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July 5, 1945

Memorandum for Colonel Bernays

This is a good subject for an essay which could be judicially noticed, as it will be gleaned largely from published sources.

I doubt its usefulness as a subject to prove. To convict of crime for advancing a theory of racial superiority, however spurious, seems likely to arouse the fears of academic people everywhere. It is a little like the Scopes monkey trial in Tennessee in that it turns on unprovable premises.

It might be good background material for what was done to exterminate. But after all isn't it the kind of stuff the defendants would want in by way of justifying their acts and that we would want to shut out as propaganda? Does it help us any?

Jackson