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**FIRESIDE DISCUSSION GROUP**  
of the  
**ANTI-DEFAMATION LEAGUE**  
**B'NAI B'RITH**

No. III



**THE TRUTH ABOUT THE  
PROTOCOLS OF THE WISE  
MEN OF ZION**



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These latest documents upon which anti-Semitism bases its attacks upon the Jews are called "The Protocols of the Learned Elders of Zion." They consist of twenty-four documents supposed to be taken from the secret archives of a Jewish conspiracy for world domination.

These Protocols were translated into many languages and had a world-wide circulation. Various extractions and additions were made depending upon the country in which they were to be read.

Czar Nicholas II, the feeble-minded Russian autocrat, whose spirit was already filled with hatred of the Jew, was sitting on a throne tottering from under him, as a result of the Russo-Japanese War, and naturally was easily influenced to do anything that would save the Russian dynasty.

It was first General Orzhevsky and later Ratchkovsky, unscrupulous Paris representatives of the Russian Okhrana (political secret police department), who conceived the idea of fabricating the document with which to impress the Czar that the Jews and the Free-Masons were responsible for the revolutionary upheavals in Russia and that they were also engaged in a conspiracy for world domination.

The Jews were represented as possessing all the infernal wisdom and the wealth which would enable the revolutionary ideas of the Free-Masons to be realized, thus bringing about the subjugation of Russia and then of the rest of the world. To the political danger of anti-Czarism was added the spiritual danger of the anti-Christ, and the fabricators of the Protocols strove to persuade Czar Nicholas that it was in his power alone to save the world and especially his own dynasty from the threatening forces of disruption and revolution.

The Czar was informed that already in 1901 a "mystic saint," Sergius Nilus, had published a deeply religious and powerful book, "The Great in Little—The Coming of the Anti-Christ and the Rule of Satan on Earth." In 1905 that book by Nilus was reprinted by the Government Press at Tsarskoye Selo, the home of the Czar, and the Protocols were added as a commentary on the Nilus prophecy and as an illustration of its approaching fulfillment. Thus appeared the notorious Nilus edition of the Protocols, a copy of which is registered in the British Museum under the date of August 10, 1906.

Soon after, the Russian Black Hundred organizations, whose program was Jew-baiting, were organized. It was then that Russia adopted a definite anti-Jewish policy of vengeance—a Pogrom policy.

Sergius Nilus is credited with several versions of how he had secured the Protocols and his stories flatly contradict one another. In 1905 he said that the Protocols were given to him by a prominent Russian conservative whose name he did not mention, and who in turn had received them from an unnamed woman who had stolen them from "one of the most influential leaders of Freemasonry at a close of a secret meeting of the initiated in France." Then, several years later, Nilus wrote that his friend himself had stolen the Protocols from the "headquarters of the Society of Zion in France." Several years afterwards, in a new edition of his book, Nilus said that the Protocols came from Switzerland and not from France. This time he named his Russian conservative friend, Sukhotin, who had died in the meantime. He added that the Protocols were not Jewish-Masonic but Zionistic documents secretly read at the Zionist Congress in Basle in 1897.

The anonymous American editor of the Nilus book gave the following information about Nilus:

"Serge Nilus, in the 1905 edition of whose book was first published the Zionist Protocols, was as he states, born in the year 1862, of Russian parents holding liberal opinions. His family was fairly well known in Moscow, for its members were educated people who were firm in their allegiance to the Czar and the Greek Church. On one side he is said to have been connected by marriage with the nobility of the Baltic provinces. Nilus himself was graduated from the University of Moscow and early entered the civil service, obtaining a small appointment in the law courts. Later, he received a post under the Procurator of a provincial court in the Caucasus. Finally, tiring of the law, he went to the Government of Orel, where he was a landowner and a noble. His spiritual life had been tumultuous and full of trouble, and finally he entered the Trotsky-Sergevsky Monastery near Moscow. 'In answer to his appeal for pardon, Saint Sergei, stern and angry, appeared to him twice in a vision. He left the Monastery a converted man.'

"From 1905 until the present, little is known of his activities. Articles are said to have appeared from time to time in the Russian press from his pen. A returning traveller from Siberia in August, 1919 was positive in his statement that Nilus was in Irkutsk in June of that year. What his final fate was is not known."

"Directly after the Protocols, comes a statement by Nilus that they are 'signed by representatives of Zion of the 33rd degree.' These Protocols were secretly extracted or

were stolen from a whole volume of Protocols. All this was got by my correspondent out of the secret depositories of the Head Chancellery of Zion. This Chancellery is at present on French territory."

In the edition of 1917 Sergius Nilus wrote:

"My book has already reached the fourth edition, but it is only definitely known to me now and in a manner worthy of belief, and that through Jewish sources, that these Protocols are nothing other than the strategic plans for the conquest of the world under the heel of Israel, and worked out by the leaders of the Jewish people—and read by the 'Prince of Exile'—Theodore Herzl, during the first Zionist Congress, summoned by him in August, 1897, in Basle."

The Russian and German anti-Semites have maintained that the Protocols were the minutes of the secret proceedings of the first Zionist Congress at Basle, held in 1897, presided over by Dr. Theodore Herzl. Dr. Alfred Rosenberg, the Nazi idealist of anti-Semitism and translator of the Protocols into German, declared that they were the work of the Zionist leaders, Herzl, Nordau and Achad Ha'am.

While the Russian fabricators and forgers of the Protocols could not agree on any one version of how and when the Protocols reached Russia, and under whose sponsorship the spurious anti-Semitic document first made its appearance there, they all sought to identify the Protocols with the first Zionist Congress held in Basle in 1897.

Fortunately, there has been found documentary evidence, submitted by the anti-Semites themselves, in their desperate effort to prove the authenticity of the first Russian version of the Protocols, that they were brought to Russia in 1895. This date happens to be two years before the first Zionist Congress ever met.

This documentary evidence furnishes the missing link in the chain of incontrovertible evidence establishing the falsity of the Protocols and the sinister motives of the anti-Jewish forgers. It also confirms the fact that officials close to the Czar's family participated in the launching of the Protocols in Russia.

Several years ago the Library of Congress, of Washington, had purchased a collection of books belonging to the library of the Czar Nicholas II. That collection, as yet uncatalogued, is now in a vault in the Department of Rare Books and Manuscripts.

Recently an examination was made of the volumes of the Czar's library and there was found among the volumes the 1906 edition of Butmi's book, "The Enemies of the Human Race," dedicated to the Union of the Russian People (The Black Hundreds) and containing the Protocols. The special binding bears the Imperial Crest of the Russian Empress. Butmi's foreword to that edition dated St. Petersburg, December 5, 1905, offers the following explanation:

"The Protocols, being secret, were obtained with great difficulty, in fragmentary form, and translated into Russian on December 9, 1901. It is almost impossible to get again at the secret depositories where they are hidden, and therefore they cannot be reinforced by definite information concerning the place, the day, or the month, where and when they were composed. This circumstance might arouse suspicion as to the genuineness of the Protocols."

"In January, 1917, Nilus had prepared a second edition, revised and documented, for publication. But before it could be put on the market the revolution of March, 1917 had taken place, and Kerenski, who had succeeded to power ordered the whole edition of Nilus' book to be destroyed. In 1924 Professor Nilus was arrested by the Cheka in Kiev, imprisoned and tortured; he was told by the Jewish president of the court, that this treatment was meted out to him 'for having done them incalculable harm in publishing the Protocols.' Released for a few months, he was again led before the G. P. U. (Cheka), this time in Moscow and confined. Set at liberty in February, 1926, he died in exile in the district of Vladimir on January 13, 1929.

"A few copies of Nilus' second edition were saved and sent to other countries where they were published: in Germany by Gottfried zur Beck (1919); in England by the Britons (1920); in France by Mgr. Jouin in *La Revue Internationale des Societes Secretes*, and by Urbain Gohier in *La Vieille France*; in the United States by Small, Maynard and Company (Boston, 1920), and by the Beckwith Company (New York, 1921). Later, editions appeared in Italian, Russian, Arabic and even in Japanese.

The authors of the Protocols had evidently no idea of the hopes, the ethical aspirations, the religious traditions, the historical destiny of Judaism and the Jew. Every intelligent reader of the *Melange* of ignorance and venom contained in the Protocols must recognize that the writer of these calumnies had never read a Jewish or even an authoritative non-Jewish book dealing with Jewish history. None of the plans, ideas and aspira-

tions outlined in the Protocols, none of the political conspiracies are, in any detail, based on Jewish psychology or Jewish history.

Recently the notorious Protocols of the Wise Men of Zion have had their day in the courts of justice. In August, 1934, the libel suit of the Rev. A. Levy of Port Elizabeth, South Africa, against Harry Victor Inch, Johannes von Strauss von Moltke and David Hormanns Olivier, Jr., three anti-Semitic Grey Shirt Leaders, was decided in favor of the plaintiff and damages were awarded against the Grey Shirt leaders with costs. The decision rendered by Sir Thomas Graham and Justice Gutsche, of the Supreme Court, contained the following statement concerning the Protocols:

"The Protocols are an impudent forgery, obviously for the purpose of anti-Jewish propaganda."

Like all anti-Semitic myths of old, the new anti-Jewish legends are bound to destroy themselves. The truth will prevail. Israel has no secret protocols, no hidden designs. Its dream is still of peace, of justice, and of human brotherhood. After all the centuries the word that came from Sinai and the message of the prophets of old are still enshrined in its heart. The Holy Scriptures are the only authentic Protocols of the Wise Men of Zion.



## THE BERNE TRIAL - CONCERNING THE "PROTOCOLS OF THE ELDERS OF ZION"

*Fourteenth Session, Tuesday, May 14, 1935, P. M. The Decision of the Swiss Court Has Been Reached. The "Protocols of the Elders of Zion" Are a Forgery, a Plagiarism and Ridiculous Nonsense.*

Before a very large crowd, spectators and journalists, the President of the Court opened the session at 4:00 p. m. in order to pronounce sentence, after two weeks of court proceedings.

### PROCEEDINGS

The Judge summarized the evidence in the case in a few short sentences and then declared that he will pronounce sentence as a jurist and man of schooling.

The suit of the private plaintiff was directed against the local administration of the League of the National Socialist Swiss Citizens and against unknown persons. It was the police who made a search for the responsible ones and who placed the five defendants on the witness stand. The accused, Fischer, from the beginning had assumed the responsibility for "Aufruf" and for the "Eidgenessen," while Silvio Schnell declared himself responsible for the distribution of the "Protocols" as the manager of the book department of the "National Front." The other defendants from the beginning had protested their innocence and declined all responsibility. For reasons of legal procedure the trial of all of the five defendants was inevitable in this case. A separate trial for some of the defendants is impossible according to Berne legal procedure.

The Judge now devoted the time to a discussion of the "Protocols." The "Protocols" can be divided into a foreword, the text of the "Protocols" and an appendix. The plaintiffs alleged that the "Protocols" are forged and a plagiarism. This prompted the Judge to demand the opinion of an expert with regard to the fraudulent character of the "Protocols." The Judge declared that he was satisfied to

have had the opinion of experts, because the opinion of the experts has made clear the evidence in the case in such a striking manner. The controversy between the attorneys on both sides, which was to prove the genuineness or the fraudulent character of the "Protocols," was of no concern to the Judge.

The Judge was obliged to render an unbiased decision and therefore he was forced to order what was necessary for finding of the objective truth.

What has the evidence shown? Theodore Fritsch, the publisher, in his attempt to prove the genuineness of the "Protocols" surprisingly referred to Chief Rabbi Ehrenpreis in the following manner: that Dr. Ehrenpreis in a speech he made at the Herzl Memorial celebration had admitted the genuineness of the "Protocols." Chief Rabbi Dr. Ehrenpreis, however, in his testimony before the Berne Judge, raised vigorous objections and protested against the allegations of Theodor Fritsch. With solemn mien Court President, Dr. Meyer, declared that the words of Dr. Ehrenpreis as a witness before the authorities of this court had made an extremely emphatic and convincing impression upon him. Fritsch was frustrated in his attempt, therefore, to prove the genuineness of the "Protocols" by wrongly calling the court's attention to statements made by Dr. Ehrenpreis, "A man of Dr. Ehrenpreis' calibre speaks nothing but what is true."

Now, with regard to further evidence? Those who advocate the genuine character of the "Protocols" continually speak of a manuscript that somewhere and at some time might have been found, stolen or otherwise produced by someone. Where is this manuscript? What are the names of the Agents who in some town between Basle and Frankfort, the name of which is not given, have copied the "Protocols"?

"The advocates of the 'Protocols' are of the opinion, it seems, that the more insanely absurd a thing is, the more prone will the populace be to believe in it." The President of the Court called out to the Court: "Bring me something that is still more absurd and I shall believe in it."

And now it has been proven with the utmost clarity that the "Zionistic Protocols" had been copied from Maurice Joly's "Dialogues." Also, with utmost probability proof is given that the "Protocols" were forged in order to gain influence at the Czar's Court and to create antagonism against the Jews and Freemasons.

The hearings of the witnesses and the experts' opinions have furnished these proofs. Since as early as 1921 it has been known that the "Protocols" are copied from Joly. The editors of the "Protocols" most certainly had knowledge of the article by Graves in the London Times. However, Joly was never mentioned in all the editions up to the 15th (the latter included) and surely he would not have been mentioned in all further editions if in this trial conclusive evidence of plagiarism would not have been given for all time. This already means great success. Today, (i. e. after the October, 1934, trial), a new edition—the sixteenth—has been published, which to be sure does not keep silent about Joly but stamps him as a Jew. It makes no difference whether Joly is Jew or Gentile because there is no doubt about what was intended to be conveyed in his "Dialogues." They were a pamphlet against the dictatorship of Napoleon III and nothing else. It is most likely that the anti-Semites will continue to investigate and will certainly go so far as to stamp Machiavelli as a Jew.

How about Achad Ha'am, who in the latest version, is presented as the probable originator of the "Protocols"? And all witnesses who were questioned about this point agreed that Achad Ha'am **under no circumstances** is likely to be the author. No one who is in the least acquainted with this grand personality, or one who is well versed as far as his writings are concerned, can consider this suspicion as other than absurd. In addition, the attempt to wrongly formulate evidence, that the "Protocols" were written if not at the Zionist Congress then at the secret meeting of the B'nai B'rith, which is supposed to have taken place at the same time as the Zionist Congress, has failed entirely. The surviving participants in the First Zionist Congress, called as witnesses here, have with all distinctness testified that there were no secret meetings at the Zionist Congress. Participants in the First Zionist Congress were to be found in order that they might testify, but **why were no participants found who had participated in the secret B'nai B'rith Congress?** Indeed, it would have been tremendously stupid if the Zionists had called a meeting of conspirators at the same time and at the same place where the official Zionist Congress was being held. At that time Basle was a very small community, so that in any case it would have become known if in addition to the Zionist Congress the smallest meeting might have been held. The Judge did not, indeed, consider the Jews to be as stupid as that.

When no legally relevant proof could be furnished, the anti-Semites tried to present the so-called proof of "inner truth". It was alleged that the "Protocols" contain Jewish spirit and conform to the principles of the Talmudic doctrines. To this the Judge remarked that he had not known what the Talmud is until Chief

Rabbi, Dr. Ehrenpreis had spoken in an impressive manner about the Talmud, and left a lasting imprint on the mind of the Judge. All his life the Judge will remember the grand figure and the eloquence of Chief Rabbi Dr. Ehrenpreis. The German translation of the Talmud comprises thirty-six folio volumes. Hundreds or even thousands of persons had worked on the Talmudic writings to compile the work. They had worked and commented on the Talmudic writings for centuries upon centuries. In contrast to this, the "Protocols" by Fritsch contain forty-seven pages. Indeed, on these few pages (fifty-seven) the spirit of the Talmud is supposed to be contained. Shaking his head the Judge declared, "This is too much for me."

Regarding the expert opinions rendered by Fleischhauer, the President of the Court expressed himself in a few strong words: "Mr. Fleischhauer has brought a great number of Quotations in order to furnish proof for the presence of the Jewish spirit in the 'Protocols'. I indeed have great respect for the industry and working power of Mr. Fleischhauer, but Mr. Fleischhauer, I am forced to pity you. Your method seems to consist entirely in consulting all sorts of books for and against the Jews and utilizing only those portions which are unfavorable to the Jews. I expressly state that one can indeed prove everything by quotations as well as by statistics. I state that proof, as far as the genuineness of the 'Protocols' is concerned, has not been furnished."

In the new edition, which has been published since the October, 1934, session, is again found a great number of deviations; also in the preface and in the appendix, although the appendix is signed by Theodor Fritsch and dated 1924. Fritsch, to be sure, died two years ago.

The President intimates by these remarks that he considers the new edition of the "Protocols" as a new forgery of the former forgery. Evidently in the preface and the appendix some especially strong denunciations of the Jews have been omitted so that one would not violate the articles of the law against offensive literature by its publication. Therefore, these changes also are to be listed as results of the Berne trial.

"IN SWITZERLAND WE KNOW NO DISCRIMINATION AGAINST ANY RELIGION OR ANY RACE. WE HAVE ABOUT 20,000 CITIZENS OF THE JEWISH CREED, THESE ARE ABOUT 0.6% OF THE ENTIRE POPULATION AND ARE JUST AS MUCH PROTECTED BY THE CONSTITUTION AND LAWS AS ALL OTHER CITIZENS. THEREFORE, IF PROPAGANDA IS SPREAD AGAINST THE JEWS THE PROTECTION OF THE LAW MUST BE GIVEN THEM."

Article 14, of the Berne law against offensive literature, forbids and penalizes writings whose form and content are apt to incite one to commit crime, or to teach one to commit crime, to endanger good morals or to violate gravely the feeling of decency, to exert a corrupting influence or otherwise to arouse serious objections.

The Judge declared that in conformance with the experts' opinion of Loosli and Baumgarten he has reached the conclusion that the "Zionistic Protocols" come under article 14 of the law against offensive literature. The conclusions from the so-called expert opinion of Fleischhauer were refuted by the Judge to their fullest extent.

The Judge continued to justify his sentence. A representative of the Defendant, Dr. Ursprung, here revealed himself as a prophet by saying that there would be a time when the expert opinion of Mr. Fleischhauer will be admitted to every Swiss home. Visibly aroused, the Judge shouted: "I feel shockingly repulsed at the thought of future dark ages, as have been prophesied by Dr. Ursprung. I am no prophet, but I wish to see a future in which one will be surprised to find that otherwise clever people had to break their heads for two weeks over the question as to whether the 'Zionistic Protocols' are genuine or forged. I deem the 'Protocols' to be a forgery, a plagiarism and silly nonsense".

The Judge considered the contested writings of Mr. Fischer also as likely to create hatred and enmity against our fellow-citizens. This, too, holds true as regards the several numbers of the "Eidgenessen". These writings, likewise, violate the above-mentioned article 14 of the law against offensive literature. Reference to the principle of the freedom of the press is not admitted here. According to the opinion of the Judge, the freedom of the press ceases where baseness begins. This sentence should be affixed to the corresponding article of the federal constitution concerning the freedom of the press. Then the Judge turned his attention to the evidence presented by the individual defendants. If one would be able to have a previous investigation in the criminal procedure of the police, then the procedure against the defendants, Haller, Meyer and Ebersole, would already have been eliminated. Since this is not allowed and is therefore impossible, the three defendants who were to be exonerated, had to be indemnified. It is a different matter insofar as Mr. Silvio

Schnell is concerned, for Mr. Schnell had assumed the responsibility for the distribution of the "Protocols". Schnell has had a rather good schooling (gymnasium), and at the time of the commitment had been a voter for four years. When it is he who distributes a pamphlet and recommends it especially, then the Court must assume that he knows its content. Aside from the question as to whether the text of the "Protocols" is a forgery, the preface and the appendix are inciting and corrupting to such an extent that even young Mr. Schnell would have been forced to see this immediately. The case of Mr. Schnell cannot be compared to that of a bookseller, who would also sell the "Protocols". The bookseller sells at the request of the customer. Schnell tried to popularize a pamphlet which slanders and besmirches a portion of our fellow-citizens in an offensive manner. By this he has assumed a certain guarantee for the truth of this pamphlet. Therefore, Schnell must be punished. Severe punishment, however, is not advisable, especially because of the long duration of the trial—almost two years.

Theodor Fischer is forty years of age, which means he has attained an age at which time as a rule people usually become sensible. In his newspaper—"Der Eidgenesse"—he recommended the "Protocols" particularly because of their genuineness. Also, Fischer has claim to somewhat milder punishment with regard to the lapse of time. The punishment of the two defendants—Schnell and Fischer—results in this: that they have to assume the larger portion of the cost of the trial. Likewise, they would have to bear the trial cost of the private plaintiffs.

The other defendants—Haller, Meyer, and Ebersold, on principle have a claim to indemnity, since they have been caused inconvenience by the necessity of appearing on the witness stand. The expenses of the State which have been incurred with respect to these defendants have to be borne by the State. The Private Plaintiffs have to bear the cost of the defense of the three defendants who had been exonerated. Based on these deliberations, the following sentence is passed by the Judge:

(1) The defendants, Haller, Meyer and Ebersold, are absolved from the offense relating to motion pictures and measures against offensive literature committed through distribution of the writings under consideration of the court. They receive an indemnity as follows: Haller, 400 francs; Ebersold, 200 francs; Meyer, 50 francs. All monies to be taken from the State Treasury. One-sixth of the Court costs is to be paid by the State.

(2) The private plaintiffs are sentenced to pay the cost of the defense of the absolved defendants.

(3) The defendant, Silvio Schnell, is found guilty of the violation of article 14 of the quoted law, because of the distribution of the pamphlet to which objection was filed; namely, the "Protocols of the Elders of Zion," 15th edition, by Theodor Fritsch, Hammerverlag, and is sentenced to pay 20 francs and 5/18ths of the Court costs. In addition, the defendant, Schnell, is sentenced to pay the legal expenses of the private plaintiffs.

(4) The defendant, Fischer, is declared guilty of a violation of Article 14 of the quoted law—by (a) distribution of the proclamation "To all Swiss citizens who are faithful to their native country and conscious of their blood," (b) reference to the "Protocols" in the paper the "Eidgenessen," (c) the publication of an article in the "Eidgenessen," entitled "Girls of Switzerland, Beware of the Raping Jews," and sentenced to pay 50 francs and 10/18ths of the Court costs and the legal costs of the Private Plaintiffs.

(5) A confiscation of the "Protocols" would be useless, for this would be valid only within the boundaries of the canton of Berne. If a certain edition would be confiscated, one would have to expect that immediately thereafter another edition with an increased number of volumes would be forthcoming.

Attorney Ruef in the name of the Defendant, Schnell, filed an appeal. This appeal was noted and filed by the Court.

In conclusion, the Judge requested the defendants, Schnell and his friends, to accept this sentence not as an expression of personal animosity of the Court President, but he has judged them as a jurist and man, and would be just as objective if the defendants would have called upon the Judge in a suit against one of their political adversaries.

End of the Court Proceedings and with this of the suit in the first Court.

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