

I. THE “ANSCHLUSS” AND NAZI RULE

The “Anschluss” and Nazi Rule. Austria 1938–1945

When on the afternoon of 12 March 1938 Adolf Hitler set off from his home town of Braunau am Inn and, following the troops of the German army, began his triumphal journey through Linz and on to Vienna, hundreds of thousands of Upper Austrians, Lower Austrians, and Viennese cheered him along the main roads. “Flowers marked the path of the clanking tanks and armored vehicles,” reported the *Times* correspondent. On 15 March 1938, at Vienna’s Heldenplatz, the “leader and chancellor of the German nation and empire” bombastically announced “the entry” of his homeland into the German Reich. Again on his “journey through the Ostmark” from 3 to 9 April, Hitler was greeted by hundreds of thousands in Graz, Klagenfurt, Innsbruck, Salzburg and Linz – by around 400,000 Styrians in Graz alone. Photos and films of these events were seen around the world.¹



Fig. 1: Hitler’s speech on Vienna’s Heldenplatz on 15 March 1938

¹ See Hanisch (1994), *Schatten*, pp. 337–45; see also Botz (2008), *Nationalsozialismus*; Schmidl (1987), *März*, and Williams (2005), *Gau*.

The “Anschluss” had already been preceded by five years of Nazi rule in the German Reich. Hitler, as a propaganda speaker for nationalist combat units in Bavaria, had been bashing the Treaty of Versailles since 1919, as well as drumming up support for a solidly united “*Volksgemeinschaft*” [“people’s community”], for the “removal of the Jews from German society,” and for “national revival.” The electoral successes of the Nazi Party in 1930, fed primarily by the devastating consequences of the world economic crisis and mass unemployment, had started Hitler’s triumphal march, and it continued with the Nazi Party winning a relative majority in the Reichstag for the first time in the elections on 31 July 1932. How was it possible, Hans-Ulrich Thamer rightly asks, “for a nation that was highly developed politically, culturally, and technically to apparently voluntarily submit itself to a one-party rule that had repeatedly and openly expressed its goals of persecution, extermination, and conquest?” And: “How could a social and political nobody achieve such an effect?”²

Even if Ian Kershaw, Hans-Ulrich Wehler, and Hans-Ulrich Thamer convincingly clarify this with Max Weber’s concept of charismatic authority, for those born later it is difficult to understand how a political outsider – talking and gesticulating strangely, using repeated violent expressions, a power amateur – could become the focal point of collective fears, desires of salvation, dreams of omnipotence, and hysteria in one of the world’s leading industrial nations. While on one hand Hitler was a political fanatic and racist, he was also a calculating realist who could produce the appearance of rationality and trustworthiness. There is no doubt that he impressed supporters and opponents with his Manichean views and threatening outbursts of energy. But at the same time, Hitler’s criminal designs and extermination fantasies, his ideas of racial purity and world domination were, basically, very far removed from the moral attitudes of most Germans (and Austrians). Nonetheless – as shown by the assassination of Austrian Chancellor Engelbert Dollfuss by Austrian Nazis on 25 July 1934 – the gap between the Nazi elite and the simple morality of the people could be masked by extensive measures of deception, suppression, and intimidation.³

The appointment of Hitler as Chancellor was not a “seizure of power,” but a legal transfer of power from the elderly Reich President Paul von Hindenburg and his Berlin power cartel. The establishment of a totalitarian Nazi regime only began after the Reichstag fire in late February and the *Ermächtigungsgesetz* [Enabling Act] of 22 March 1933, but by August 1934 it had led to the Nazis exercising comprehensive control over the state and society. The first anti-Semitic employment bans and boycotts began in April 1933. They were followed at the beginning of May 1933 by the public burning of “un-German literature,” at which time the “racial” and political “cleansing” of the universities and academies was also introduced. The experts in

² Thamer (1986), *Verfügung*, p. 19. See also Steiner (2011), *Triumph*, p. 10, and Wildt/Krumeich (2012), *Nationalsozialismus*.

³ See Kershaw (1998), *Hitler*; Kershaw (2000), *Hitler*; Wehler (2008), *Gesellschaftsgeschichte*; Thamer/Erpel (2010), *Hitler*, pp. 18–9, and Frevert (2008), *Gefühle*, p. 31.

constitutional law Hans Kelsen and Hermann Heller, the economists Emil Lederer and Moritz Julius Bonn, the sociologist Karl Mannheim, the philosopher Max Horkheimer, the historian Ernst Kantorowicz, and the Protestant theologian Paul Tillich were dismissed from their posts; Thomas Mann, Alfred Döblin, and Ricarda Huch resigned from the Prussian Academy of Arts, and Franz Werfel, Fritz von Unruh, and Jakob Wassermann were expelled. But more than a few professors, writers and artists sided with National Socialism: Martin Heidegger and Carl Schmitt, Gerhart Hauptmann and Heinrich George, Wilhelm Furtwängler and Richard Strauss, Gustaf Gründgens, Emil Jannings, and Werner Kraus.⁴

Since not only the Nazi Party and the SS were "working towards the Führer," but also the armed forces, the Foreign Ministry, relevant economic sectors, and last but not least, many workers in the defense industry and highway construction projects, by the time of the Summer Olympics in 1936 Hitler had already reached a level of fame that no German chancellor had enjoyed since Bismarck. Of course the terrorist side of the Nazi regime, which was building concentration camps all over the country and persecuting, torturing, and murdering people, must not be overlooked. Nevertheless, the Austrian chancellor Kurt Schuschnigg, who actually held legitimist views but who, under intense political pressure both domestically and internationally and ruling monocratically, saw himself forced by the 1936 July Agreement to tolerate the Austrian Nazis and affirm Austria as a culturally "German state." Many contemporaries saw this as a first step towards the "Anschluss."⁵

Although the idea of an "Anschluss" that had been formed in 1918/19 was still alive in many German and Austrian professors, teachers, officers, officials, diplomats, lawyers, doctors, economists, engineers, journalists, and writers, no one foresaw Hitler announcing on 5 November 1937 to his foreign policy makers and the head of the *Wehrmacht* [armed forces] that he was striving to annex Austria and Czechoslovakia, possibly already in 1938. Hitler argued that this was necessary to expand the German "*Lebensraum*" [living space], increase the security of Germany's borders, and to establish twelve new divisions of the army. At the Berghof near Berchtesgaden he accused Schuschnigg of "treason" against the German people, and demanded amnesty for arrested Nazis, the appointment of the Viennese lawyer Arthur Seyss-Inquart as Minister of the Interior, and the integration of the Austrian economic system into the German. Schuschnigg still wanted to hold a referendum on Austria's independence on 13 March, but gave way in the face of SS and SA activities in Vienna and under the pressure of Berlin's ultimatum. On the evening of 11 March he announced that Austria would retreat from violence. To avoid bloodshed, the country's armed forces would offer no resistance.⁶

⁴ See Thamer (1986), *Verführung*, pp. 299–304, and Wehler (2008), *Gesellschaftsgeschichte*, pp. 600–7.

⁵ See Jedlicka (1977), *Juliabkommen*.

⁶ See Schuschnigg (1946), *Requiem*, pp. 39–42; Kershaw (2000), *Hitler*, pp. 119–25, and Williams (2005), *Gau*, pp. 88–93.

Parallel to the takeovers by Austrian Nazis beginning in a number of cities and provinces, the entry into the country of the *Wehrmacht* on the morning of 12 March was cheered on by hundreds of thousands of Austrians. Encouraged by his enthusiastic reception in Linz, on the evening of 13 March Hitler signed the “Law on the Reunification of Austria with the German Reich.” Practically overnight, Austria became a German province.

Many people had to hide in the first days of the “Anschluss”, especially in Vienna. Together with the entry of the *Wehrmacht*, *Reichsführer-SS* Heinrich Himmler and his henchmen arrived at the airfield in Aspern and immediately began to arrest not only followers of the Schuschnigg regime, but also socialists, communists, and Jews. Many Jews were abused and tortured by the Nazi mob and large numbers of Jewish shops were looted. Stefan Zweig, who had already emigrated to London, received terrible news from Vienna: “University professors had to scrub the streets with their bare hands, religious white-bearded Jews were dragged into the synagogue by jeering boys and forced to do knee-bends and shout in chorus, ‘Heil Hitler’.”⁷

The Archbishop of Vienna, Cardinal Theodor Innitzer, assured Hitler of the loyalty of Austrian Catholics, while Karl Renner, the Social Democratic chancellor in the years 1918–1920, endorsed the “Anschluss” in the *Neues Wiener Tagblatt*. The head of the Austrian peace delegation in 1919 found the “Anschluss” a “true compensation for the humiliation of 1918 and 1919, for Saint-Germain and Versailles.” In fact, on 10 April 1938 more than 99 percent of Austrians voted for the “list of our leader Adolf Hitler” and the “Anschluss”.⁸ There has been discussion in Austria since that day about how many Austrians would actually have voted for the “Anschluss” had a secret referendum been conducted with electoral observers from the League of Nations. One would certainly have seen quite heterogeneous groups among those voting against: Jews, who were unquestionably the most threatened, devout Catholics and officials of the *Vaterländische Front* [Fatherland’s Front], monarchists, the core of the social democratic industrial workers and their representatives, as well as the communists. Together these numbered perhaps a million out of four million eligible voters. Nonetheless, this would still have resulted in a clear majority of about 75 percent for “Anschluss” with Hitler’s Germany. Thus, we can assume that in March/April 1938, the thinking of a clear majority of Austrians was in line with that of Cardinal Innitzer and the former chancellor Renner.⁹

The U.S. international law expert Charles G. Fenwick gave a profound assessment of the significance of the “Anschluss” for international law and politics: “[...] Today we witness not a customs treaty between two independent states, not even a confederation of Austria and Germany leaving the national integrity of Austria unpaired, but the complete assimilation of Austria into Germany. Austria is henceforth to be a

⁷ Zweig (1970), *Welt*, p. 458. See also Welzig (2010), “*Anschluss*”.

⁸ See *Neues Wiener Tagblatt*, 3 April 1938. See also Rauscher (1995), *Renner*, pp. 297–301.

⁹ See Hanisch (1994), *Schatten*, pp. 345–7.

mere province of Germany, the name of the country, whose origins go back to the tenth century or earlier, is now erased from the annals of international law."¹⁰

The "assimilation" of Austria was particularly beneficial for the Nazi armaments industry: The Austrian economy delivered iron, lead and zinc ore, magnesite, petroleum, timber, milk, butter and cheese; Austria had productive commodity and manufacturing industries with a large number of skilled laborers; and the Austrian National Bank had currency holdings of 460 million Austrian schillings, gold bullion worth 296 million schillings, clearing assets of 150 million schillings, and gold deposits in the Bank of England worth 80 million schillings. And indeed, Austrian banks and industries were immediately seized by the Reichsbank, Deutsche Bank, and Dresdner Bank, as well as by the Reichswerke Hermann Göring, an industrial conglomerate.¹¹

The "Anschluss" not only involved "assimilation," but it also meant rejection and expulsion, especially the expulsion of the intelligentsia. Some of Austria's intellect only survived in exile: Sigmund Freud's psychoanalysis, Joseph Schumpeter's "Theory of Economic Development," Friedrich Hayek's neo-liberalism, Hans Kelsen's "Pure Theory of Law", Ludwig Wittgenstein's philosophy of language, Otto Neurath's isotype system, Kurt Gödel's mathematical theories, the physics theories of Erwin Schrödinger and Wolfgang Pauli, Karl Popper's philosophy of science, and Ernst Gombrich's history of art.¹² Between 1938 and 1945, twenty-one full and corresponding members had to leave the Academy of Sciences in Vienna: Emil Abel (physical chemistry), Franz Boas (anthropology), Walther Brecht (German philology), Ernst Theodor Brücke (physiology), Karl Bühler (philosophy), Victor Moritz Goldschmidt (mineralogy), Berthold Hatschek (zoology), Hermann Franz Mark (physical chemistry), Victor Franz Hess (experimental physics), Alfred Hettner (geography), August Loehr (numismatics), Hans Horst Meyer (pharmacology), Stefan Meyer (physics), Eduard Norden (classical philology), Wolfgang Pauli (biological and physical chemistry), Ernst Peter Pick (pharmacology), Alfred Francis Přibram (history), Erwin Schrödinger (theoretical physics), Franz Eduard Suess (geology), Josef Weninger (anthropology), and Richard Willstätter (chemistry).¹³

From 1 September 1939, the *Wehrmacht*, now incorporating large numbers of Austrian troops – mountain, infantry, and soon also armored divisions – marched under Hitler's command: first against Poland, then in the spring of 1940 against Denmark, Norway, the Netherlands, Belgium, Luxembourg, and France, in the spring of 1941 against Yugoslavia and Greece, and from 22 June 1941 against the Soviet Union. In the course of the war, over 1.3 million men and boys from Austria served in the *Wehrmacht* and *Waffen-SS*, about 220 reached the rank of general, and 247,000 found a violent death in theaters of war across Europe. The names of the

¹⁰ See Fenwick (1938), *Comment*, p. 312.

¹¹ See Schausberger (1981), *Anschluss*, pp. 244–70.

¹² See Johnston (2006), *Geistesgeschichte*, pp. xii–xvii.

¹³ See Matis (1997), *Anpassung*, pp. 27–35.

dead can be read on thousands of Austrian war memorials. But despite heavy losses at Stalingrad and on other fronts, and despite the Allies' Moscow Declaration on the restoration of Austria, most Austrian soldiers fought until the capitulation, hoping to return to their native Austria. Austrian officers and soldiers were also involved in war crimes – especially in Yugoslavia and the Soviet Union.¹⁴

As a result of population policy measures, from April 1938 there was a disproportionate increase in marriages in Austria, as well as a significant increase in births. This continued until 1943. Furthermore, National Socialism weakened traditional ties to family, religion, and social class. From January to November 1938, the Nazi programs for creating jobs – especially accelerated arms policies – were able to increase the number of employed persons from about 1.5 to 2.1 million, while in the same period the number of unemployed fell from 500,000 to less than 150,000. By establishing and expanding arms factories in Linz, Steyr, St. Valentin, Simmering, Wiener Neustadt, Graz, and Ranshofen, and building hydropower plants in Ybbs-Persenbeug, Kaprun, Schwabegg, and Lavamünd, the industrial base of the “*Ostmark*” was greatly expanded. During the war, the Nazi authorities protected the food industry by introducing mechanized farming and through the *Reichserbhofgesetz* [Reich Farm-Inheritance Law] of 1933 and a debt-relief program. The social policies introduced by the Nazis included the German social security law, increased wages, and regulated maternity leave, but also the requirement that everyone work, which in the end became “*totaler Arbeitseinsatz*” [total work deployment], which increasingly affected women as well. In addition, during the course of the war, up to 350,000 people – prisoners of war and concentration camp inmates – were used as forced laborers in industries and agriculture.¹⁵

The Nazi terror system consisted above all of the SS and the police forces (Gestapo, criminal police, security services), who also built concentration camps in which a total of 16,493 Austrian resistance fighters were killed. About 100,000 people perished in Mauthausen concentration camp, built in 1938, above all Poles, Hungarians, Yugoslavs, Italians, Spaniards, and citizens of the Soviet Union and France. Between 1940 and 1944 about 20,000 people were victims of Nazi euthanasia in Schloss Hartheim in Upper Austria, and another 10,000 sick prisoners from Dachau and Mauthausen concentrations camps were murdered there. At least 2,700 Austrian resistance fighters were sentenced to death by the “*Volksgerichtshof*” [“people’s court”] and the Vienna Court of Appeals, as were more than 500 Austrian soldiers and officers by military courts and other military tribunals.¹⁶

The first deportations of Austrian Jews to the recently formed *Generalgouvernement* [General Government – occupied Polish territories] took place in the autumn of

¹⁴ See Germann (2006), “*Österreicher*,” and Grischany (2007), *Austrians*.

¹⁵ See Tálos (1988), *NS-Herrschaft*, pp. 28–9, 53, 55–7, 83, 104, 109–10, 131, and Bukey (2000), *Hitler’s Austria*, pp. 91–2, 129–30.

¹⁶ See Neugebauer (1988), *NS-Terrorssystem*, pp. 163–83.

1939 and continued on a massive scale – not only to Theresienstadt, but also to Auschwitz and other extermination camps – from the fall of 1941. The premeditated implementation as well as its pan-European dimension of the Shoah, for which the Hitler regime was exclusively responsible, is still unparalleled in world history. Hitler had already threatened the extermination of the Jews at the Reichstag in January 1939; on 12 December 1941, a day after declaring war on the United States, he repeated his threat to senior party leaders, as noted by Joseph Goebbels in his diary: "Regarding the Jewish question, the Führer is determined to make a clean sweep. He foretold the Jews that if they caused another world war [sic!], they would experience their annihilation. This was not just a turn of phrase. The world war is here; the annihilation of the Jews must be the necessary consequence."¹⁷

In fact, about 5.6 million European Jews were killed in the Shoah. About 65,000 of the approximately 190,000 Jews in Austria were victims of the Nazi extermination policy. Under strictest secrecy, thousands of SS officers, members of the security services, the security police, the Gestapo and the criminal police, concentration camp guards, policemen, gendarmes, and field policemen were involved in the "*Endlösung*" [final solution], as were members of the *Wehrmacht*, railroad employees, and workers in the defense industry.¹⁸

Hitler and the Nazi regime were a symbol of an "absolute" political claim to power; of the principle of dictatorial leadership, including a leader's cult; of an increasingly militarized "*Volkgemeinschaft*" ["people's community"]; of the continued economic and social corruption of its own people; of hitherto unforeseen and increasingly radical state repression and use of violence; of an unprecedented manipulation of the media to control and mobilize the masses; of the exclusion, denunciation, and persecution of alleged or actual enemies; of the tremendously destructive power of the biologicistic ideology of "racial superiority," including its two core elements of "eliminating the Jews" and acquiring "*Lebensraum*" [living space] in the east; of incredible cynicism in exploiting tensions in international relations; of a brutal war with no respect for international martial law; and of the ruthless enslavement and extermination of entire peoples.¹⁹

In the end, Hitler's only legacy was destruction: "No architectural testimony, no works of art, no political structures or economic models, least of all a moral state – in short, nothing was left for future generations."²⁰

Arnold Suppan

¹⁷ Quoted in Evans (2010), *Reich*, p. 331.

¹⁸ See Hilberg (1990), *Vernichtung*, pp. 1299–300; Kundrus (2010), *Holocaust*, pp. 130–5, and Benz (1996), *Dimension*.

¹⁹ See Frei (2007), *Broszat*, and Kershaw (2011), *Ende*.

²⁰ Kershaw (2000), *Hitler*, p. 9. The technical innovations in power plants, motorized vehicles, tanks, aircraft and rockets developed by German and Austrian scientists and engineers would have also been accomplished without the Nazi regime.

The initial reactions to the “Anschluss” in the Academy of Sciences

On 12 March 1938 German *Wehrmacht* [armed forces] and SS and police units had marched into Austria and, just one day later, a law was passed “on the Reunification of Austria with the German Reich”, thus fixing the “Anschluss”. On 15 March, the Führer and Reich Chancellor Adolf Hitler gave a highly feted speech on Heldenplatz in Vienna.



Fig. 2: Oswald Redlich, 1940

At the Academy, President Oswald Redlich declared his resignation on 18 March 1938 at the first General Assembly after the “Anschluss”.¹ He read his declaration, dated 16 March and addressed to the Presiding Committee, aloud: *At this moment when the preparations for the next Academy elections are commencing I see myself compelled to make a decision I have contemplated for some time and to declare that I hereby*

¹ See AÖAW, Minutes of the General Assembly of 18 March 1938 (A 932). On the following, see Graf-Stuhlhofer (1995), *Akademie*, pp. 134–5, as well as Matis (1997), *Anpassung*, pp. 10–6.

*step down from my role as President of the Academy. As I lay down the position of President, I would like to thank the honorable gentlemen of the Presiding Committee and all the honorable members of the Academy for having given me so many years of their trust. It is the pride of my life that I was allowed to stand at the head of our Academy's most excellent body of members. I sincerely wish our Academy of Sciences a happy future; may it flourish and prosper in the newly unified Greater German Reich.*² The nearly 80-year-old historian had presided over the Academy through almost the entire interwar period, after having succeeded the physicist Victor Lang. At this time the Presiding Committee was headed by zoologist Karl Grobben, who had temporarily taken over the office after the death of Vice-President Hans Molisch on 8 December 1937.³ Grobben addressed a few words of thanks to Redlich, before he too announced his resignation. A new deputy Vice-President was decided by acclamation. The anatomist Ferdinand Hochstetter accepted his election and immediately took over the session's chair, *since the outgoing President had left the meeting.*⁴ Hochstetter addressed the attending members of the Academy with the following words: *The Academy of Sciences is subject to the overwhelming impact of a huge event, the transformation of the independent state of Austria into a province of the German Reich. The longing of millions of Germans, both within and beyond our small homeland, for the Greater German Reich has been fulfilled. We are all awed by the enormity of the historical fact, and, with burning hearts, desire a happy future for the shared large homeland, of which our native land is henceforth a part. But full of deep piety we are also all thinking about the glorious history of Austria. Our treasured academy has served our country for ninety years; at the same time, it has always been a precious possession of the entire German people and an enricher of German culture. We are all filled with the conviction that this German task is a great duty with which our Academy has been charged, also for the future; we want to meet this obligation by expending our best efforts for the benefit of the people and the Reich.*⁵

Hochstetter then submitted a draft of a telegram to Adolf Hitler, which had been composed by the Secretary Heinrich Srbik.⁶ It read as follows:

² AÖAW, Minutes of the General Assembly of 18 March 1938 (A 932), Annex I (copy), reproduced in Matis (1997), *Anpassung*, p. 11. Redlich's handwritten text is found in AÖAW, Allgemeine Akten, No. 142/1938.

³ Grobben had only been elected as deputy Vice-President at the General Assembly of 28 January 1938 (A 930), with 41 of 42 votes cast.

⁴ AÖAW, Minutes of the General Assembly of 18 March 1938 (A 932).

⁵ AÖAW, Minutes of the General Assembly of 18 March 1938 (A 932), Annex III, reproduced in Matis (1997), *Anpassung*, pp. 12–3.

⁶ See AÖAW, Allgemeine Akten, No. 143/1938. The telegram was dispatched the same day.

To the Führer and Reich Chancellor Adolf Hitler in Berlin!

The Academy of Sciences in Vienna, at the moment the head of the Union of German Academies, has at its General Assembly of 18 March decided to present its respectful compliments to the leader of the united German people and to pledge him unwavering loyalty and unconditional obedience. It promises to serve the greater German People's Reich, to which Austria has returned home, with all its intellectual and moral force, and ~~not to~~ waver never to waver in the work of preserving and improving German culture, to which it has always been dedicated.

The Presiding Committee of Ak. Grobben, Schweidler, von Srbik.

The Academy of Sciences in Vienna

An den Führer und Reichkanzler Adolf Hitler in
Berlin!

Die Akademie der Wissenschaften in Wien, zur Zeit bestehend
aus dem Reich der deutschen Akademien, hat in ihrer
Versammlung vom 18. März beschlossen, dem Führer
des vereinten deutschen Volkes unverbrüchlichen Treue zu ent-
sagen und ihm ~~unwiderstehliche~~ ~~unwiderstehliche~~ ~~unwiderstehliche~~ ~~unwiderstehliche~~
~~dem Führer~~ zu geloben. Wir verspricht, dem groß-
deutschen Volkstum, in das Österreich eintritt, mit
allen geistigen und sittlichen Kräften zu dienen und in
der Arbeit an der Befreiung und Fortführung deutscher
Kultur, die wir uns selbst vorgenommen hat, nicht zurück-
zusinken zu lassen.

~~Der Präsident der Ak.~~
~~Grobben, Schweidler, von Srbik.~~
Die Akademie der Wissenschaften in Wien.

Fig. 3: Draft of the telegram from the Academy to Hitler

It is unclear when the changes were made to the text;⁷ in any event the Assembly minutes only mention that the draft was *unanimously approved*. The General Assembly ended with the decision to direct copies of this telegram to Education Minister Oswald Menghin, who was responsible for the Academy, and to the “Official News Agency” (the name at that time of today’s Austria Press Agency). Furthermore, telegrams with greetings were to be sent *to all German Academies* (Berlin, Göttingen, Heidelberg, Leipzig, and Munich). The Bavarian Academy of Sciences responded that it *gratefully recalls, in this momentous historical hour, the faithful intellectual defense that the Vienna Academy had without hesitation afforded its German Reich sisters in the difficult years after 1918 [and] wishes for it and all of us, in the closest union, doubly fruitful work for the intellectual life of our great German people*.⁸

At the next General Assembly, which took place on 25 March, it was decided among other things to request Fritz Knoll *to safeguard the interests of the Nazi leadership in Austria at the Academy of Sciences until the final regulation of the Academy Statutes*.⁹ It was also decided to postpone the elections and the Ceremonial Session to the fall, and to set up a committee for the revision of the Statutes.¹⁰

The question of the Presidency was now on the agenda. Paragraph 5 of the 1922 By-Laws, which were applicable at that time, simply stated: “Elections shall be effected by absolute majority.” The Statutes, also dating from 1922, augmented this in paragraph 8, subparagraph 4 by merely stating that the election of the Presiding Committee members required the confirmation of the Federal President.¹¹ But there was no longer a Federal President. Certainly, the subsequent course of events corresponded to the requirements of the By-Laws only to a limited degree. The legal historian Moriz Wlassak suggested proposing the current Secretary Heinrich Srbik to the Federal Ministry of Education in Vienna as the future President. The proposal was adopted with 43 of 44 votes cast.¹² This was preceded by a letter from the senior member of the Section for Humanities and the Social Sciences, the legal historian Hans Voltelini, to all the ordinary members of his Section: *The Reichsstatthalter [Reich Governor Arthur Seyss-Inquart] and the Minister of Education [Oswald Menghin] have expressed the intention of appointing the Secretary of the Section for Humanities and the Social Sciences, Professor Heinrich von Srbik, as President of the Academy of Sciences. Prof. Srbik has, however, stated that he would accept this appointment only on the condition that a*

⁷ The deletions in the text (*unswerving* and *and unconditional obedience*) and the change (*never to waver* rather than *not to waver*) were added in ink, the change in the signature in pencil, which could be an indication that the former were made before the text was presented to the General Assembly and the latter on the basis of its presentation.

⁸ AÖAW, Allgemeine Akten, No. 143/1938.

⁹ AÖAW, Minutes of the General Assembly of 25 March 1938 (A 933). See the essay in this volume by Klaus Taschwer, “Expelled, burnt, sold, forgotten, and suppressed,” p. 47.

¹⁰ See the essay in this volume by Herbert Matis, “The revision of the Statutes,” p. 87.

¹¹ See Meister (1947), *Geschichte*, p. 157. The Statutes and By-Laws of 1922 are printed in the *Almanach* for 1923, 73 (1924), pp. 14–21, and pp. 22–46.

¹² See AÖAW, Minutes of the extraordinary General Assembly of 1 April 1938 (A 934).

*nomination in his favor has come from the side of the Academy. Thus the election of the President of the Academy must be concluded at the Academy General Assembly on 1 April of this year.*¹³ Wlassak, as longest elected [full] member of the Academy took up this suggestion and proposed Srbik, explaining in an open letter dated 31 March: *The named person has dedicated much of his excellent scholarly work to the study of earlier and later threads that indissolubly linked the German Ostmark with the German Reich. To me he currently seems to be the right man to serve at the head of the Academy. An age-old dream has become a reality. No one can welcome these events with a more joyful heart than a*

[illegible]

Fig. 4: Wlassak's proposal of Srbik for election as President of the Academy (31 March 1938)

¹³ AÖAW, Wahlen, Box 4, Folder “1938,” Voltelini to all full members of the Section for Humanities and the Social Sciences on 29 March 1938, sent through the Academy Chancellery on 30 March.

*Sudeten German who was raised with national sentiments more than 70 years ago at the German grammar school in Brno. I cherish the conviction: Mr. von Srbik will guide our Academy as a warmly sensitive Greater German.*¹⁴

In the absence of a Federal President, on 2 April the Presiding Committee of the Academy turned to the Minister of Education Menghin, who had not participated in the special session – which he, in his capacity as a full member would have been entitled to do – and reported that the Academy had decided to propose Srbik *for nomination as President*.¹⁵ Through this wording, the letter had a slightly different emphasis than the Statutes would have required: According to the Statutes, the result of a presidential election could be confirmed only by the Federal President; here however, a candidate was being proposed. For the Academy, of greater concern than the formulation was fact that *in established practice, according to which the post of Academy President alternates between the two Academy Sections, in this case an exception in favor of the Section for Humanities and the Social Sciences would be taking place, but in later cases, if practicable, consideration should again be taken of the established practice*.¹⁶

The confirmation from the government was slow in coming, because the Ministry also did not know who was responsible for appointing Srbik as President. After urging from the side of the Academy, it was declared that the file had come back from Berlin with the remark that although the confirmation was a matter for the *Reichsstatthalter*, that the Reich Minister of the Interior agreed with the vote. Seyss-Inquart wanted to hand over the certificate of appointment, dated 28 June, in person.¹⁷ This only occurred on 26 September in the rooms of the *Reichsstatthalterei* [situated in the former parliament]. After congratulations from Seyss-Inquart, Srbik stated among other things: *It was one of the happiest moments of my life when I was able to tell myself, in the decisive days of March of this year, that I have done my bit for the intellectual preparation of the Greater German Reich. This Reich was the passionate longing of my youth and the silent and strong hope and work of many years of my manhood. The Greater German Reich has become reality, thanks to the genius of our Führer and the will of the German people. Let me promise that I will work for the people and the Reich as long my strength allows it!*¹⁸

Stefan Sienell

¹⁴ AÖAW, Wahlen, Box 4, Folder “1938.”

¹⁵ Ibid. Aktenzahl 157/1938, Presiding Committee to Menghin on 2 April 1938.

¹⁶ AÖAW, Wahlen, Box 4, Folder “1938.”

¹⁷ See AÖAW, Wahlen, Box 4, Folder “1938,” Junk to Srbik on 29 July 1938. Two days earlier, Srbik had written to Hans Hirsch, who in the meantime had been elected as Srbik’s successor as a Secretary of the Academy and was also not yet confirmed: “I don’t know whether my appointment is still being delayed because of political decisions. If it does not go through by 1 September, I will resign.” Kämmerer (1988), *Srbik*, p. 490, Letter No. 313. Apparently Srbik was calmed by Junk’s letter.

¹⁸ *Wiener Zeitung*, 27 September 1938, pp. 6–7, where the exact words exchanged between Seyss-Inquart and Srbik are printed. The appointment document presented to Srbik is held at the AÖAW, Urkundensammlung, No. 10. Illustration on p. 39.