called were Jews and against their will some of them sent telegrams ^{the} to effect of which they have tried to counter-act in other ways. An American representative of one of the American banks who saw Dr. Bergmann expressed to him clearly how wrong he thought his program was and that

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it was working harm instead of good, and the result has been to somewhat temper the requests made by Dr. Bergmann to the men whom he has seen since. Dr. Bergmann is not a National-Socialist and is not a Jew. He may have been influenced in what he did by a sincere desire to endeavor to bring about a condition leading to the recall of the boycott. The Dresdner Bank of which he is the Reichskommissar has large sums owed to it by the large department stores which will be affected by the boycott. The incident is recited first to show the pressure which is being brought to bear upon all sorts of people to send out information which does not correctly represent the situation, and second to show that the most extraordinary action is being taken by responsible Germans at this time who show a complete lack of understanding of the foreign situation.

It would be impossible within the limits of this despatch to review even a small number of the cases which have personally come to my attention, of endeavors to have people send out telegrams under pressure picturing conditions different from what they actually are.

The declaration of the boycott the details of which I do not give in this despatch as I am informed that the complete text thereof was cabled to the United States by several of the correspondents, was in some respects the most extraordinary development as well as the most unexpected one in the anti-Jewish movement. It is the climax of what has been an unreasonable and fanatical

zeal

zeal and if anything was necessary to convince the outside world of the extraordinary fever which prevails in this country the details of the boycott are sufficient. There is transmitted with the original of this despatch a clipping from the "Berliner Tageblatt" of March 29 which gives the actual boycott order. It is impossible before the departure of the pouch to make a translation of the order. The conservative elements in the country and those who have kept their reason have had their last hopes destroyed by this boycott order. They fear that if the boycott is actually made effective on April 1, not only bloodshed is unavoidable but that a complete disorganization of German economic life will result. Repeated and earnest efforts have been made to have the order cancelled and there is reason to believe that the Chancellor, Mr. Hitler, would be willing to do so but that it has become a prestige matter for the National-Socialist party. There is now a feeling that the only thing that remains is for the party in a few days to state that the boycott has served its purpose and to then remove it. It is evident, however, that Mr. Goering and Dr. Goebbels are determined that the boycott shall not only be carried into effect but shall remain in effect for some time. Within the last hour advice has been given in the completely Government-controlled and censored press and over the radio to employers to immediately discharge all Jewish employees. Evidences are piling up

continuously

continuously, as has already been stated, during the past three days of cumulative terror, and in reciting these facts to the Department in this despatch I am doing so more as a matter of objective record because what is here indirectly forecast may be a fact almost any time.

Yesterday morning I received the call of Dr. Abraham Frowein who is the President of International Chamber of Commerce and one of the leading members of the governing board of the Reichsverband der Deutschen Industrie which is the principal and powerful organization of German industry. I have known Dr. Frowein well for many years and he came to me yesterday morning as a friend rather than as an official. He stated that in the last 48 hours he had become convinced that discipline was gone, that almost anything might happen and that the whole political, financial and industrial structure lay in the balance, and that the developments in the immediate future would determine the fate of the German people for a long time. This statement coming from Dr. Frowein who knows German conditions as few men do and who knows international conditions in an unusual way and who is a man slow to make such extraordinary statements, meant to me merely a confirmation of what had been cumulatively pressing itself upon me from sources all over Germany. Mr. Frowein felt that the only possibility in saving the situation lay in the assumption of power completely by Mr. Hitler in defiance of some of his associates such as Mr. Goering and Dr. Goebbels and of the S.A., and he felt that

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*This name to be given
with the rest of the file*

whatever could be done to strengthen the hand of Mr. Hitler must be done both here and abroad. I informed him that so far as I knew that had been our attitude and that the declaration made by the Secretary of State had certainly been aimed at strengthening the conservative element in Germany. Dr. Frowein said that he appreciated this and believed that if our Embassy could unofficially bring to the attention of Mr. Hitler the seriousness of certain aspects of the foreign situation it would be helpful and probably decisive. I told him that I would bring this consideration to the attention of the Embassy which I did that same day.

The evidences of lack of discipline in the National-Socialist organization have become increasingly apparent. In my despatch No. 1208 of March 28 on the interference with the operation of the Woolworth stores I brought out the open defiance of the Gauleiter in Halle to the authority in Berlin. There is information that local leaders in other parts of Germany are not thoroughly responsive to the orders from Berlin. The Chancellor, while in Munich two days ago, issued his fourth appeal for discipline in the party. The conversations which responsible people have had with National-Socialist leaders in various parts of Germany indicate an increasing impatience with the restraints which have been coming from the top.

The Braunschweig incident with which I am sure the Department is familiar from the press and which I cannot

go into fully here, is briefly as follows: The National-Socialist leader in Braunschweig, which has always been a center of S.A. activities, took into custody some 1500 members of the Stahlhelm with their leaders and kept them confined in a public building on the ground that the Stahlhelm was taking in many members who had formerly been members of the Communist and Socialist parties. This action was undoubtedly taken without authority and immediately created a sensation, and the leaders of the Stahlhelm and the S.A. arranged the matter. The object undoubtedly of the S.A. leaders was to endeavor to eliminate the Stahlhelm so as to leave them solely in the field, but the highest leaders of the National-Socialist party evidently felt that the time for this had not yet come. The Braunschweig matter therefore was arranged between Mr. Goering as the head of the S.A. and Mr. Seldte as the head of the Stahlhelm and through the intermediary of the Chancellor himself. Indications that similar attempts to suppress the Stahlhelm in other parts of Germany would take place, are not lacking but these have been temporarily checked. That the association of the Deutschnationale with the National-Socialists is in a precarious state is shown by the fact that Dr. Oberfohren, the leader of the Deutschnationale members of the Reichstag, was arrested and his house searched on the ground that he was engaged in monarchist propaganda. The newspapers simply stated that he had resigned and had given no reason for his resignation.

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He was kept in custody only a short time but his resignation obviously was caused by the indignation which he felt over the treatment accorded him. He is merely in the position of many well-intentioned Germans who intend to retain their balance and their intellectual integrity at all costs and in order to do so he felt it necessary for him to completely retire from political life.

The boycott proclamation and the advice which has been issued to-day to employers to discharge all Jewish employees are instances of a brutality and a directness of action which have not been excelled in the history of modern times since the declaration of unrestricted submarine warfare by Germany during the world war. It has been very properly observed that it is only the peculiar mentality and the extraordinary disregard of certain principles which would make it possible for the leaders of a people to promulgate, and for a people to accept such declarations as unrestricted submarine warfare and what is practically unrestricted persecution of a race. One must appreciate that reason is in reality absent from the majority of the leaders of the National-Socialist movement. They have no comprehension of the outside world and of its reactions. They have further than that a complete disregard of what the outside world thinks. This may seem in contradiction of the extraordinary sensitiveness shown under these-called criticism from abroad, but this is in reality not sensitiveness but irritation and impatience of autocrats who are not able to impose their will on the

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outside world as they believe they are able to and have so far imposed it on Germany. When one tries to talk reasonably to men like Mr. Goering and Dr. Goebbels I am informed that they cannot stick to facts but immediately become lyrical and talk in a plane to which a reasonable person cannot follow them. Many of the articles which appear in the censored and controlled press now are incomprehensible to a person who has remained reasonable and objective. In addition to that one cannot hide from oneself the fact that brute force and even bluff are not distasteful to certain of the people holding responsible positions in the party. At the moment when the German press was full of denunciations of the foreign press and of its intemperance there appeared an editorial in the "Angriff" which is the newspaper of Dr. Goebbels in Berlin and the leading National-Socialist organ, issue of March 28, a translation of which is appended hereto. This translation has been made because it shows the extraordinary attitude of those in power today in Germany. At the same moment that they call for temperance and moderation on the part of the foreign press there appears this article which for intemperance and incendiary possibilities would be difficult to excel.

I realize that this despatch is somewhat disjointed. I have written it rather hurriedly, but carefully, to bring up to date at least to some extent what has been happening in Germany since my despatch No. 1210 of March 28.

During

During the course of the past days some of the members of the officer staff have been completely occupied with pressing matters constantly coming to their attention in connection with the situation, and I have been busy from early morning until late in the evening in seeing people and in looking after the manifold questions arising in connection with the protection of our Americans here and their interests. It is impossible under these circumstances to write with the definiteness and the clarity to the Department which one would wish, as events press in on one too rapidly. I should like, however, to state that in this despatch I have in no sense exaggerated the picture. If the authorities are able to carry through the first days of the boycott which begins to-morrow, in an orderly and peaceful manner and without bloodshed, it is not improbable that the boycott will gradually be lifted. If discipline cannot be maintained during the early part of the boycott then matters can only go rapidly from bad to worse. At this writing, ~~about~~ the evening of March 31, all hope has been abandoned of securing a put-off or a removal of the boycott order and only time can tell what the consequences will be. Yesterday and to-day many important Germans of Jewish origin have left the country. The Police President of Breslau, Heines, whose record is undoubtedly known to the Department, issued an order on March 30 that all German Jews living in Breslau or who had once been of Jewish faith and who had a passport, had to deliver this personally at the latest on April 3 to

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the authorities. This has been taken as an indication by Jews that this order would be extended over the country generally. This incident is another indication of the way in which power is being taken into their own hands by local officials as it is believed that Police President Heines did not get previous authorization from the central authorities for his order. Jewish bankers and business men fear confiscation of private banks owned by them and of their businesses. I had with me to-day a German Jew who is looking after important amounts of American capital in Germany, to determine what could be done to protect the American interests in these firms and banks should they be seized by the authorities.

It is impossible to summarize the situation at this writing for the Department more than to say that in the opinion of well-informed and I believe objective persons the next few days will decide the future of Germany. Even though Mr. Hitler and the moderate elements in the party shall keep control and are able to maintain order and discipline, the economic life of the country as well as its social life and structure will be definitely troubled for years. Damage has been done which only time and constructive effort can correct. Should the radical elements in the party increasingly gain power as represented by Mr. Goering and Dr. Goebbels

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it is impossible to contemplate to what length they may go and into what the situation may turn. The situation in no sense, however, can be compared to the orderly developments of Fascism in Italy, but more closely resembles the developments in Russia after the days of Kerensky.

Respectfully yours,

George S. Messersmith,
American Consul General.

Enclosure:
Newspaper clippings,
Translation of editorial.

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