

GERMAN JEWISH “ENEMY ALIENS” IN THE UNITED STATES DURING THE SECOND WORLD WAR

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It can only lead to confusion among our American friends when we—refugees from Nazi Germany—are branded enemies of the American people, when the term “Jewish refugee” is increasingly associated with “enemy,” and when soon there will be those who behave anti-Semitically toward Jewish refugees without having their anti-Semitism put them at risk of identification as Nazis and fifth columnists. They will surely be instructed by their masters [*Lehrmeister*] to agitate against us not as Jews, for a change, but as enemy aliens. And everything that creates confusion and discord helps the Nazis.¹

These words were spoken by Felix Guggenheim, president of the Jewish Club of 1933 in Los Angeles, the second largest German Jewish refugee organization in the United States, when he addressed his fellow club members in 1942. Guggenheim was referring to a phenomenon that the refugees had been facing for almost a decade. Certain groups—including government officials—projected onto German Jews their fears of intrusion by foreign and ostensibly dangerous elements. It had happened in Germany, and now it was happening in the United States, albeit under different circumstances. As Guggenheim pointed out, people were applying labels and prejudices that could take on lives of their own and affect not only the image of refugees in the United States, but have far-reaching consequences for the ongoing war against the Nazis. This article focuses on the government-imposed classification of German Jewish refugees from Nazi Germany as “enemy aliens” in the United States during the Second World War.² It examines how different actors—German Jewish refugees themselves, U.S. government officials, and representatives of various American organizations—employed the categories “enemy alien” and “German Jewish refugee” at different times, in various circumstances, for diverse reasons and ends. It explores the baggage and meaning that came with using these terms and how such designations affected the everyday lives of people. Much of what is described in this historical case study has current corollaries across

1 Undated Document, Felix Guggenheim Collection, Box 108, Felix Guggenheim Papers, Correspondence 1942-1944, National Defense Migration Hearings and German Aliens.

2 This article is based on my dissertation: Anne C. Schenderlein, “‘Germany on their Minds’? German Jewish Refugees in the United States and Relationships to Germany, 1938-1988,” PhD Dissertation, (University of California, 2014).

the globe as well as historical antecedents. Each case is different and complex in its own right, yet this type of categorizing and stereotyping frequently has analogous, usually contradictory consequences.

Between 1933 and 1945, approximately 90,000 Jews who had fled Nazi Germany arrived in the United States. For many of the emigrants and refugees from Germany, the United States was the preferred country of immigration, often because of pre-existing family connections and also because it seemed to promise a life somewhat more similar to that in Germany, at least in comparison to what they imagined awaited them in Palestine or South America. Getting into the United States was extremely difficult, however.

In the 1930s, U.S. immigration policy was based on the National Origins Immigration Act of 1924, enacted under the Hoover administration as a continuation and revision of earlier immigration restrictions, particularly the 1921 Immigration Act. Its purpose was to preserve a white, Protestant majority in the United States by limiting the number of immigrants from southern and eastern Europe—with an eye specifically to Italians, Slavs, and Jews. For that reason, the Act limited the number of people allowed to immigrate to two percent of each nationality that had been present in the United States by 1890, a time before a great number of the aforementioned immigrant groups had arrived in the United States. Meanwhile, the Act completely excluded immigrants from Japan.³ Franklin D. Roosevelt upheld the Hoover administration policy of maintaining low levels of immigration and only slightly relieved the restrictions in 1938 in reaction to the deterioration of conditions for Jews and others in the German Reich. However, the Roosevelt administration began tightening the restrictions again in the summer of 1939, now ostensibly in response to fears of subversive elements among the immigrants. A combination of widespread public sentiments of nativism and anti-Semitism in the U.S.—partly a reaction to the failure of Roosevelt’s New Deal programs to bring the nation out of the Depression—as well as a “bureaucratic indifference to moral or humanitarian concerns” led to a situation in which, despite massive demands for visas to the United States, the annual quota for these immigrants from Europe was never filled.⁴ By 1941, two years into the war in Europe, it had become almost impossible to gain legal entrance to the United States, a bureaucratically induced situation further complicated by the war.⁵

In this restrictive immigration situation, the refugees who made it to the United States were the lucky ones. Still, the pervasive

3 Bat-Ami Zucker, “American Immigration Policy in the 1930s,” in Frank Caestecker and Bob Moore, eds., *Refugees from Nazi Germany and the Liberal European States* (New York, 2010), 154.

4 Richard Breitman and Alan M. Kraut, *American Refugee Policy and European Jewry, 1933-1945* (Bloomington, 1987).

5 There is ample literature on the difficulties Jewish refugees faced in gaining entry to the United States. Besides Breitman/Kraut and Zucker, see for example David S. Wyman, *Paper Walls: America and the Refugee Crisis 1938-1941* (Amherst, 1968); David S. Wyman, *The Abandonment of the Jews: America and the Holocaust 1941-1945* (New York, 1984).

anti-immigrant mood in the country made them feel, as one refugee remembered, “not especially welcome.”⁶ In 1938–39, at the height of the influx of German Jewish refugees into the United States, propaganda by anti-immigration and anti-Semitic groups—of which there were over one hundred operating in the U.S.—blamed Jews for the country’s economic problems and agitated against the arrival of Jewish immigrants. Besides homegrown nativist, racist movements like the Ku Klux Klan, there was the German American Bund, the American Nazi movement under the leadership of German American Fritz Kuhn, which had about 25,000 followers. The most influential anti-Semitic groups were led by fundamentalist Christian leaders, both Protestant and Catholic. Father Charles E. Coughlin’s rants against “Communist Jews,” whom he held responsible for all economic problems, were broadcast by forty-seven radio stations that reached more than three and a half million listeners in the U.S. As the leader of the “National Union for Social Justice and the Christian Front,” Coughlin also published the magazine *Social Justice*, which had a print run of one million copies and was sold in every major city in the U.S. His media outlets agitated particularly against Jewish immigrants, who were depicted as the greatest competition in an already distressed U.S. job market.⁷ Anti-Jewish sentiment was not only directed at potential immigrants, but also against Jewish Americans, whose share in the overall population was just under five million or about 3.7 percent of the U.S. population at the time.⁸ A March 1938 survey revealed that forty-one percent of those surveyed believed that Jews had “too much power in the United States.”⁹ Another poll from May 1938 showed that one-fifth of those interviewed wanted to “drive Jews out” of the country and twenty-five percent responded that Jews should not hold offices in politics or government.¹⁰

The reactions of American Jews to this increase in anti-Semitism and anti-immigration sentiment varied from open protest to reservation and accommodation. The American Jewish Committee, whose membership and following were mostly Jews of German extraction who had been in the country since before the 1880s, had historically taken a position of accommodation within American society. In response to the refugee crisis, they focused their efforts on working behind the scenes, trying to convince important individuals in political office to improve immigration policies for Jewish refugees from Europe. Open protest and agitation on behalf of Jews in Europe, they believed, would only worsen anti-Semitism in the U.S. The American Jewish Congress, on the other hand, dominated by more recent eastern

6 Hella Weiner, “My Story of My Beginning and That of the Jewish Club of 1933,” Collection of the Benefactors of the Jewish Club of 1933.

7 Ibid.; Wyman, *Abandonment of the Jews*, 5ff.

8 H. S. Linfield, “Jewish Communities of the United States,” *American Jewish Yearbook*, Vol. 42 (1940-1941), 202.

9 Breitman and Kraut, 86.

10 Ibid., 88.

European immigrants, did not shy away from open protest to reach the same goal. One measure intended to weaken the German state was the launching of a boycott movement targeting German products and services, for example. Ultimately, the efforts of the American Jewish community were unsuccessful in actually influencing government policy with a view to Germany's and Europe's Jews and the refugees. While the division of the community has often been cited as a reason for this failure, American Jews accounted for only about three percent of American voters and thus their influence was naturally limited. However, different organizations in the United States undertook efforts to assist those Jews from Germany who had made it to the United States, such as the Hebrew Immigrant Aid Society and the National Council of Jewish Women.

Non-Jewish organizations also lent support to the new arrivals and organized against nativist, anti-Semitic, and anti-immigrant groups. Organizations such as the Coordinating Committee for Aid to Refugees, the Committee for Catholic Refugees, and even Chambers of Commerce or Better Business Bureaus in various cities published statistical information about the refugees to rebut the notion that they were exacerbating the economic crisis.¹¹ The American Friends Service Committee, a Quaker organization, published a widely circulated pamphlet entitled *Refugee Facts*, for example, with a total print run of 250,000. Of these, 100,000 copies were distributed to Protestant clergy, and the rest went to writers, editors, congressmen, and public officials. In addition, more than a hundred newspapers covered the publication in one way or another.¹²

This pamphlet sought to correct the notion of a particularly high number of immigrants entering the country at the time. It stated that more people left the U.S. than entered during the period from 1932 to 1938, when many of the refugees arrived.¹³ For the year 1938, which had seen the highest number of refugees since 1932, the brochure stressed that net immigration in relation to the U.S. population of 130,000,000 "represented less than 4/100 of one per cent."¹⁴ Besides addressing concerns over the sheer numbers of new immigrants, the writers of the pamphlet also commented on their ethnic and religious identity. Playing on the fact that in the eyes of some Americans, Germans had historically been seen as more desirable immigrants than Jews, the writers of the pamphlet downplayed their Jewish identity and presented the refugees as Germans, even Christians. They pointed out that many of the refugees who were now coming into the

11 *American Jewish Year Book* 41 (1939-40):195f.

12 Wyman, *Paper Walls*, 9.

13 American Friends Service Committee, *Refugee Facts: A Study of the German Refugee in America* (Philadelphia, PA.: America Friends Service Committee, 1939), 6.

14 *Ibid.* 7.

country had lived in Germany for centuries, were highly assimilated, and “had intermarried with the Gentile Germans extensively.”¹⁵ Explaining that Nazi racial laws defined anybody who “has even as little as 25% Jewish blood in his veins” as a Jew, regardless of religion, the brochure contended that among the refugees were many who actually had been “Christian for generations.”¹⁶ Apparently conceiving of this detail as particularly helpful, this point was emphasized again in a concluding paragraph: “It is necessary to stress once more a fact which the American public has even yet not understood sufficiently, namely, that these refugees from Germany are not all Jews by religion—far from it. In 1938, about one-third (31%) of all refugees from Germany were Christians.”¹⁷

Though written to combat negative sentiments against the refugees, the content of this Friends brochure on “Refugee Facts” was in part not just exaggerated, but in itself at least passively anti-Semitic, whether intrinsically or in its pandering to the anti-Semitism of its audience. By presenting the refugees as not of the Jewish religion and by stressing their high skill and education levels, the writers of the brochure clearly attempted to differentiate these refugees from the previous wave of Jewish immigrants, who had come from the shtetls and towns of eastern Europe in the late nineteenth and early twentieth centuries. The stereotypes of these Eastern immigrants as deeply religious—often portrayed as mysterious and devious—poor, unskilled, and dirty fundamentally fueled anti-Semitism. Meanwhile emphasizing familiar traits such as “Germanness” and Christianity made the refugees look less foreign and more “adaptable.” The downside of such arguments was that Judaism as a religion appeared negative by implication.

One may expect that this type of portrayal must have rubbed many refugees the wrong way. However, *Aufbau*, the most important German Jewish refugee publication in the United States, ignored the apparent distaste for Jews the brochure implied and supported its distribution. Under the headline “Spread the Truth!,” a small article stated that the refugees should know about this resource and distribute it because it “contained all the arguments and counter-arguments about the immigration of German and other Central European refugees.”¹⁸

On one level, being German was indeed the identity many Jews from Germany had possessed for the longest time and deeply identified with. The great majority of the 530,000 Jews who lived in Weimar

15 Ibid. 15.

16 Ibid. 12f.

17 Ibid., 13.

18 “Verbreitet die Wahrheit! *Aufbau* 5 (September 1, 1939).

Germany viewed themselves primarily as German citizens, as integral to the German nation and culture. At the same time, they had commitments and ties of differing degrees and intensities to the Jewish faith, Jewish cultural traditions, and a Jewish heritage.¹⁹ By no means a homogenous group, Jews in Germany were diverse in regard to economic, social, political, and cultural aspects and also identified with their Jewishness in different ways. Most had shed much of their traditional Jewishness in appearance and lifestyle, but the early years of the Weimar Republic also saw a “renaissance of Jewish culture” during which many showed a heightened interest and undertook to develop community and cultural projects that carried and purveyed a distinct Jewish identity.²⁰ The Nazi takeover ended this possibility of being able to be as German and Jewish as one liked. A myriad of anti-Jewish laws and measures, passed gradually and at times abruptly, and based on pseudo-scientific racial categories of Jewishness, affected even those who had only tenuous ties to the Jewish religion or did not identify as Jewish at all. Asked about their experiences, some refugees remembered that it had been Hitler and the Nazis who had “made” them Jewish. In the years before arriving in the United States, German Jews experienced a tumultuous time, including a fundamental shake-up of their self-understanding as Germans and Jews. Their reactions ranged from clinging to their German identities, even in the face of social exclusion, to a new embrace of their Jewishness and a search for special meaning in it, to a complete rejection of anything related to Germany.

In the face of this history and once again confronted with anti-Semitism, it probably seemed wise for the refugees or anybody who wanted to advocate for them to emphasize their “Germanness,” even though it disregarded their complicated relationship to this part of their identity. Taking a pragmatic view and focusing on the brochure’s attempt to foster a more accepting environment, they accepted its dubious method of doing so, perhaps seeing it as the price to be paid.

Indeed, conscious of public sentiment in the U.S., the refugees themselves carefully crafted their public image as well. They did this, for example, through their publications, which provided not only significant resources for the refugees but also a representation to the outside. Besides the New York-based newspaper *Aufbau*, which had a readership that spread beyond the United States to South America, Palestine, and most other places where Jewish refugees had found a haven, there were similar smaller papers published by so-called German-Jewish Clubs all over the United States.²¹ In Los Angeles,

19 Francis Nicosia, “Introduction,” in Francis Nicosia and David Scrase, eds., *Jewish Life in Nazi Germany: Dilemmas and Responses* (New York, 2012), 8.

20 See Michael Brenner, *The Renaissance of Jewish Culture in Weimar Germany* (New Haven, Conn., 1996).

21 On *Aufbau*, see Benjamin Lapp, “The Newspaper *Aufbau*, Its Evolving Politics, and the Problem of German-Jewish Identity, 1939–1955,” *Leo Baeck Year Book* 58 (1): 161–174 (2013). doi: 10.1093/leobaeck/ybt004

which became the second largest center of German Jewish immigration during the 1930s and 1940s, the local publication was called *Neue Welt* (New World). Its 1939 five-year anniversary edition was a case in point for the refugees' efforts at crafting a positive image of themselves. While the magazine's title and much of its content were in German, the front page was printed in English and featured a large, bold-typed heading of "God Bless America." The accompanying article was an ode to the United States, the country "which has always given refuge and protection to the persecuted and oppressed" and to California, where, as the author stated, it was a privilege to live.²² Painting a glowing picture of the United States and its people, the article's author, implying she or he spoke for all refugees, expressed great gratitude for having been accepted into the country and vowed that the refugees would pay back a "small debt of gratitude" by fulfilling their "duty to become the best citizens possible of this wonderful country." To learn, honor, and follow "the correct lines of Americanization" would be one of the first tasks in this endeavor.²³ The author strategically omitted any reference to American anti-immigration sentiments and anti-Semitism, not to mention worries about family members not allowed into the country. In fact, the word "Jew" did not appear once in the text. Neither did "German" or "Germany." Instead, this front-page article left the specifics of the German Jewish refugee story nebulous by likening it to the story of the thousands of others who had come as immigrants to the United States before.

In the early years after their arrival, then, the German Jewish refugee community attempted to divert public attention away from their specific German Jewish heritage, as they let themselves be characterized as Germans by some, like the Quakers, and framed themselves very generally as immigrants. Whereas in public perception the "German-ness" of the refugees appeared to be a familiar, less anxiety-invoking category than their Jewishness, the refugees themselves had a more difficult attitude toward that part of their identity given their recent and brutal exclusion from all areas of life in Germany. In internal debates, they constantly questioned and re-evaluated their relationship to their former home country, to its—and their—language and culture. Americanization, besides its practical necessity, in many ways seemed to promise a way to escape this dilemma of identification.

War

While signs in Europe were pointing increasingly toward war, refugees in the United States were learning English, finding jobs,

22 "America," *Neue Welt* (September 1939): 1.

23 The concept of Americanization originated as a response among native-born U.S. citizens to the recurring waves of mass immigration between 1880 and 1917. It initially encapsulated the call for immigrants to abandon the customs and values of their homelands entirely in favor of putatively "American" ways. By the 1930s, "Americanization" had come to mean the process of adjustment to socio-economic and cultural conditions in the U.S. German Jewish refugees understood Americanization in the latter sense, and the term was omnipresent in their publications. I use the term in the sense the refugees did.

applying for naturalization, and learning about baseball. Although they still valued and enjoyed works by Bach, Beethoven, Mann, and Schiller and they frequently held social gatherings in the German language—cultural markers they could mostly agree upon—refugee organizations never failed to present their group as comprising aspiring and proud future Americans. When war broke out in Europe in September 1939, however, the refugees' efforts and enthusiasm for "Americanization" ultimately did not protect them from renewed suspicion. At this point, the American government, while officially maintaining neutrality, became concerned about infiltration by Nazi spies and other fifth columnists in the United States, both Fascist and Communist. In public perception, German Jewish refugees were among those who could potentially serve both causes, as prejudices about Jews generally linked them to radicalism and subversion.²⁴ In this situation the refugees' perceived undesirable Jewishness could not be overcome by emphasizing their German origin. Both designations were viewed with suspicion, if for different reasons. At a press conference in June 1940, President Roosevelt explained:

Now, of course, the refugee has got to be checked because, unfortunately, among the refugees there are some spies, as has been found in other countries. And not all of them are voluntary spies—it is rather a horrible story but in some of the other countries that refugees out of Germany have gone to, especially Jewish refugees, they have found a number of definitely proven spies.²⁵

24 See Breitman and Kraut, 113.

25 This is from Roosevelt's response to the question what should be done to avoid imposing suffering on the refugees already in the United States who were unjustifiably perceived as potential spies. *Ibid.*, 212f.

26 *Ibid.* On the debates and conflicts over this topic within the government, see works cited under footnote 5 and Richard Breitman, Allan J. Lichtman, *FDR and the Jews* (Cambridge, MA, 2013).

27 U.S. Statutes at Large, 76. Cong., 3rd Sess.

28 While some critical voices were concerned about the potential creation of a totalitarian surveillance system and also warned of the futility of this legislation, its reception was largely affirmative.

The idea that Jews who had been persecuted by the Nazis would then in turn *work* for them seems far-fetched, but the president claimed that in some cases Jews had been blackmailed by the Nazis: "your father and mother will be taken out and shot." If the number of such cases was extremely low, Roosevelt nonetheless maintained that the possibility was nevertheless "something we have got to watch."²⁶

These concerns over fifth columnists in the United States resulted in the passing of the Alien Registration Act of 1940, also known as the Smith Act, which required all foreign-born persons who were not U.S. citizens or who held only their initial papers for the naturalization process to register with the U.S. Post Office.²⁷ The U.S. government promoted the Act as a measure protecting loyal aliens, and as such it received much publicity and overall support in the media, including the German Jewish refugee press.²⁸ One author of an article

in *Aufbau* remarked, for instance, that the government's increased efforts to control who entered the country, allowing only those who were clearly nonsubversive, would help fight xenophobia in the U.S. and thus have positive reverberations for the refugees.²⁹ This outcome, however, did not materialize. In fact, the Smith Act became the basis for the refugees' classification as enemy aliens after the Japanese attack on Pearl Harbor and the United States' entry into the war on December 7, 1941.

On December 7, Roosevelt issued Presidential Proclamation 2525, which classified all natives, citizens, denizens, or subjects of Japan to be "alien enemies."³⁰ Enemy aliens, as they were commonly called, were subject to restrictions on movement, travel, and change of occupation.³¹ In addition, they were not allowed to possess or use firearms, ammunition, bombs, explosives (or materials that could be used in such), short-wave radios, transmitting sets, signal devices, codes, cameras, or any materials, such as books, pictures, documents, and maps, that might reveal information about United States defenses.³² Moreover, enemy aliens were "liable to be apprehended, restrained, secured, and removed ..."³³ The government's initial promises to carefully investigate potentially dangerous aliens to avoid condemning entire groups were broken when the FBI detained 736 Japanese immigrant leaders within days of the attack on Pearl Harbor.³⁴ By February 1942, this number had risen to 2,912 people and on February 19, President Roosevelt authorized the removal and detention of all Japanese and American citizens of Japanese descent living on the Pacific Coast of the United States.³⁵ Eventually, 119,803 individuals of Japanese descent were detained in camps, sixty-five percent of whom were American citizens.³⁶ The policies against the Japanese and Japanese-American citizens on the West Coast were rooted in racism and politics and had little to do with actual military necessity.³⁷

German Jewish refugees, by contrast, did not suffer what the Japanese had to endure. However, on December 8, 1941, they were also classified as enemy aliens along with all other natives, citizens, denizens, and subjects of Germany and Italy, and the regulations announced were the same as those for the Japanese. With the experience of persecution fresh in memory and the example of the Japanese in plain sight, the refugees were greatly distressed at being classified as enemy aliens and began to have fears about their future in the U.S.

29 "Eine notwendige Massnahme gegen die fünfte Kolonne," *Aufbau* 6, no. 22 (May 31, 1940): 1f.

30 Japanese immigrants were aliens because American law prohibited their naturalization. Roger Daniels, *Prisoners without Trial* (New York, 1993), 26.

31 Proclamation 2525 of December 7, 1941, U. S. Code Congressional Service, 77. Cong., 1st Sess., 886ff.

32 Ibid. 887.

33 Presidential Proclamation 2525 of Dec. 7, 1941, U. S. Code Congressional Service, 77. Cong., 1st Sess., 885.

34 Roger Daniels, *Guarding the Golden Door: American Immigration Policy and Immigrants since 1882* (New York, 2004), 88.

35 Misiko Hane, "A Round Table: The Living and Reliving of World War II, Wartime Internment," *The Journal of American History* 77 (September 1990): 570f.

36 Ibid. 570.

37 Ellen Eisenberg, *The First to Cry Down Injustice?* (Lanham, MD, 2008), 110.

38 See Presidential Proclamation 2525 of Dec. 7, 1941, U. S. Code Congressional Service, 77. Cong., 1st Sess., 885. On the internment of Germans, see Timothy Holian, *The German-Americans and World War II* (New York, 1998), for Italians, see Stephen Fox, *The Unknown Internment: An Oral History of the Relocation of Italian Americans during World War II*, (Boston, 1990).

39 "An Alle! Wichtige Mitteilungen für die Leser des *Aufbau*," *Aufbau* 7, no. 50 (December 12, 1941). On January 14, 1942, as a supplement to the Smith Act, another Presidential Proclamation required mandatory registration with the government for enemy aliens, with which the vast majority complied. The registration took place at U.S. post offices and required answers to questions by the Department of Justice and the FBI. Enemy aliens were then required to carry the Certificate of Identification they received at all times. John Eric Schmitz, "Enemies Among Us: The Relocation, Internment, and Repatriation of German, Italian, and Japanese Americans During the Second World War." (PhD diss., American University, 2007). ProQuest Dissertations and Theses (UMI 3273603).

40 "Loyal Non-Citizens Safe: No Wholesale Distrust," *Aufbau* 7, no. 51 (December 19, 1941). Special Assistant to the Attorney General, Earl G. Harrison, repeated this wording after new registration regulations were introduced. See "Warum diese Verordnung? Aus der Radioansprache von Earl G. Harrison," *Aufbau* 8 (January 30, 1942).

Once again, a government had placed a legally binding and restrictive label on them. Whereas the Nazis had robbed them of their status as (full) German citizens, the American enemy alien classification reduced them to their German origins, completely disregarding their Jewish backgrounds and persecution by the Nazis. While many other people of German origin in the U.S. were classified as enemy aliens without having any ties to the Nazi regime or interest in its ideology, for those who had been persecuted by the Nazis to be classified as quasi Nazis was naturally particularly upsetting. The reaction of the refugee community was not only shock but confusion as many of the rules and regulations that came with the classification were changed repeatedly in the weeks and months after their announcement. Although the practical effects for the Jewish refugees were initially not that grave, the lack of knowledge and certainty about what might happen created great anxiety, especially because they had seen the government arrest, incarcerate, and deport Japanese, German, and Italian enemy aliens under the provisions of the proclamation.³⁸

The refugee paper *Aufbau* served as the main source of information on the classification issue for the refugees. Its journalists offered advice on how they ought to behave in the face of their new status in the U.S. by, for instance, abstaining from speaking German in public, carrying one's registration card (issued during the Alien Registration one year prior) at all times, and participating in blood donations or other patriotic activities.³⁹ At the same time, *Aufbau* tried to calm the general anxiety by encouraging trust in the democratic government of the United States. Indeed, officials such as Attorney General Francis Biddle repeatedly declared that the government would differentiate between "real" enemy aliens and those "loyal" aliens to whom the classification applied "in the technical sense of the word only," and whom the government would "protect ... from discrimination or abuse."⁴⁰

The journalists writing these reports in *Aufbau* were based in New York City. The sense of a merely "technical" classification did not prevail for those German Jewish refugees residing on the West Coast of the United States, however. Especially in California, with its concentration of defense industries, military sites, and a large Japanese population, the term "enemy alien" had become "a headline slogan," used repeatedly by the press to point out the danger of

enemy aliens, real or imagined.⁴¹ The tension over people of Japanese descent reached at times hysterical dimensions, with reports about alleged sabotage and other subversive activities.⁴² Even though the term “enemy alien” was mainly employed to refer to Japanese (with no distinction as to their citizenship status) and rarely to German or Italian “aliens,” some German Jewish refugees feared for their own safety, concerned that people might not make the necessary distinctions. After all, one refugee representative wrote, “if somebody is obviously treated as an enemy, then there must be something to it.”⁴³ Signs in restaurants saying “enemy aliens keep out” lent credence to these fears, creating situations disturbingly reminiscent of what the refugees had experienced in Germany, when their countrymen had posted signs saying “non-Aryans keep out.”⁴⁴

In early March 1943, the situation became even more worrisome for the refugees on the West Coast. At that time Western Defense Commander Lieutenant General John L. De Witt announced that all enemy aliens—making no exemptions for German and Italian aliens—would be gradually removed from an area declared Military Zone No. 1, which included the coasts of California, Washington, and Oregon as well as the southern sections of California and Arizona along the Mexican border.⁴⁵ This announcement and the possibility that refugees from Germany might be moved like the Japanese and, as they understood it, “as if they were Nazis” created great “panic and distress” among the refugee community.⁴⁶ In a telegram that the Jewish Club of 1933 in Los Angeles, the second largest organization of refugees in the U.S., sent to the Council for Aliens of Enemy Nationality in New York, club representatives wrote in German-tinged English that the “spiritual strengths and power of endurance will be broken in most of [the refugees] if they will have to suffer terribly after they learned to rely on the democratic refuge of the united states.”⁴⁷ The writers of the telegram pleaded for Council members to intervene in Washington and to get clarification that the German Jewish refugees would not be affected by the evacuation announcement. After all, up until then, the authorities had continuously assured fair treatment for loyal aliens from this group.

Refugees pushed back against the enemy alien classification with a series of such appeals to local and federal authorities by individuals and organizations alike. In their arguments for exemption from the enemy alien classification, the main line of reasoning centered around the refugees’ “true identity” as victims of the Nazis. Whereas they had previously described themselves simply as immigrants or

41 “Enemy aliens’ is a term which is not a mere technical concept, but has become a vital problem for those concerned.” Document from Felix Guggenheim Papers, Correspondence 1942-43, Box 108., 1, Felix Guggenheim Collection, USC Specialized Libraries and Archival Collections.

42 Ellen Eisenberg, *The First to Cry Down Injustice: Western Jews and Japanese Removal During WWII* (Lanham, 2008), 112.

43 Undated document from Felix Guggenheim Papers, Correspondence 1942-43, Box 108., 1, Felix Guggenheim Collection, USC Specialized Libraries and Archival Collections.

44 Thomas Mann points this out in a letter he wrote to Agnes Meyer, publisher of the *Washington Post*, on February 6, 1942. English translation by Erich Frey from unpublished letter, Beinecke Library, Yale University; Erich A. Frey, “Thomas Mann and His Friends before the Tolan Committee (1942),” in John M. Spalek and Robert F. Bell, eds., *Exile: The Writer’s Experience* (Chapel Hill, 1982), 203f.

45 “Proklamation No. 1,” *Aufbau* 8, no. 10 (March 6, 1942): 1.

46 Felix Guggenheim Papers, Correspondence, Enemy Alien Issues incl. Tolan House Committee 10f2, Box 107, Felix Guggenheim Collection.

47 *Ibid.*

refugees, *Aufbau* reporters now frequently used the terms “refugee-immigrants” and “anti-Hitler refugees” in an attempt to leave no room for doubt about their anti-German, loyal, and pro-American attitude. As evidence of having severed their ties to Germany, the refugees referred to the Nazi government’s decree of November 25, 1941, expatriating and expropriating all Jews formerly of Germany now residing outside of the Reich.⁴⁸ Accordingly, all refugees in the U.S. were not only legally stateless but they had no reason to remain loyal to Germany or maintain an interest in the country because of property that they had left behind. Paradoxically, Nazi legislation became a useful rhetorical tool against discriminatory American legislation. Thus, representatives of the refugee community referenced their treatment under the Nazi regime when they appeared in front of the Tolan Committee. This Select Committee Investigating National Defense Migration held hearings in San Francisco, Portland, Seattle, and Los Angeles in late February and early March 1942 to address rumors regarding the possible evacuation of enemy aliens. Refugees spoke before it in each of these cities in the hopes that their pleas might bring about an exemption from evacuation in particular and the enemy alien classification more generally. One line of argumentation was to connect and compare their suffering under the Nazis to an ongoing story of suffering in the democratically governed United States. Also, one representative from the Los Angeles Refugee Club remarked that the wrongful treatment of Jewish refugees would constitute a victory for the Nazis. At the same time, the speakers were quick to point out that surely the U.S. would not actually allow policies that treated the refugees like the Nazis did.⁴⁹ The refugees’ pleas received sympathetic responses from the Tolan Committee as well as from some influential officials such as California Governor Culbert Olson and Los Angeles Mayor Fletcher Bowron. Ultimately, no removal of German and Italian aliens was carried out. While this decision had much to do with the absence of pronounced racism against the European “aliens” in contrast to that against the Japanese, the official conclusion was instead that it would not be realistic to relocate and intern all German and Italian enemy aliens if one wanted to win the war.⁵⁰

Continuing Troubles

Though sparing German Jewish refugees removal from their places of residence, the Tolan Committee hearings did not result in the exemption of refugees from enemy alien status. For refugees on the

48 Robert M.W. Kempner, “Who Is Expatriated by Hitler: An Evidence Problem in Administrative Law.” May 1942, accessed April 4, 2017 http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9258&context=penn_law_review

49 National Defense Migration, Hearings before the Select Committee Investigating National Defense Migration, House of Representatives, Seventy-Seventh Congress, Second Session, Pursuant to H. Res. 113, Part 31, Problems of Evacuation of Enemy Aliens and Others from Prohibited Military Zones, Washington: United States Government Printing Office, 1942. Reprint Edition, (New York, 1978), 11763.

50 Tolan Committee, Preliminary Report, note, 2,21-22,24 cited in Fox, *The Unknown Internment*,129.

West Coast, this circumstance continued to have troubling practical consequences. On March 24, 1942, only a few weeks after announcing the removal plans that ultimately did not come to pass for Italian and German refugees, Lieutenant General De Witt declared all aliens in Military Zone 1 subject to a curfew from 8 p.m. to 6 a.m. as well as a limitation on travel to five miles. The last measure meant that refugees could initially not go to work, to school, to the hospital, or to their temple, if these places were located more than five miles away from their home. In a city like Los Angeles, where the majority of German Jewish refugees lived, such distances were quite common. For those trying to find work, the classification created a great disadvantage as well, since employers, though not legally allowed to discriminate, were less likely to hire people who were subject to this classification, questioning their “usefulness.”⁵¹ Whereas refugee organizations and individual refugees were ultimately able to obtain permits to travel further than five miles for work, school, and places of worship, permits to break the curfew were difficult to obtain, and the restrictions put a great strain on all areas of life and particularly limited the possibility of a social life.

Young refugees felt especially hard hit by these restrictions.⁵² One boy’s petition explained that he had first suffered from harassment in school in Germany and then in Sweden for being Jewish. When his family finally made it to the U.S., he found school to be “like a paradise.” After the curfew restrictions were passed, this situation was in jeopardy, however, because he was no longer able to socialize with his friends as he wanted, and he felt ashamed to tell people why.⁵³ The young boy’s letter exemplified the long series of hardships that refugees had been through up to this point and their frustration with the injustice, arbitrariness, and lack of control that they faced again and again.

Furthermore, the fact that former Austrian citizens were exempt from the classification was completely incomprehensible to the refugees, as was the exemption of Hungarians, Rumanians, and Bulgarians from the restrictions in July 1942. Refugee organizations continued petitioning the authorities for reclassification, now more often with the argument that the added restrictions only impeded the refugees in reaching their goal of becoming “good Americans,” as naturalization procedures were halted for several months and, under the curfew, it became difficult to attend citizenship classes. The closing sentences of an October 1942 petition to the Justice Department revealed a

51 Letter from Richard Grau to Dean Edwin D. Dickinson, Department of Justice, July 12, 1942, FGP, B108, Correspondence 1942, Curfew Restrictions and Richard O. Grau.

52 “Sorrow Comes to the West Coast: The Curfew Regulations and Their Consequences,” *Aufbau* 8, no. 14 (April 3, 1942). This also includes reprinted excerpts from the Los Angeles newspaper *Daily News*.

53 Petition to the Department of Justice, Washington D.C., October 1942, Felix Guggenheim Papers, Correspondence, Enemy Alien Issues incl. Tolan House Committee 10f 2, Box 107, Felix Guggenheim Collection.

despondent, dejected, and disheartened attitude: “Most unwillingly do we waste the time of the authorities and our energy in this arguing for our public legal rehabilitation. We would much prefer to use our efforts directly against Hitlerism. Therefore we most obediently ask for reclassification.”⁵⁴

54 Ibid.

55 Before 1943, refugees serving in the army were only allowed in non-combat units. Joshua Franklin, “Victim Soldiers: German-Jewish Refugees in the American Armed Forces during World War II,” (B.A. Honors Thesis, Clark University, Worcester, MA, 2006), 44f. Those who had joined before Pearl Harbor were apparently not transferred to non-combat units, however, even if they were still categorized as enemy aliens.

56 “Curfew Law ended on West Coast for German Aliens; over 1,000 forbidden Zones also abolished by De Witt,” *Special Information Bulletin*, National Refugee Service, December 31, 1942. FGP, B108, Correspondence 1942-44, National Defense Migration Hearing and German Alien Curfew. It is not clear what these other security measures are at this point. I assume, however, that the authorities had collected enough information about the enemy aliens in military zone number 1 and thus had enough evidence that supported the argument (long held by different authorities) that the majority of those who were classified as German enemy aliens did not pose a threat.

57 Undated document, FGP, B107, Correspondence 1942-1943, Enemy Alien Issues incl. Tolson House Committee, 1 of 2. See also Letter from Edward J. Ennis, Director Enemy Alien Control Unit, to Mr. Rosenfeld, April 4, 1942, FGP, B107, Correspondence 1944-1945, Committee for the Study of Recent Immigration from Europe.

Refugees turned their classification as quasi Nazis on its head, arguing that not only did their German Jewish background make it a nonsense for them to be considered the “enemy” but that, on the contrary, it was precisely their German Jewish background that could be a strategic advantage to the United States in the war effort against the Nazis. Only in 1943 did one government agency officially recognize this potential, when the U.S. Military and the Office of Strategic Services began recruiting refugees from Germany — both Jews and those who had fled for political reasons — for intelligence work.⁵⁵ From then on, Jewish refugees in the military were also exempted from the enemy alien classification, but not their family members. The situation on the West Coast finally improved in late December 1942 with the lifting of the curfew and travel restrictions after the Western Defense Command determined that these were no longer necessary as “other security measures had been provided.”⁵⁶ The enemy alien classification itself nonetheless remained in place for German Jewish refugees for the entire duration of the war.

It is difficult to determine why this was so, even after authorities acknowledged that refugees could contribute to the war effort in unique ways, and even though prominent public figures and government officials like Attorney General Francis Biddle warned against such wrongful classification from the beginning. One main reason was the shift in responsibility for the matter from civilian to military authorities. Originally, enemy alien issues had been under the jurisdiction of the Immigration and Naturalization Service and, above that, the Justice Department, headed by Francis Biddle. With an Executive Order issued on February 19, 1942, this authority shifted to the War Department. Initially there existed a certain degree of confusion over who was actually responsible and who could make decisions on the subject matter. Ultimately, while civilian authorities remained sympathetic to the refugees, they had to concede that West Coast residents classified as enemy aliens were no longer under their jurisdiction.⁵⁷ For the military, the question of “military necessity” was of pre-eminent importance, and in defending an expansive understanding of this point, the Western Defense Command on the

West Coast could be quite cynical. The chief of the Wartime Civil Control Administration, Tom C. Clark, for example, responded to a plea by the Los Angeles refugee organization that it was certainly regrettable that civilians had to endure “incidental inconveniences” resulting from war but that “as past victims of a persecution as terrifying as that from which you have so lately escaped, the present inconveniences of remaining in your house between 8 p.m. and 6 a.m. must seem insignificant by comparison.”⁵⁸ Certainly the curfew was not as terrible as what many Jews had endured under the Nazi regime in the 1930s. However, the continuation of discriminatory attitudes and measures caused a great deal of anxiety. After all, Nazi legislation against Jews had also developed in incremental and apparently legal steps, becoming more intense and discriminatory and eventually deadly; a scenario that only very few of Germany’s Jews had been able to imagine, let alone anticipate. In the United States, during the war years, reliable information about what to expect was either lacking or contradictory and created situations that left many refugees, certainly those on the West Coast, afraid and desperate about their future in that country.⁵⁹ And while government officials, mostly those in civilian offices, recognized how unfair the “enemy alien” classification was to these refugees, they never felt it to be a significant enough injustice to follow through with change. Instead, it became the government’s tactic to stress the necessity of the classification for reasons of national security not directly related to the refugees, to downplay the effects, and to praise the refugees for their forbearance and compliance.

Conclusion

Even though the history of German Jewish refugees in the United States has received considerable attention, virtually all accounts make only brief mention of the refugees’ classification as enemy aliens, mainly as an injustice. The more intricate story is not well known, probably because it ultimately ended well. The refugees were not subjected to mass internment. They were eventually permitted to participate in the fight against Nazi Germany through home front activities such as the Civilian Defense Corps or as full members of the U.S. military, sometimes even serving in special units. On the West Coast, in fact, refugees actually became Americanized faster than those living on the East Coast because their disadvantageous situation motivated them to actively participate in American public and political life.⁶⁰ The Refugee Club in Los Angeles, for example,

58 Part of a letter from Tom C. Clark to the Jewish Club of 1933, Inc. from March 26, 1942. FGP, B107, Correspondence, Enemy Alien Issues incl. Tolan House Committee 20f2.

59 “Sorrow Comes to the West Coast: The Curfew Regulations and Their Consequences,” *Aufbau* 8, no. 14 (April 3, 1942).

60 Schenderlein, “Germany on their Minds?”, 190ff.

created a Political Committee that became a supra-regional entity for dealing with the refugees' enemy alien status on the West Coast. As such, it developed from an immigrant club providing social and cultural assistance to an organization that engaged with communal and government offices. This example demonstrates that some refugees understood the possibilities that the American democratic system of the time allowed and were able to contest discrimination. However, this case study also shows that not only public support and the good will of certain authorities but also distinctions based on racism played a major part in preventing a worse fate for this group of refugees. After all, they were white and educated.

Why does this story matter? It captures a moment of extreme insecurity and distress in the lives of a very vulnerable segment of the population. It reveals how one group, without specific linkages to actual security threats, military necessity, and disregarding historical facts and reasoning, could be marked as different at different times and for different purposes. At the time, the enemy alien classification brought up traumatic memories of the past for the refugees, creating painful doubt about whether they had indeed found a refuge and whether there was a future for them in United States.

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