

I. 2. CONSEQUENCES OF THE “ANSCHLUSS”

Exclusion of members

The first victim of any dictatorship is justice. After the Nazis came to power in the German Reich in 1933, they also followed the practice of changing the laws to give their actions, which violated all human rights, the semblance of legality. Injustice was given a façade of legitimacy in this way, so that the perpetrators could say that they had only “done their duty.” Within a few weeks of the “Anschluss,” the universities and higher education institutes experienced “cleansing,” dismissals, and “racial” discrimination on the basis of the Law for the Reconstitution of the Civil Service that had been in force in the German Reich since 1933. According to this law, officials who “for racial or political reasons could not swear the oath of allegiance to the Führer were to refrain indefinitely from carrying out any duties.” As a result Jews and officials regarded as “politically unreliable,” i.e. declared opponents of the regime and persons known publicly as “supporters of the former system,” were dismissed from their posts in public service,¹ something which also applied to the universities.

After the “Anschluss,” the “*Gleichschaltung*” [alignment/consolidation] of the Academy of Sciences took place somewhat later than at the universities. This was due to the fact that the state’s capacity to intervene was more limited, and also because the new regime clearly thought that intervention in the universities, where there was direct contact with young students, was more important. Some of the lecturers and professors dismissed from the universities were still able to attend meetings of the Academy for almost nine more months and also took part in the election of the new Presiding Committee.

This changed abruptly in the late fall of 1938. The Nuremberg Laws denied citizenship to “non-Aryans,” and the Statutes approved in October 1938, which made citizenship a precondition for ordinary membership, already indirectly excluded such persons. It is interesting to note that the Academy itself was not proactive, but merely reacted to an initiative by the authorities. It received a note on 22 November 1938 from the Federal Ministry of Education *regarding the suspension of non-Aryan members*.² A General Assembly was convened on that day. The minutes do not mention any discussion of the exclusion of Jewish members but after the meeting, the Presiding Committee sent a memorandum to all members inland in which reference was

¹ Weinert (1983), *Massnahmen*, pp. 127–34.

² AÖAW, Protokollbuch 1938, No. 425.

made to this note. At the General Assembly of 16 December 1938, a decree from Bernhard Rust, Reich Minister for Science, Education, and Culture, was announced demanding the suspension of *non-Aryan* members. It was decided *to suggest personally to the Jewish members that they resign voluntarily*.³

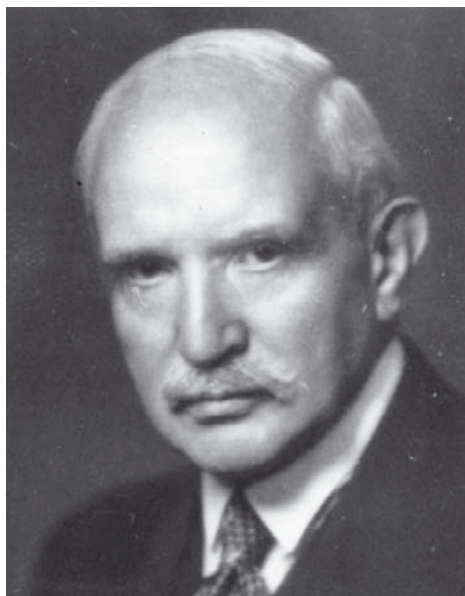


Fig. 20: Stefan Meyer

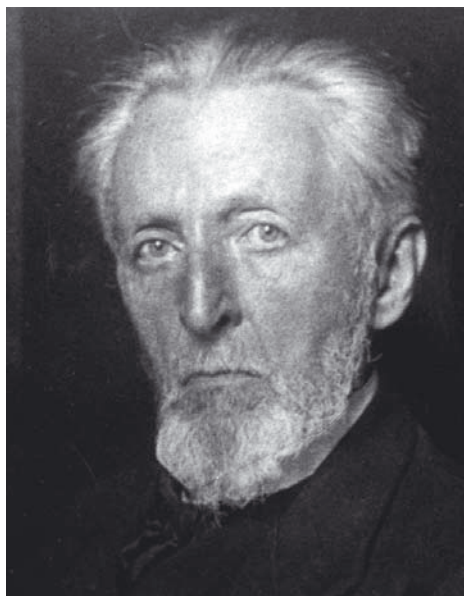


Fig. 21: Hans Horst Meyer

At this time the ordinary members Stefan Meyer (physics) and Hans Horst Meyer (pharmacology) had already resigned of their own accord, on 24 November and 13 December 1938 respectively.⁴ The minutes of the meeting go on to say: *Regarding the anticipated decree on the departure of the* [added by hand 'Mischlinge' and] *members of Jewish descent, it is decided to wait for receipt of the decree and then after more exact interpretation of the expression* [added by hand 'Mischling' and] *'of Jewish descent' to arrange for the exit of those concerned in a similar fashion*.⁵ Thereupon, ordinary member Berthold Hatschek (zoology), corresponding members Alfred Francis Pribram (history), Ernst Peter Pick (pharmacology), and Emil Abel (physical chemistry), and corresponding member abroad Eduard Norden (classical philology, Berlin) also announced their departure at the end of the year.

³ AÖAW, Minutes of the General Assembly of 16 December 1938 (A 941).

⁴ As head of the Institute for Radium Research, full member Stefan Meyer had already been retired on the basis of a note from the Ministry of Education of 28 May 1938, No. 9492/II/6. He survived the Nazi era in Bad Ischl and died in 1949. See Reiter (2000), *Meyer*.

⁵ AÖAW, Minutes of the General Assembly of 16 December 1938 (A 941).

At the General Assembly of 27 January 1939,⁶ reference was made to the December 1938 decree of the Ministry of Interior and Cultural Affairs, section IV, *by which Jews were to be excluded from German universities and scientific institutions.*⁷ Then President Heinrich Srbik announced the departure of ordinary members Stefan Meyer,

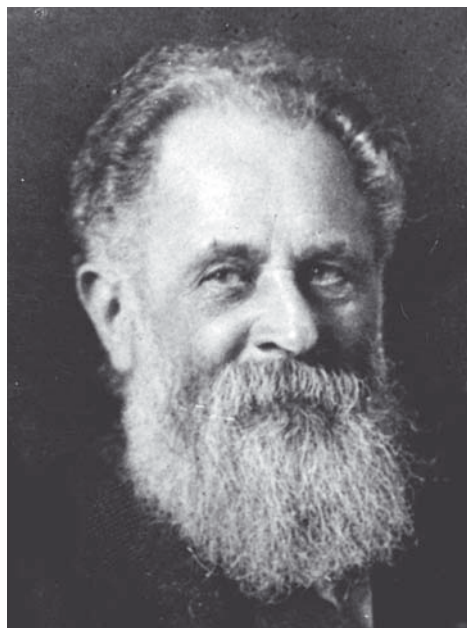


Fig. 22: Berthold Hatschek

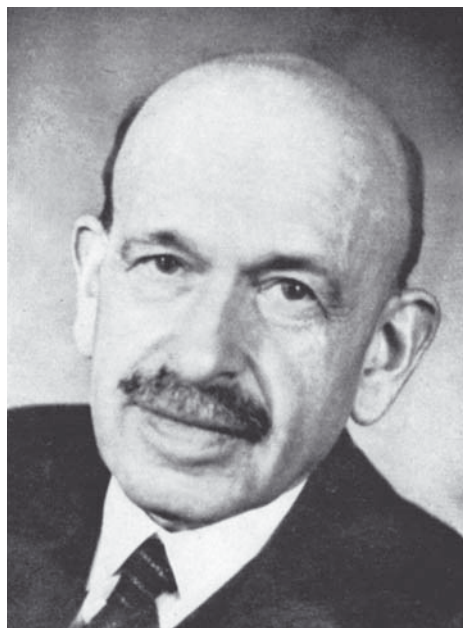


Fig. 23: Emil Abel

Hans Horst Meyer, and Berthold Hatschek, and corresponding members Abel, Pick, Norden, and Pübram. The former corresponding members abroad Richard Willstätter and Wolfgang Pauli were notified that as a result of the decrees of the Reich Ministry of Science, Education, and Culture and the Ministry of Interior and Cultural Affairs, section IV, their membership had been terminated. At the same time they were thanked for their academic work until then. The Ministry was then informed that *all members who are Jews or deemed to be so according to the Nuremberg Laws had left the Academy either through their voluntary departure or through their deletion from the Academy's lists.*⁸ In February 1939 the decree from the Reich Minister for Science, Education, and Culture was finally promulgated ordering the exclusion of "Mischlinge" and "persons, married or related to Jews [*jüdisch versippt*]" as they were described in the contemptuous diction of the Nazi regime. At the General Assembly of the Academy of 24 February 1939, President Srbik reported on the decree and announced

⁶ See AÖAW, Minutes of the General Assembly of 27 January 1939 (A 942).

⁷ AÖAW, Minutes of the General Assembly of 27 January 1939 (A 942).

⁸ AÖAW, Minutes of the General Assembly of 27 January 1939 (A 942).

the termination of membership of corresponding member abroad Wolfgang Pauli.⁹ The corresponding members Ernst Theodor Brücke (physiology), Josef Weninger (anthropology), and August Loehr (numismatics)¹⁰ also “resigned” in early 1939.¹¹

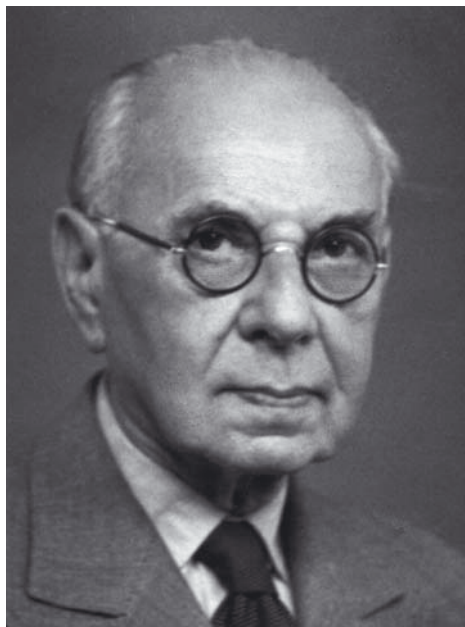


Fig. 24: Wolfgang Pauli

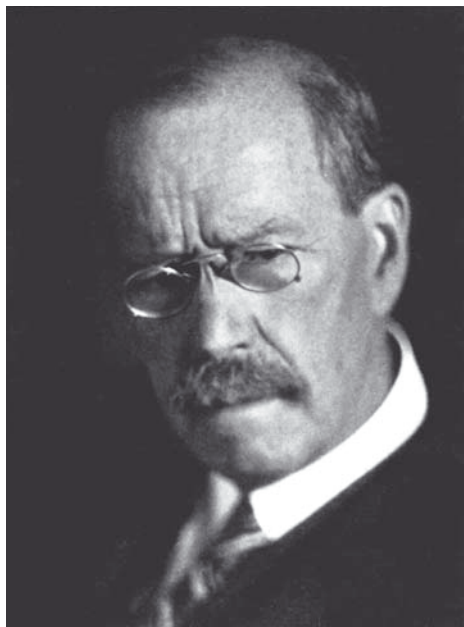


Fig. 25: Franz Eduard Suess

In one individual case, that of ordinary member Franz Eduard Suess (geology), who had been a full member since 1915, documented efforts were made to prevent his exclusion. On 18 April 1939 the Academy addressed an application to Reich Minister of Education Rust to allow Suess to remain in the Academy.¹² Rust rejected the application in a note dated 2 December 1939 and issued a decree in this matter on 9 January 1940, which was announced without further comment at the General Assembly of 9 February 1940. President Srbik stated *that [...] the former ordinary*

⁹ See AÖAW, Minutes of the General Assembly of 24 February 1939 (A 943).

¹⁰ August Loehr resigned at the meeting of the Section for Humanities and the Social Sciences of 19 April 1939, while the *Almanach* gives the date as 29 March 1939. See AÖAW, Minutes of the meeting of the Section for Humanities and the Social Sciences of 19 April 1939 (C 2600), *Almanach* for 1939, 89 (1940), p. 79.

¹¹ The *Almanach* for 1939, 89 (1940), p. 79, states incorrectly that Ernst Theodor Brücke left the Academy on 20 February 1939, although an inquiry “regarding Aryan descent” was not sent to him until 23 February 1939, and he was informed of the termination of his membership on 4 May 1939.

¹² See AÖAW, Protokollbuch 1939, No. 191.

member of the Academy Franz Eduard Suess is no longer a member of the Academy. Replacements were immediately elected to fill the vacant positions in two commissions.¹³



Fig. 26: Victor Franz Hess

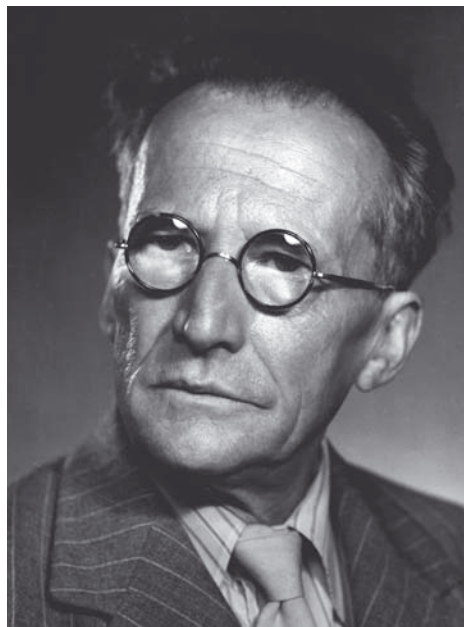


Fig. 27 Erwin Schrödinger

A further note was received on 25 August 1939 and shortly afterwards, a decree from the Reich Minister *regarding corresponding members abroad who are Jews or 'jüdisch versippt' persons*¹⁴ and *regarding the termination of membership of Jews, Mischlinge, and 'jüdisch versippt' persons* which President Srbik announced at the General Assembly of 9 February 1940.¹⁵ The next stage in the exclusions was reached with a further decree by the Reich Minister of 3 October 1940, terminating the membership of seven members of the Academy,¹⁶ namely ordinary members Walther Brecht (German studies) and Hermann Franz Mark (physical chemistry), corresponding members Karl Bühler (philosophy and psychology), Victor Franz Hess (experimental physics, Nobel Prize 1936), and Erwin Schrödinger (physics, Nobel Prize 1933), and corresponding members abroad Franz Boas (anthropology) and Alfred Hettner

¹³ Although the *Almanach* for 1939, 89 (1940), p. 79, gives the termination of Suess's membership as 2 December 1939, he continued to take part regularly in meetings until 15 December 1939. See AÖAW, General Assembly of 9 February 1940 (A 950).

¹⁴ AÖAW, Protokollbuch 1939, No. 388.

¹⁵ AÖAW, Minutes of the General Assembly of 9 February 1940 (A 950).

¹⁶ See AÖAW, Minutes of the General Assembly of 25 October 1940 (A 957).

(geography). It is interesting to note that there were three Nobel Prize winners amongst the excluded members. A further decree by Minister Rust referred again to *the exclusion of non-Aryan corresponding members abroad*, which resulted in the deletion of Viktor Moritz Goldschmidt (mineralogy, Oslo) from the list of members.¹⁷ The state authorities did not only demand the exclusion of *non-Aryans and 'jüdisch versippt' persons*, however. The Reich Ministry of Science, Education, and Culture decree also called for the termination of membership of former Polish university professors from all German scientific associations.¹⁸

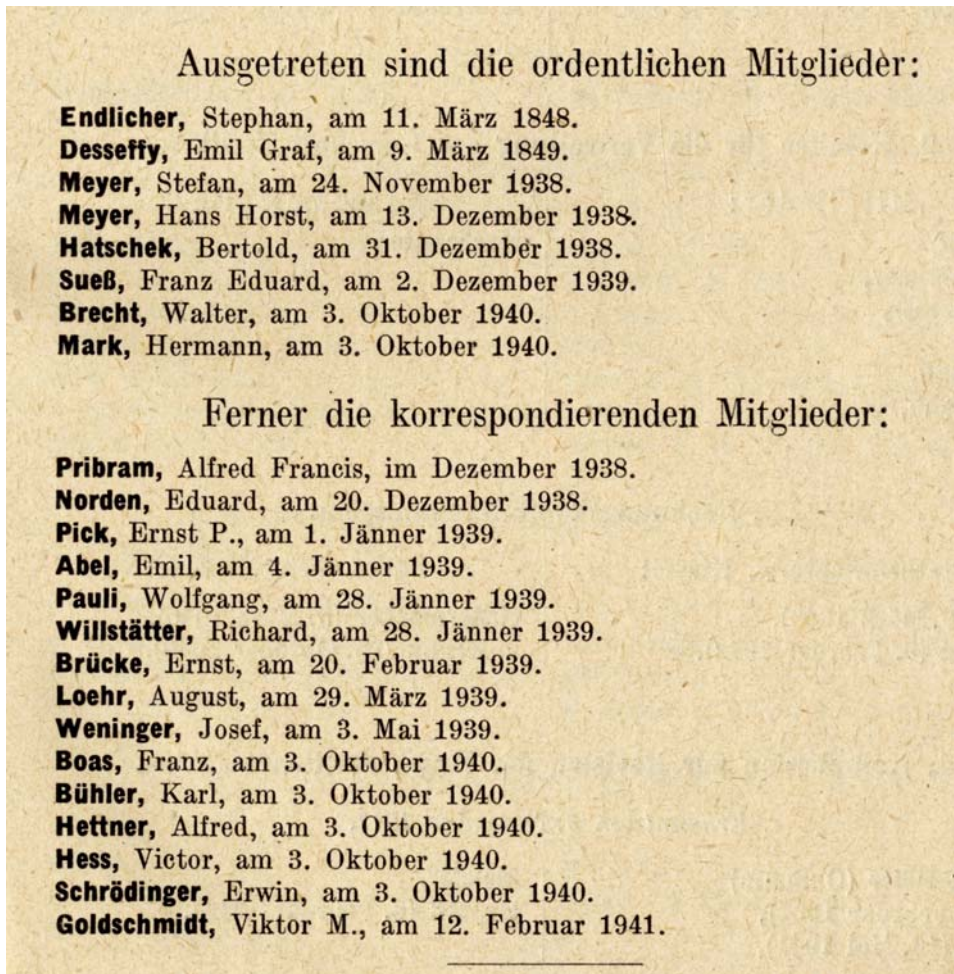


Fig. 28: List of resigned members (Almanach for 1943)

¹⁷ AÖAW, Minutes of the General Assembly of 16 May 1941 (A 962).

¹⁸ AÖAW, Minutes of the General Assembly of 4 July 1941 (A 964).

A total of six ordinary members, nine corresponding members inland, and six corresponding members abroad were excluded in this way. To judge from the list of the “departed members,” as they were euphemistically called in the *Almanachs* for 1938 to 1943, and the dates of their exclusion, the Nazi “*Gleichschaltung*” had no effect on the membership of the Academy for nearly nine months. The Academy itself was inactive during this time and later on was also in no hurry to exclude members who were disapproved of by the regime on “racial” or political grounds. The procedure thereafter was also painstakingly bureaucratic, which in this case was to the benefit of those concerned. It would be an exaggeration to describe this as an act of internal resistance; it is nevertheless interesting given the large number of fervent supporters of Nazism in the Academy at the time. The exclusion of Jewish Academy members was also the main agenda item at the Congress of German Academies in Berlin in 1937, which members of the Vienna Academy also attended, but it was not discussed further in Vienna.¹⁹ It was only when a definite official order came from the authorities that the Vienna Academy reacted to the various notes and decrees from the ministries – and this was also an indication of the confusion regarding competences that existed at the time. While the official orders were sometimes noted without comment and carried out, attempts were also made in other cases to find a “more elegant” method of exclusion by advising the members concerned to resign “voluntarily.” The memorandum to members suggested that those affected by the Nuremberg Laws should take appropriate measures of their own accord. The systematic implementation of the Reich-Citizen Law of 1938, which deprived Jews of citizenship, removed any remaining prospects of protecting Jewish members or staff from the Nazi state. Where pressure from the regime was less severe, for example in regard to (the few but no less prominent) “supporters” of the authoritarian *Ständestaat* [Corporate State], now judged political opponents, they retained their membership of the Academy.²⁰

The authorities acted much more swiftly with regards to the staff of the Academy, who, unlike the members, were not respected scholars in the public eye. Attempts were made to anticipate the official exclusion of members of the Academy by suggesting that they give up their membership voluntarily, whereas staff members were simply dismissed without notice.²¹

Herbert Matis

¹⁹ See Grau (1995), *Wissenschaftsakademien*, p. 48. It is also interesting to note that the Presiding Committee refused to acquire a bust of Hitler: *Offer for a bust of the Führer costing RM 480 is rejected for lack of funds*. AÖAW, Minutes of the Presiding Committee meeting of 1 July 1938, item 8.

²⁰ Whereas, for example, corresponding member inland Othmar Spann, whose supposedly comprehensive social philosophy played a prominent role in the authoritarian *Ständestaat*, lost his chair at the University of Vienna, he continued to be listed as a member of the Academy under the heading “Reich citizens.” The ethnologist and member of a Catholic missionary order Father Wilhelm Schmidt SVD, also classified in the Nazi diction as a “system supporter” of the Dollfuss-Schuschnigg era, left for Fribourg, Switzerland, after he had been forced to give up his position at the University of Vienna, and became a corresponding member abroad.

²¹ Grau (1995), *Wissenschaftsakademien*, p. 46.

Filling of vacant positions following the exclusion of ordinary members

There were six full or ordinary members among the 21 members of the Academy who were excluded or resigned between 1938 and 1941. They deserve particular attention because ordinary members have much more influence than corresponding members inland or abroad. Paragraph 10 of the Statutes of 1938 states: “Ordinary members shall be entitled to attend all meetings of their Section and the Academy as a whole and to vote on resolutions. [...] All ordinary members must be convened specially to Election Meetings and General Assemblies in which resolutions on changes to the Statutes or By-Laws are to be adopted. Unless specified otherwise in the Statutes, elections and resolutions shall be adopted by the absolute majority of the ordinary members present.”¹ The meetings make decisions not only on the composition of the Academy through elections, but also on the establishment or closure of research institutes. Corresponding members inland or abroad have more of an advisory function; they have no direct impact on Academy policy.

Through the exclusion or “*departure*” of six ordinary members on political or “racial” grounds, their positions became vacant and could be filled again. There was now the question of how this was to be done. The Election Commission (Schweidler, Späth, Mache, Prey, Suess, Himmelbauer, Durig, Hochstetter, and Hartmann) noted at its meeting of 16 February 1939² that six positions for ordinary members had become vacant – one on account of the death of the astronomer Karl Hillebrand, one through the failure to fill a vacancy at the elections of the previous year, one through the classification of the engineer Karl Terzaghi as an *ordinary member not counted towards the maximum number*,³ and finally three vacancies *through the departures of Messrs Bert[h]old Hatschek, Hans Horst Meyer, and Stefan Meyer*.⁴ The Election Commission suggested that only four of the six vacant positions should be filled, with one position being attached to the technical sciences.⁵ Of the other three, at least one

¹ Copy of the Statutes in Meister (1947), *Geschichte*, pp. 240–2, here p. 241.

² AÖAW, Wahlen, Box 4, Folder “1939,” No. 93/1939.

³ This formulation refers to paragraph 6 of the Statutes of the time, decreed on 22 July 1938 by the Reich Minister for Science, Education, and Culture, which stated: “Should an ordinary member move from Austria, his membership shall remain in force but shall not be counted towards the maximum number.” This maximum number was 33 per Section, of whom 22 were required to live in or near Vienna. Copy of the Statutes in Meister (1947), *Geschichte*, pp. 240–2, here p. 240. For Terzaghi’s domicile, see the obituary in the *Almanach* for 1962, 112 (1963), pp. 549–50.

⁴ AÖAW, Wahlen, Box 4, Folder “1939,” No. 150/1939.

⁵ The technical sciences were already well represented by three ordinary members (Hartmann, Schaffernak, and Terzaghi), while medicine had no representation. See the hectographed list of the scientific disciplines represented in the Section for Mathematics and the Natural Sciences 1939 in AÖAW, Wahlen, Box 4, Folder “1939.”

should be filled by a physicist and one by a geologist. The Section followed the recommendations of the Election Commission at its meeting of 23 February 1939.⁶

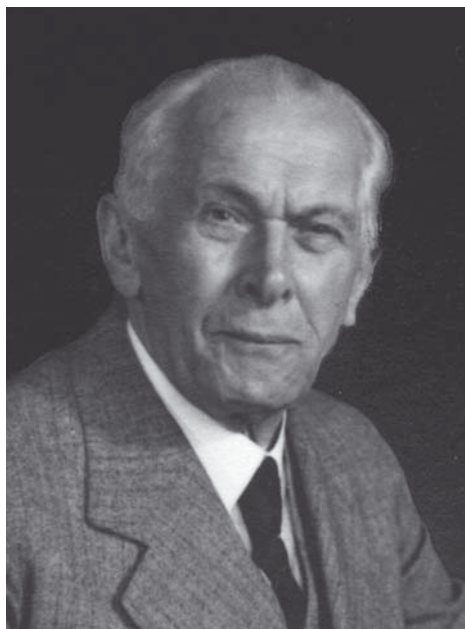


Fig. 29: Rudolf Saliger

By the meeting of the Section for Mathematics and the Natural Sciences on 5 June 1939,⁷ two proposals had been received for the position designated for a representative of the technical sciences, both put forward by Friedrich Schaffernak, namely the corresponding members Karl Federhofer (mechanics, Graz) and Rudolf Saliger (reinforced concrete construction and statics, Vienna). Both were placed on the list for election by the Academy as a whole on the following day. Federhofer received 24 votes and Saliger 17. The Section for Mathematics and the Natural Sciences had four candidates for the three other ordinary member positions. Apart from Federhofer and Saliger, mentioned above, there were corresponding member inland Fritz Kohlrausch (physics, Graz, proposed by Hans Benndorf) and corresponding member inland Otto Ampferer (geology, Vienna, proposed by Franz Eduard Suess). As Federhofer had already been elected for the position designated for technical sciences, there were just three candidates remaining for the three vacant positions, all of whom easily

⁶ See AÖAW, Minutes of the meeting of the Section for Mathematics and the Natural Sciences of 23 February 1939 (B 2602).

⁷ See AÖAW, Minutes of the meeting of the Section for Mathematics and the Natural Sciences of 5 June 1939 (B 2608).

exceeded the 22-vote majority required for election. Ampferer obtained 40 votes, Kohlrausch 39, and Saliger 34.⁸ As the Election Commission had proposed, a physicist and a geologist were thus elected. Since the exclusion of Hans Horst Meyer, pharmacology was no longer represented in the Academy;⁹ zoology was represented by Leopold Adametz, Karl Grobben, and Theodor Pintner, while Stefan Meyer's position was effectively taken over by Fritz Kohlrausch.

Franz Eduard Suess, who had proposed Otto Ampferer, was deleted from the list of members on "racial" grounds by decree of Reich Minister of Education Bernhard Rust of 9 January 1940.¹⁰ The Election Commission of the Section for Mathematics and the Natural Sciences, consisting of Schweidler, Späth, Hochstetter, and Kruppa, met on 7 March 1940.¹¹ They noted that there were six vacant positions for election to ordinary member: two on account of the deaths of Josef Schaffer (histology) and Friedrich Emich (chemistry), one through the *departure*¹² of *Franz Eduard Suess (geology)*, and one through the transfer of *Mr. Hermann Mark [chemistry] to the list of those ordinary members who did not count towards the maximum number*,¹³ and two others, whose positions had not been filled the previous year. The Election Commission suggested that one position be tied to the medical group. In addition it gave one recommendation each for geology and geography and suggested that a position in chemistry be left vacant.¹⁴ These recommendations were implemented at the Section meeting held the same day.¹⁵

⁸ Rudolf Saliger was thus one of only 57 persons to this day to have been elected a full member without having previously been a corresponding member.

⁹ It was not until 1959 that a pharmacologist, Franz Theodor Brücke, was again elected as a full member. Richard Rössler and Adolf Jarisch, both corresponding members inland, had represented the discipline until then. Brücke was elected a corresponding member inland in 1957.

¹⁰ See Matis (1997), *Anpassung*, p. 30.

¹¹ See AÖAW, Wahlen, Box 4, Folder "1940," No. 63/1940.

¹² Hectographed letter by Srbik on the positions to be voted on in AÖAW, Wahlen, Box 4, Folder "1940," No. 104/1940.

¹³ Ibid. See also facsimile of the letter from Mark from London of 18 September 1938 overleaf. Apparently Mark's position had not yet been filled in the 1939 elections in view of his short visit to the United States. After it transpired that Mark was remaining permanently in the United States, his position was declared vacant for the 1940 elections.

¹⁴ See AÖAW, Wahlen, Box 4, Folder "1940," No. 63/1940.

¹⁵ See AÖAW, Minutes of the meeting of the Section for Mathematics and the Natural Sciences of 7 March 1940 (B 2620).

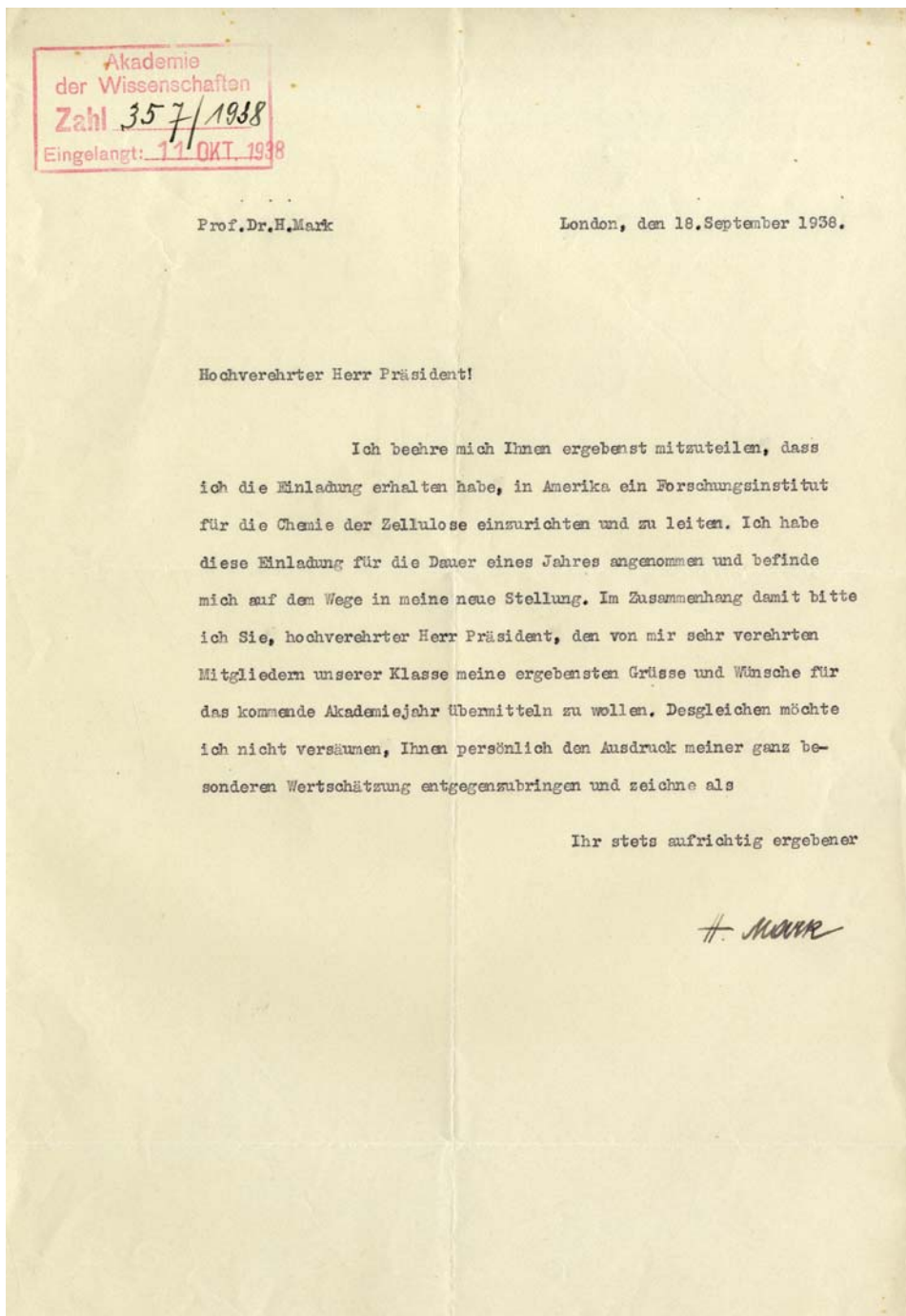


Fig. 30: Letter from Mark to Srbik of 18 September 1938



Fig. 31: Eduard Pernkopf

Hochstetter suggested two corresponding members inland for the position of a representative of medicine, namely the anatomist Eduard Pernkopf and the hygienist Roland Grassberger. At the Section meeting of 29 May 1940,¹⁶ Pernkopf obtained 12 of the 21 votes cast, Grassberger just 9.¹⁷ No candidates were proposed for the disciplines geography and geology, and only Ludwig Flamm (physics, proposed by Heinrich Mache) and Hermann Weber (zoology, proposed by Theodor Pintner) were to be voted on. Both received 20 of the 21 possible votes and were placed on the electoral list. The necessary majority was achieved in all three cases at the General Assembly of 30 May 1940, and so Pernkopf (33 of 46 votes), Flamm (44 of 46), and Weber (38 of 46) were elected as ordinary members, with Weber becoming the successor for Berthold Hatschek's discipline. The Reich Minister for Science, Education, and Culture confirmed the elections in a letter of 7 August 1940.¹⁸

¹⁶ See AÖAW, Minutes of the meeting of the Section for Mathematics and the Natural Sciences of 29 May 1940 (B 2623).

¹⁷ The minutes are incorrect here in stating, *Thus both names were entered on the electoral list*. Both names appeared on the voting slip for the electoral meeting of the General Assembly. The mistake was noticed there and only Pernkopf stood for election.

¹⁸ See AÖAW, Wahlen, Box 4, Folder "1940," No. 179/1940, reported at the General Assembly of 25 October 1940 (A 957).

There was thus no successor for Franz Eduard Suess's discipline at this time. Geology was represented among the ordinary members only by Otto Ampferer, whom Suess himself had proposed the year before.

At the General Assembly on 25 October 1940, in which confirmation of the elections of 30 May 1940 was given, the decree ordering a further seven members *to be excluded from the Academy* was announced. They included two ordinary members, the physical chemist Hermann Franz Mark and the Germanist Walther Brecht. The latter was the first and only ordinary member of the Section for Humanities and the Social Sciences who had to leave the Academy for political reasons. It had little influence on the 1941 elections. The Actuary Junk wrote regarding the four vacant positions for ordinary members (three through the deaths of Hans Hirsch, Albert Ehrhard, and Max Layer, and one *as a result of the exclusion of Mr. Brecht* on 1 February 1941): *It is to be noted in this regard that of these four positions, only two are to be filled, since the positions of Messrs Ehrhard and Brecht do not count towards the maximum number of ordinary members.*¹⁹ In the minutes of the meeting of the Election Commission of the Section for Humanities and the Social Sciences of 19 February 1941, no mention was therefore made of the consequences of Brecht's exclusion.²⁰ Regarding ordinary members, it was suggested positions be designated for political science and law, and a recommendation in favor of history of art was made. German philology still had four representatives among the ordinary members, namely Dietrich Kralik-Meyerswalden, Josef Nadler, Josef Schatz, and Konrad Zwierzina. At the General Assembly of 27 May 1941, the economist Hans Mayer was elected as an ordinary member with 30 of 47 votes (proposed by Leopold Wenger). The second candidate, Rudolf Köstler, received only 17 of 47 votes and therefore failed to get a majority. The position of ordinary member without discipline (with the recommendation for history of art) was filled by Hans Sedlmayr with 38 of 47 possible votes.²¹

The Section for Mathematics and the Natural Sciences made no reference to the exclusion of Hermann Franz Mark. The normal lists, which show how many positions are vacant and why, mentioned only two positions made vacant by the deaths of Philipp Furtwängler (mathematics) and Leopold Adametz (zoology), and three others, as only three of the six vacant positions had been filled the previous year. Only the minutes of the Election Commission of the Section for Mathematics and the Natural Sciences appear to take account of Mark, with the acceptance of the application by Späth *to reserve 1 ordinary member position for chemistry.*²² After Mark's departure, chemistry was still well represented among the ordinary members by Josef

¹⁹ AÖAW, Wahlen, Box 4, Folder "1941," without number. The comment refers to the fact that because of his move to Munich, Brecht had been classified in 1926 as a corresponding member abroad, but had become an ordinary member again in 1938. See obituary in the *Almanach* for 1950, 100 (1951), p. 382. Therefore he was not counted towards the maximum number.

²⁰ See AÖAW, Wahlen, Box 4, Folder "1941," No. 44/1941.

²¹ All details according to AÖAW, Minutes of the General Assembly of 27 May 1941 (A 963).

²² AÖAW, Wahlen, Box 4, Folder "1941," No. 45/1941.



Fig. 32: Hans Sedlmayr

Maria Eder, Anton Skrabal, and Ernst Späth, together with the ordinary member Wilhelm Schlenk, who had worked in Berlin since 1921 and in Tübingen since 1936.²³ On 27 May 1941 the General Assembly elected the histologist Siegmund Schumacher-Marienfrid, the mathematician Karl Mayrhofer, the geologist Franz Heritsch, and the zoologist Leopold Karl Böhm as ordinary members of the Section for Mathematics and the Natural Sciences.

Vacant positions were dealt with quite pragmatically in subsequent elections. They were filled without reference to the discipline, a method that had been the case in the past and is still practiced today. When it was thought expedient to prefer a particular discipline for the purpose of parity, the Election Commission designated the relevant discipline, which was generally confirmed by the Section. This method ensured that a particular discipline continued to be represented in the future. This concept of foresight can be seen in the case of geology. In the elections of June 1939 this discipline was designated, and Otto Ampferer was elected at the suggestion of Franz Eduard Suess.²⁴ After Suess' exclusion in January 1940, no further geologist was elected at the following election in May, but in 1941 Franz Heritsch was elected.

²³ See obituary of Schlenk in the *Almanach* for 1943, 93 (1943), p. 212.

²⁴ The exclusion of Suess had been under consideration since February 1939. See Graf-Stuhlhofer (1995), *Akademie*, p. 137; Matis (1997), *Anpassung*, p. 30, and the essay in this volume by Herbert Matis, "Exclusion of members," pp. 53–9.

Regarding the political affiliations of the proponents, which cannot be discussed in detail here, the statements by Graf-Stuhlhofer²⁵ and Matis²⁶ that “Nazi sympathies did not have a significant influence on the chances of being elected”²⁷ seem to be borne out. As for the disciplines, there appears to be no difference in preference before 1938 or after 1945.

Stefan Sienell

²⁵ See Graf-Stuhlhofer (1995), *Akademie*, pp. 144–6.

²⁶ See Matis (1997), *Anpassung*, pp. 35–8.

²⁷ Matis (1997), *Anpassung*, p. 37.

Consequences for the academic staff.

The case of Leo Hajek

Staff at the Academy have always stood in the shadow of the usually more well-known members, and the history of the institution is often written with the focus on its members. This essay takes a look at the staff and their experiences. The year 1938 brought incisive changes for the Academy. Until then it had been an institution that was, to a large degree, independent of the state.¹ In contrast to the situation with regard to members, however, state authorities had direct access to staff and public officers. In particular, the Law for the Reconstitution of the Civil Service² gave the new authorities the possibility of dismissing those politically opposed to Nazism and those defined by it as Jewish.³ In summer 1938 the situation became even more critical with the application of the Nuremberg Laws in Austria.⁴

The role of the Academy of Sciences as a research institute was not as pronounced in the 1930s and 1940s as it is today. Only a few institutes and commissions had full-time staff. Many commissions were managed by academics employed by the university who continued their research in the Academy's facilities.⁵ The departments of the Academy with the largest number of staff members were the Institute for Experimental Biology in the Prater, the Institute for Radium Research, the Commission for Editing the Corpus of critically amended texts of the Latin Church Fathers, the Commission for Archeological Research in Asia Minor, the Phonogram Archive Commission, and the Commission for Editing an Austrian-Bavarian Dictionary.

Directly after the "Anschluss", the staff members of the Academy were sent questionnaires investigating earlier membership of parties, associations, lodges, etc. Military status and any military service during World War I was also queried. A separate point concerned membership of the Nazi Party or an affiliated association. Several inquiries reached the Academy after the "Anschluss" from the Federal Ministry of Education, the Ministry of Interior and Cultural Affairs, section IV (both in Vienna), and the Administrative Offices of Institutions of Higher Education in Vienna that were directly or indirectly concerned with the *Verordnung zur Neuordnung des österreichischen Berufsbeamtentums* [Regulation for the Reorganization of the Austrian Civil Service].⁶ Pursuant to a decree by Reich Chancellor Adolf Hitler of 15 March 1938, all "public officials of Austria [...]" had to "swear an oath of service on entering

¹ For the legal status of the Academy of Sciences since its founding, see Kopetz (2006), *Akademie*.

² Gesetzblatt für das Land Österreich, No. 160/1938.

³ See Matis (1997), *Anpassung*, pp. 27, 34.

⁴ Gesetzblatt für das Land Österreich, No. 298/1938.

⁵ See Matis (1997), *Anpassung*, p. 28.

⁶ See Reichsgesetzblatt 1938, Part I, No. 87.

**Kundmachung des Reichsstatthalters für Österreich,
woburch der Erlaß des Führers und Reichskanzlers
über die Vereidigung der öffentlichen Beamten des
Landes Österreich bekanntgemacht wird.**

Der Führer und Reichskanzler hat auf Grund des Artikels 2 des Gesetzes über die Wiedervereinigung Österreichs mit dem Deutschen Reich vom 13. März 1938 mit Erlaß vom 15. März 1938 folgendes angeordnet:

§ 1. Die öffentlichen Beamten des Landes Österreich haben beim Eintritt in den Dienst einen Diensteid zu leisten.

§ 2. Der Diensteid der öffentlichen Beamten lautet:

„Ich schwöre: Ich werde dem Führer des Deutschen Reiches und Volkes Adolf Hitler treu und gehorsam sein, die Gesetze beachten und meine Amtspflichten gewissenhaft erfüllen, so wahr mir Gott helfe.“

§ 3. Die im Dienst befindlichen Beamten sind unverzüglich gemäß § 2 zu vereidigen.

Jüdische Beamte sind nicht zu vereidigen.

§ 4. Jude ist, wer von mindestens drei der Rasse nach volljüdischen Großeltern abstammt. Als Volljude gilt ein Großelternteil ohne weiteres, wenn er der jüdischen Religionsgesellschaft angehört hat.

Als Jude gilt der von zwei volljüdischen Großeltern abstammende jüdische Mischling,

- a) der am 16. September 1935 der jüdischen Religionsgesellschaft angehört hat oder danach in sie aufgenommen wird,
- b) der am 16. September 1935 mit einem Juden verheiratet war oder sich danach mit einem Juden verheiratet.

§ 5. Wer sich weigert, den Eid zu leisten, ist vom Dienst zu entheben.

§ 6. Die zur Durchführung dieses Erlasses erforderlichen Rechts- und Verwaltungsvorschriften erläßt der Reichsstatthalter (Österreichische Landesregierung).

§ 7. Der Erlaß tritt mit dem Tage der Verkündung in Kraft.

Wien, den 15. März 1938.

Der Führer und Reichskanzler.
Der Reichsstatthalter: Seyß-Inquart.

Fig. 33: Announcement of 15 March 1938

the service” (paragraph 1). Moreover, “officials already in service [...] are to take the oath. Jewish officials shall not take the oath” (paragraph 3). The following oath was sworn at the Academy of Sciences in Vienna: *I swear | I will be loyal and obedient | to the Führer | of the German Reich and people | Adolf Hitler, | observing the laws | and fulfilling my duties | conscientiously | so help me God.*⁷ Under paragraph 5, anyone who refused to take the oath was to be dismissed immediately.

The Academy was repeatedly called upon by the official authorities listed above to provide a list of employees who had been retired or dismissed after 13 March 1938. The Academy’s replies normally consisted of the one succinct sentence: [...] *notice is given that within operational field of the Academy of Science there were no public officers in employ whose political behavior or professional suitability have, according to official criteria, given occasion for concern.*⁸ It was not until early 1940 that Academy President Heinrich Srbik sent an additional notification in connection with these inquiries to the Reich Ministry of Science, Education, and Culture in Berlin⁹ stating that *the Academy [...], in accordance with the decree of the Reich Minister for Science, Education, and Culture of 31 January 1940, W E 308/40, [has] only included personnel employed directly in its secretariat in the required overview. Since the inquiry by the Reich Minister for Science, Education, and Culture now indicates that personnel in institutes belonging to the Academy are not listed elsewhere and that a list of the staff of all institutes belonging to the Academy (with the exception of the Institute for Radium Research) is required from the Academy, this list is hereby supplied.*¹⁰ However, this new list drawn up in early 1940 does not provide adequate answers regarding dismissed or forcibly retired personnel. It must be assumed that several staff members had been obliged to leave the Academy before 1940. These persons no longer appear in the 1940 list, however. It is only by counting the vacant positions in some commissions that it can be inferred that persons formerly employed there had already lost their positions. It is not, however, possible to make claims with certainty.

One employee whose dismissal in 1938 has been documented is Leo Hajek, head of the Phonogram Archive from 1928 until he was forced to emigrate. After years as a regular assistant and repeated efforts by the Academy Presiding Committee – through President Oswald Redlich, Secretary General Egon Schweidler – and chairman of the Phonogram Archive Commission Karl Luick to have him classified as a *Beamter der allgemeinen Verwaltung* [general administrative civil servant], the request was finally granted in 1937 by the Federal Ministry of Education, and he was

⁷ See AÖAW, Allgemeine Personalakte, Box 2, Folder 9, No. 145/1938, Oath.

⁸ AÖAW, Allgemeine Personalakte, Box 2, Folder 9 of 4 July 1938.

⁹ At this time the Reich Ministry of Science, Education, and Culture in Berlin was responsible and had taken over all agendas relating to the Academy of Sciences in Vienna; on the Reich Ministry see Nagel (2012), *Bildungsreformer*.

¹⁰ AÖAW, Allgemeine Personalakte, Box 2, Folder 9, ad No. 30/1940. For the dismissals at the Institute for Radium Research, see Reiter (1988), *Wissenschaftsemigration*.

AKADEMIE DER WISSENSCHAFTEN IN WIEN

WIEN, I., UNIVERSITÄTSPLATZ 2.

Ansprache des Generalsekretärs bei der Vereidigung
der Akademieangestellten am 23. März 1938.

Deutsche Volksgenossen !

Als Angestellte der Akademie der Wissenschaften in Wien, einer Körperschaft, die durch ein staatliches Gesetz begründet ist und vom Staat erhalten wird, haben Sie sich hier versammelt, um den gesetzlichen Bestimmungen entsprechend, dem Oberhaupt unseres Staates, dem Führer und Reichskanzler ADOLF HITLER den Eid der Treue zu leisten.

Wer in den letzten 12 Tagen Augen- und Ohrenzeuge der Vorgänge gewesen ist, welche die Vereinigung Oesterreichs mit dem Deutschen Reiche begleitet haben, braucht nicht erst belehrt zu werden, dass dieses Ereignis ebensosehr von weltgeschichtlicher Bedeutung ist wie es auch die Berufspflichten und Lebensbedingungen des Einzelnen in einschneidender Weise beeinflusst.

Sie haben bisher einer Institution gedient, deren Aufgabe schon in unserem alten Vaterlande Oesterreich die Förderung der Wissenschaft und damit der deutschen Kultur war. An dieser Aufgabe hat sich nichts geändert und ich bin überzeugt, dass Sie im neuen Staate, dem grossen Deutschen Reich,

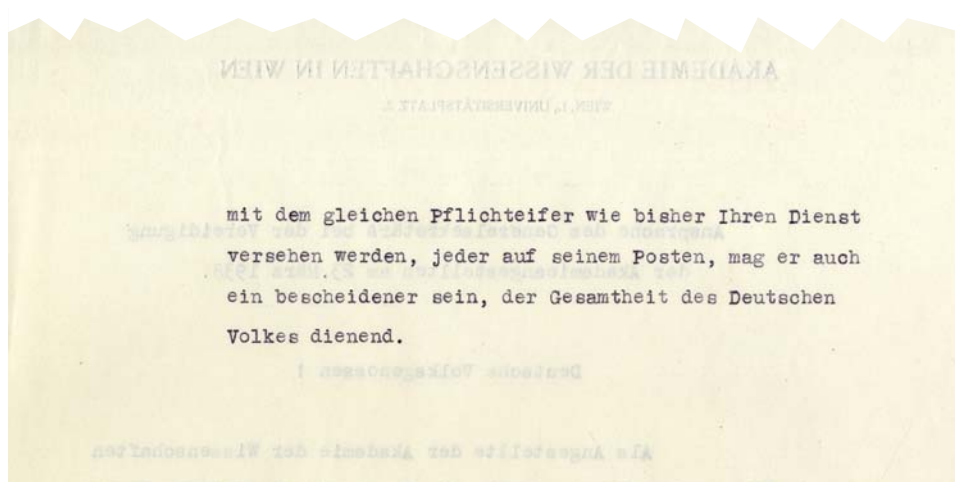


Fig. 34: Speech by Schweidler of 23 March 1938

appointed “Kustos 1st Class.”¹¹ As late as January 1938, the question was raised at a Presiding Committee meeting as to whether an award should be given to Hajek or a statement of thanks and recognition issued by the Presiding Committee for his 25 years of service. Schweidler wrote by hand on this application that it was *approved in principle* and that an *acknowledgement by the Academy was to be noted for October 1938*.¹² Although Hajek was apparently a respected researcher, the “Anschluss” in March 1938 put an end to his career. According to Secretary General Ernst Späth, he performed no further official duties in the Phonogram Archive after 18 June 1938.¹³ Thanks to his teaching at the University of Vienna and his international reputation, he was given a position at Ohio State University in Columbus, Ohio. This made it possible for him to emigrate to the United States. According to the record of the police headquarters at Berggasse in Vienna’s 9th district dated 18 July 1939, Hajek was listed as having deregistered from residency in Vienna for New York on 3 June 1939. His address in the United States was given as the Voice, Speech, and Sound Science Research Laboratory of the Ohio State University in Columbus, Ohio. From there Hajek applied to be retired. This application was forwarded from the Academy to the Ministry of Interior and Cultural Affairs, section IV, in Vienna, on 5 June 1939.¹⁴ On 5 February 1940, a letter was sent by the Reich Commissioner for the unification of Austria with the German Reich to the *Kustos der Akademie der Wissenschaften in Wien Dr. Leo Israel Hajek* informing him that his employment with the

¹¹ See AÖAW, Personalakte Leo Hajek.

¹² AÖAW, Phonogrammarchiv, Box 1, Folder 4, No. 118/1938, entry by Actuary Viktor Junk of 7 January, dealt with at the Presiding Committee meeting of 28 January 1938.

¹³ See AÖAW, Phonogrammarchiv, Box 1, Folder 4, supplement to the report of the Academy to the Ministry of Interior and Cultural Affairs of 30 May 1939.

¹⁴ See AÖAW, Phonogrammarchiv, Box 1, Folder 4, No. 275/1939.

Beeidigung der Bundesbediensteten
 gemäss Erlass des Unterrichtsministeriums vom 17.III.1938,
 Zahl 8856-1/5

Ich schwöre: Ich werde dem Führer des Deutschen
 Reiches und Volkes Adolf Hitler treu und gehorsam sein,
 die Gesetze beachten und meine Amtspflichten gewissenhaft
 erfüllen, so wahr mir Gott helfe.

Unterschiedet von:

C. Trüm
 W. Oberhiesmer
 L. Lögler
 M. Repotschky
 E. Neumann
 J. Soukup
 E. Hesch
 E. Brinner

Frans Freitag
 Walther Ruth
 Joh. Uhlir

(Eingeleist bei den
 betreffenden Personalakten)

H.

Beeidigung W. Ruth und
 J. Uhlir an Kanzlei stelle
 gemacht 29. III. 1938.

Fig. 35: Swearing in of state employees



Fig. 36: Leo Hajek in front of the gramophone horn (c. 1928)

civil service had been terminated as he had deregistered with the police on 3 May 1939 from Vienna to New York without obtaining prior permission from the highest service authority. The date of termination was put at 30 June 1939.¹⁵ This decision was forwarded to Hajek by the Academy on 20 February 1940.

Walter Ruth had already been nominated as Hajek's provisional successor on 4 May 1938,¹⁶ and he was officially appointed head of the Phonogram Archive in 1942. On 3 May 1939 Academy President Heinrich Srbik reported to the Reich Ministry of Science, Education, and Culture that *the current commissarial head, Dr. Walter RUTH, was fully qualified both academically and ideologically*. Moreover, he had *also been recommended by the Party as an Illegal* [member of the Nazi Party before 12 March 1938] and thus deserved *every promotion on account of his services during the period of prohibition*.¹⁷ The way in which Walter Ruth came to occupy this leading position is by no means unique in the Austrian academic landscape. The “*Gleichschal-*

¹⁵ See AÖAW, Phonogrammarchiv, Box 1, Folder 4, No. 951/1940.

¹⁶ See AÖAW, Phonogrammarchiv, Box 1, Folder 4, minutes of the Phonogram Archive Commission of 4 May 1938. See essay in this volume by Johannes Feichtinger, “Science ‘in the service of the German people,’” pp. 123–32.

¹⁷ AÖAW, Phonogrammarchiv, Box 1, Folder 4, No. 92/1939. In the files of the Dictionary Commission, Ruth is mentioned in the minutes of the meeting of 4 November 1947 to discuss the affairs of the Commission for the Austrian-Bavarian Dictionary. Ruth's incrimination as an Illegal was dealt with but this was ultimately deemed to be irrelevant. Following his dismissal in 1945, Ruth was then re-employed by the Academy. See AÖAW, FE-Akten, Wörterbuch-Kommission, Box 1, No. 1518/1947.



Fig. 37: Leo Hajek with archive phonograph type IV (c. 1928)

tung” [alignment/consolidation] – in this case unforced – of academic institutions is typical of the first phase after the assumption of power by the Nazis in March 1938. The aim was to create institutions that were loyal to the Nazis. For this purpose, persons of Jewish descent and political opponents in leading positions were removed and replaced by persons trusted by the Nazi Party. A typical example of this procedure is the University of Vienna. Fritz Knoll, the newly appointed rector of the university, was able to report to the Reich Ministry of Science, Education, and Culture ten days after his appointment that “the basic structure of the internal organization of the University is complete. [...] Everything is functioning in an orderly manner.”¹⁸

The “Anschluss” brought significant personnel changes for the Academy of Sciences. The example of Leo Hajek also shows that the expulsion of Jewish intelligentsia after the “Anschluss” was carried out in an extensively uniform fashion in all public institutions. As part of the “*Gleichschaltung*” of public institutions, leading positions were filled by politically reliable persons. At the same time, politically or “racially” unacceptable persons were dismissed. At the University of Vienna, for example, almost half of the teachers were dismissed.¹⁹ The absence of a complete list of employees immediately after the “Anschluss” makes it difficult to determine the changes that took place in the Academy’s staff. There is also no conclusive information about persons working independently in the Academy’s institutions. Since all personnel files were transferred to the Archive of the Academy of Sciences in 2011, it is now possible to investigate personnel changes within the administrative staff.

Marlene Wahlmüller

¹⁸ Quoted in Lichtenberger-Fenz (2000), *Geordnete Bahnen*.

¹⁹ See Mühlberger (1993), *Vertriebene Intelligenz 1938*, p. 7.

Administrative staff

Actuaries

Since the founding of the Academy in 1846/47, there had always been one actuary responsible for the affairs of the Section for Mathematics and the Natural Sciences and one for the Section for Humanities and the Social Sciences, one of whom was also responsible for the affairs of the Academy as a whole.¹ Following the death of Emil Kohl in June 1924, the position of First Actuary was taken over by the then Second Actuary Viktor Junk.² Junk, who had joined the Academy on 1 March 1900 as a *Konzeptsbeamter* [paralegal secretary] with the title of *Erster Kanzlist* [First Chancellery Clerk], retired on 1 February 1945 after almost 45 years of services and after having been on sick leave since the summer of 1944. He joined the Nazi Party in April 1933 (membership number 1.616.309) and was thus an “*Alter Kämpfer*” [Old Comrade] as well as the holder of a “Führer Medal to Commemorate 13 March 1938.”³ He was succeeded as First Actuary by the former Second Actuary Wilfried Oberhummer.

Oberhummer, who had a doctorate in chemistry, joined the Academy as an actuary on 1 June 1937. His duties were described in 1937 as *planning work, keeping the minutes and administration of the files of the Section for Mathematics and the Natural Sciences, supervision of the printing of papers of the Section for Mathematics and the Natural Sciences, librarian of the Academy library*.⁴ He succeeded Haas as Second Actuary until 31 January 1945. For most of World War II he was classified as “indispensable;” his only military service was from 26 March to 29 July 1941 in Intelligence Reserve Battery No. 44 in Wels. Between June 1938 and 1942 he was an applicant for membership of the Nazi Party and subsequently became a member.⁵

In a highly documented case, Senate II of Special Commission at First Instance of the University of Vienna concerning the assessment of Oberhummer under paragraph 21 of the *Verbotsgesetz* [law banning re-engagement in National Socialist activities], found at its session of 10 July 1946 that *he would unreservedly and at all times*

¹ These two functions were originally called First Actuary and First Chancellery Clerk and then from 1903 First and Second Actuary.

² On Junk: ÖBL 3 (1965), pp. 152–3. See also Ranzmaier (2010), *Germanistik*, passim, esp. p. 438. Unless otherwise indicated, the biographical details and quotations in this essay are based on the respective AÖAW personnel files.

³ See AÖAW, PA Viktor Junk, list of candidates for Loyalty Medal (July 1941) and letter by Srbik to the Registrar of academic institutions of higher education of 24 June 1941 (No. 170/1941).

⁴ Detailed description in AÖAW, PA Wilfried Oberhummer, No. 123/1937, Academy to Federal Ministry of Education of 12 March 1937.

⁵ See AÖAW, PA Wilfried Oberhummer, red file No. 75 (1946).

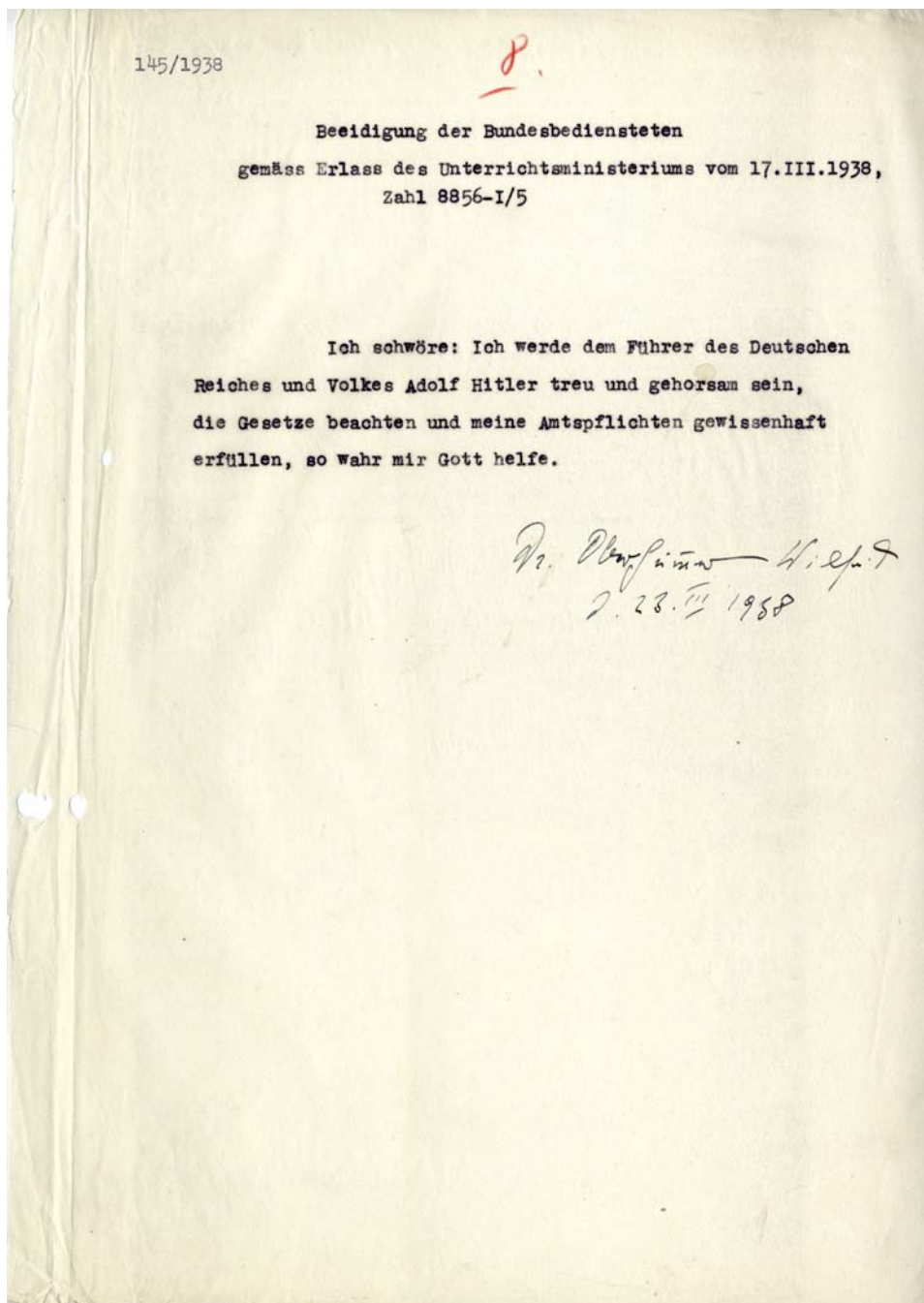


Fig. 38: Swearing in of Oberhummer 1938

support an independent Republic of Austria. Reasons for the decision: Based on the statements by the defendant and witnesses and the documents presented, the Senate was of the opinion that Dr. Oberhummer was swayed, on the basis of his support of a Greater Germany, by the Nazi ideology and required no particular persuasion to join the Betriebs-SA [Academy's internal SA organization for employees] and the Party. He soon became disillusioned, however, and distanced himself from the Party without leaving it, as he did not believe this was possible. According to the credible testimony of Major-General Slavik, his activities as deputy propaganda officer in the Reichskriegerbund [Reich Warrior League] had nothing to do with the Party. Oberhummer's later attitude (no Hitler greeting, no uniform, no Party badges, communication with political miscreants and their promotion) indicates that he had distanced himself from the Nazi Party and its ideology.⁶

Oberhummer's duties during the war and thereafter were considerable: "He was in charge of the Secretariat, represented the Academy on international committees, was responsible for various official inquiries, and supervised the exchange of the Academy's publications with some 810 scientific institutions. The establishment of new Academy institutes that began in 1963 brought a vast amount of difficult work." Although he officially retired in 1965, he did not actually withdraw until 31 December 1974 as there was no suitable successor. In 1971 he was given the title *Hofrat* [Court Councilor] and in 1972 the "Bene Merito" medal from the Academy.⁷



Fig. 39: Award of the "Bene Merito" medal to Oberhummer (1972)

⁶ Transcriptions in AÖAW, PA Wilfried Oberhummer. See also his *Anlage zum Personalblatt* of 6 June 1945 in AÖAW, Politischer Fragebogen der Mitarbeiter, from which some of the formulations have been more or less borrowed.

⁷ See *Almanach* for 1971, 122 (1972), pp. 32–3.



Fig. 40: Oberhummer at his desk (c. 1973)

The Chancellery staff

The Chancellery employee Emma Neumann, daughter of the former actuary Emil Kohl, was subordinate to the actuaries. She joined the Academy *as a clerk subject to notice of dismissal at any time* on 14 May 1924 after graduation from commercial college. Starting in January 1928, as a full-time employee of the Chancellery Neumann was responsible for keeping records of incoming documents including indexing, for all filing as well as for sending corrected proofs to authors. The Academy applied for her to become tenured in public office, but by 1951 at least this had still not been achieved. After 1 October 1938 she was taken on as a salaried employee. She gave notice on personal grounds on 1 August 1945⁸ after having already taken two months unpaid leave. From 15 November 1946 onwards she was employed by the Department of Mechanical Technology at the Vienna College of Technology.

Apart from Neumann, Josef Soukup was also employed in the Academy administration. He entered service on 1 May 1903 as an *Unterbeamter* [lower civil servant] and was employed as janitor and porter. His duties as janitor were taken over by Emerich Hesch in 1922, enabling Soukup to concentrate more on the library and publication archive. From around 1924 to 1933 he was a member of the Social Democratic Party and *Bund der öffentlichen Angestellten* [Association of Public Servants]. An inquiry in 1937 by the *Vaterländische Front* [Fatherland's Front] – to which Soukup belonged from 1934 to 1938 – requesting that the 71-year-old he be allowed to retire was rejected on account of his indispensability. He finally retired on 1 April

⁸ See AÖAW, Ministerium, No. 5/1946.

1941 and died the following year. In June 1941 he stated that he was not a member of the Nazi Party or an affiliated group.

Soukup was replaced by Rudolf Thiel. A qualified bookbinder, he had worked in various companies since 1922 as an office clerk or assistant with periods of unemployment in between, in some cases quite lengthy (e.g. from 1932 to 1938). He was employed by the Academy from 1 June 1940 to replace Ferdinand Weiss, who had been drafted into the armed forces. Thiel too had been called up for *service of several weeks' duration*, with a start date as soon as 8 October 1940. The Academy attempted to prevent this in the fall of 1940, stating that Thiel was *currently the only attendant available to the Academy for the most urgent business. He is responsible for heating all rooms (seven large rooms and halls), keeping order in the Academy library (20,000 volumes), for the daily mail, and in particular for the monthly dispatch of the Academy's scientific publications abroad, a function that needs to be maintained for propaganda reasons, that involves the packing, franking, and shipment of several hundred packages.* The Academy's intensive efforts to retain Thiel were successful only until 20 May 1942. After he had been drafted, Thiel was held in custody in Munich for a period in 1943 for allegedly listening to a Swiss radio station in the summer of 1943. After the war, from which Thiel and Weiss both returned, Thiel took over the now retired Soukup's functions. He was responsible for the library and publication archive and retired on 31 December 1967.⁹

The shoemaker Ferdinand Weiss, mentioned above, entered into employment at the Academy on 10 February 1939. On 9 February 1940 the Academy reported to the Ministry that *Weiss, who had been referred to it from the Office of Employment, [...] has a correct and positive political attitude. The Academy would also like to point out that Ferdinand Weiss is used only for menial work such as carrying coal, heating the stoves, cleaning rooms, taking messages, and the like. The statement in the letter written by the district headquarters of the Nazi Party [Kreisleitung] that Ferdinand Weiss is sympathetic to Jews is no doubt attributable to the fact that before the change Weiss had worked as a clerk in a Jewish company for 10 years.*

Weiss was drafted into the armed forces on 1 June 1940 and served in the Soviet Union, Hungary, and Slovakia. He was given civil servant status on 13 January 1942 after Soukup's retirement made a position vacant. From May until 27 August 1945 he was in a U.S. prisoner of war camp before taking up his employment at the Academy again. On 28 October 1947 his position was described as follows: *work in the publication archive, acceptance of incoming printed matter, care of same, dispatch to the publishers and preparation for exchange of publications, registering book locations.* Weiss was named an *Oberaufseher* [senior supervisor] on 1 March 1960; he retired on 31 July 1969.

⁹ See AÖAW, Minutes of the General Assembly of 15 December 1967 (A 1181).



Fig. 41: Official stamp of the Academy



Fig. 42: Official seal of the Academy

The accountants

Leopold Liegler was recruited on 19 June 1913 *on probation as an assistant to the accountant with a monthly salary of K 140.00* and employed on 1 January 1914 as *Rechnungsassistent* [accounts assistant]. His application to replace Kohl as First Actuary in 1924 was unsuccessful. After the departure of the accountant Streicher, Liegler took over his position in 1925 and managed the Academy's double-entry bookkeeping thereafter. He was a member of the Social Democratic Party from around 1924 until 1933 and of the *Vaterländische Front* from 1934 to 1937. He was a good friend of Karl Kraus and was himself a literary scholar and critic. At his request, the Academy applied in June 1945 for Liegler's retirement, as he had not been able to carry out his functions as head of accounts since August 1942 on account of a serious heart complaint.¹⁰ Liegler retired at the end of February 1946.

On 13 October 1949, the *Österreichische Zeitung* wrote about Liegler, who had died shortly beforehand: *Those who had the opportunity of meeting the late Leopold Liegler in late 1944 and early 1945 would not have thought it possible that this deathly ill man with his weakened, crippled body would continue to live for several months. But in this organism dwelt a tough, strong spirit, kept alive by the passionate wish to experience the end of the hated Nazi rule, and this stubborn will not only rescued Liegler but, after the liberation of Vienna, seemed to transform him from a terminally ill man into a healthy, flourishing, and rejuvenated person. With fiery enthusiasm he set about the work pressing from all sides of building up a new state.*

Liegler was assisted by Marie Repototschnig, née Calabek. She worked in the Academy from 1 November 1911 to 31 December 1915 as a Chancellery assistant and thereafter – after her employment had been confirmed – as *Kanzleioffiziantin* [chancellery officiant] and, from 1 March 1925, as bookkeeping assistant. In a letter

¹⁰ See AÖAW, PA Leopold Svajda, Academy to District Military Command of 24 August 1942.

to the Presiding Committee of 25 November 1938 she wrote that she *had sympathized with the Party in every respect, as could be seen from the enclosed confirmation from the N.S.D.A.P.*¹¹ *This must have come to the attention of the authorities in power at the time because in the crisis of 1934, I received a warning from the Vaterländische Front, City Center, via the Presiding Committee of the Academy regarding my political behavior. [...] Only through the benevolent and protective intervention of the Presiding Committee was I saved from disaster.*¹² She retired on 1 April 1941 because of health reasons.

Her successor was the jurist Leopold Svajda, who had worked previously in the Ministry of Finance, which was dissolved at the end of fiscal year 1940/41. From 2 December 1940 he completed a *fully satisfactory four-month probationary period*¹³ and thereafter took over Repototschnig's position in the Academy. Officially, *with effect from 1 April 1941, Svajda is appointed Steuersekretär [tax commissioner] with secondment to the Registrar of academic institutions of higher education in Vienna (which should read Academy of Sciences) and transferred to Section P of the Oberfinanzpräsidium [higher tax office].*¹⁴ In August 1942 he was classified as "indispensable" *until further notice* and hence exempted from military service; after May 1942 he was solely responsible for the Academy accounts because of Liegler's ill-health.¹⁵ From 22 February to 1 March 1945 he completed officer training in the "Volkssturm" [German home guard made up of old men and boys during the last months of World War II]. He belonged neither to the Nazi Party nor to any affiliated group.

After Liegler retired at the end of February 1946, Svajda officially became Academy accountant. The Academy wrote to the Federal Ministry of Education in 1950 in connection with an application to promote Svajda to the grade *Dienstpostengruppe IV*: *It is not least thanks to his vigilance, willingness, and conscientiousness that the library stacks, whose contents are worth millions, survived the most difficult war and post-war period without any losses.*¹⁶ Svajda was appointed *Amtssekretär* [department secretary]

¹¹ AÖAW, PA Marie Repototschnig, letter from the Vienna Nazi Party Gau leadership of 24 November 1938: *It is hereby confirmed that the husband of Mrs. Marie Repototschnig, Pg. Ludwig Repototschnig, has been a member of the N.S.D.A.P. since 1934 and was an enthusiastic member during the illegal period and with his wife's knowledge generously provided the illegal formations with food. Pg. Repototschnig was also imprisoned for some time for Nazi activities. He and his wife are in every way reliable and politically unblemished.* A letter from district headquarter VII (Kreisleitung VII) of the Vienna Gau of the Nazi Party of 7 July 1939 confirmed her as an *Old Comrade of the Ostmark* [...] *because she demonstrated exceptional service to the Party before 11 March 1938.* Ibid.

¹² AÖAW, PA Marie Repototschnig.

¹³ AÖAW, PA Leopold Svajda, Academy to Registrar of academic institutions of higher education of 18 March 1941.

¹⁴ AÖAW, PA Leopold Svajda, explanation of the Registrar of academic institutions of higher education in Vienna to the Academy of 26 August 1941.

¹⁵ See AÖAW, PA Leopold Svajda, Academy to District Military Command of 24 August 1942.

¹⁶ AÖAW, PA Leopold Svajda, letter of 4 July 1950.

on 1 January 1945 and *wirklicher Amtsrat* [full department head] on 1 July 1955. He retired at the end of 1961.

On 20 October 1942 Lucia Freiberg began work at the Academy as a wartime assistant and was employed as a middle grade civil servant in the accounts department. Her recruitment had been necessary on account of Liegler's ill-health. She was promoted in 1947 to the *Gehobener Fachdienst* [upper grade civil servant]. On 1 January 1962 she succeeded Svajda as head of accounts and retired with the rank of *Amtsdirktorin* [department director] at the end of May 1983.

The janitor



Fig. 43: Marie Hesch

Marie Hesch succeeded her husband, Emerich Hesch, as janitor of the Academy after his death in April 1939. It is thanks to her great personal commitment that the Academy building and its contents were protected from plundering after the liberation of Vienna in 1945. When she reached the age of 65 her employment as a cleaning lady was terminated by the Ministry with effect from 31 December 1953, but she continued to work as janitor.¹⁷ She left at her own request on 15 November 1956 on health grounds. After requesting *the further payment of a small monthly allowance*,¹⁸

¹⁷ AÖAW, Minutes of the General Assembly of 23 October 1953 (A 1060).

¹⁸ AÖAW, Minutes of the General Assembly of 9 November 1956 (A 1084).

she received the proceeds of a collection among the Academy members, which were handed to her at a small farewell celebration.

Stefan Sienell

AKADEMIE DER WISSENSCHAFTEN IN WIEN

PERSONALBLATT

Name:	Marie H e s c h
Geburtsdatum:	28. Oktober 1888
Staatsbürgerschaft am 13. III. 1938	Österreich
Letzte berufliche Stellung an der Akademie (Datum d. Pestellg.)	Portierin und Reinigungsfrau Mai 1939
Derzeitige Wohnung:	I., Universitätspl. 2
Aufenthalt am 10. IV. 1945 unter Begründung einer allfälligen Abwesenheit:	Wien
Parteimitglied, Anwärter, seit wann?	nein
Während der Verbotszeit illegal	nein
Angehöriger oder Anwärter welcher Gliederungen (SA, SS, NSKK, NSFW), seit wann?	nein
Funktionen in der Partei (vom Zellenleiter, Blockwart aufwärts), welche und seit wann?	keine
Anmerkung:	-

Ich erkläre ehrenwörtlich, obige Angaben vollständig und richtig gemacht zu haben.

Wien, am . . . 2. Juni 1945. . . .

Gesehen:

Der interimistische Leiter
der Akademie:

. . . Marie Hesch
Unterschrift

Fig. 44: Questionnaire Marie Hesch 1945

The revision of the Statutes

In the *Bundesgesetzblatt für die Republik Österreich* [Federal Law Gazette of the Republic of Austria] of 14 October 1921 (BGBl. No. 569), paragraph 3 states: “The Academy of Sciences in Vienna shall function on the basis of Statutes whose validity must be confirmed by the Federal President.” The Statutes (*Satzung*), confirmed in 1922 and augmented with an Amendment in 1925, were replaced in 1938 by Provisional Statutes.¹

Already at the extraordinary General Assembly of 25 March 1938, a Statutes Commission was set up consisting of the ordinary members Hochstetter, Schweidler, Srbik, Durig, Hartmann, Himmelbauer, Mache, Späth, Redlich, Wenger, Hirsch, Meister, Radermacher, and Dopsch, as well as the corresponding member inland Ficker.² In order to meet the changed circumstances, the Commission was charged with drafting new Statutes that conformed with the legal situation of the German academies. The Advisory Commission was also charged with formulating the new By-Laws necessitated by the new Statutes.³

At the General Assembly of 8 April 1938, Secretary General Egon Schweidler gave a first report on the work of the Advisory Commission and presented a draft of the new Statutes. The draft was discussed paragraph by paragraph and finally adopted with minor changes. The final stylistic editing was reserved for the Presiding Committee, whereupon the new Statutes were to be forwarded for approval to Berlin.⁴ The correspondence was not undertaken directly with Berlin, however, but with the Department of Interior and Cultural Affairs, section IV, in Vienna. This section also conveyed to the Academy the new Statutes (albeit still titled Provisional) as approved by the Reich Ministry of Science, Education, and Culture as per the decree of 22 July 1938. President Heinrich Srbik reported to the General Assembly of 21 October 1938 on the establishment of the new Statutes and the changes, emphasizing his gratitude for the support of *Oberregierungsrat* [senior councilor] Hans Huber, who headed the Austria Office in the Reich Ministry of Science, Education, and Culture in Berlin. In this function Huber also played a significant role in the “cleansing” of Austrian universities in 1938.⁵

The changes to some points in the Statutes resulted simply out of the need to adapt to the provisions of the German academies. Thus, in accordance with the German usage full members were called ordinary members and the separation of corresponding members between those in Austria and those abroad was abolished. While

¹ See Kopetz (2006), *Akademie*, pp. 139–42.

² See AÖAW, Minutes of General Assembly of 25 March 1938 (A 933).

³ See AÖAW, Minutes of General Assembly of 25 March 1938 (A 933), and AÖAW, Minutes of General Assembly of 21 October 1938 (A 939).

⁴ See AÖAW, Minutes of General Assembly of 8 April 1938 (A 935).

⁵ See AÖAW, Minutes of General Assembly of 21 October 1938 (A 939).



Fig. 45: Academy building (1935)

the task of the Academy had been to promote science “in every way,” whereby “when carrying out its duties, it has the right to support and assistance from the Federal Government,”⁶ the Academy’s tasks were now defined as the advancement of science “in the service of the German people”; “[the Academy] is under the special protection of the Reich.”⁷ At the General Assembly of 8 March 1940, President Srbik was to notify the members that some smaller changes in the Statutes had become necessary.⁸

In 1941, Minister Rust then attempted to adapt the Statutes of the Vienna Academy to those of the other German academies. President Srbik informed the General Assembly on 17 October 1941 about this; the minutes state, however: *The President reported on the draft of the Academy Statutes received from the Reich Minister during the academic holidays and requested the belated approval of the objections and suggestions he had made. The Academy as a whole granted the belated approval.*⁹

At the General Assembly of 2 July 1943, he pointed out that the Minister of Science, Education, and Culture had envisaged earmarking a net Reich subsidy for the Academy, while maintaining its legal autonomy.¹⁰

The original number of 66 full (now: ordinary) members, 33 in each Section, was retained, although now instead of 17, at least 22 members of each Section were to reside in or near Vienna. If a member transferred his residence outside the “Land of Austria” while maintaining Reich citizenship, ordinary membership was to be retained but it was not to be included in the maximum number of members. If a current ordinary member became a citizen of a foreign country, his membership was automatically re-designated as corresponding member abroad. The total number of corresponding members was to remain at 160, of which each Section was to have 80. While up to this point the number of nationals in each Section had been limited to 35 and that of foreigners to 45, it was now determined that of the 80 corresponding members in each Section, at least 55 were to have Reich citizenship. Of these, at least 25 nationals had to have their domicile in the “Land of Austria.” Of the foreign corresponding members, however, “German ethnicity is to be represented accordingly.” The number of honorary members was limited to a maximum of eight for the Academy, elected by both Sections, and to a maximum of ten per Section.¹¹

Probably the most significant change in the Statutes had to do with the election and confirmation of elected members, because here is where the deepest intervention in the Academy’s autonomy occurred: Paragraph 7 of the Statutes formerly read, as it did again after 1945 and still does today: “Through the completed election, the

⁶ BGBl. of 14 October 1921, No. 569, §2.

⁷ The Provisional Statutes are printed in the *Almanach* for 1938, 88 (1939), pp. 9–16, but also in Meister (1947), *Geschichte*, pp. 240–2, here: §2.

⁸ See AÖAW, Minutes of General Assembly of 8 March 1940 (A 951).

⁹ AÖAW, Minutes of General Assembly of 17 October 1941 (A 965).

¹⁰ AÖAW, Minutes of General Assembly of 2 July 1943 (A 980).

¹¹ *Almanach* for 1938, 88 (1939), p. 11. See also Meister (1947), *Geschichte*, p. 181.

§ 7.

Die Akademie wählt ihre Mitglieder nach der in der Geschäftsordnung bestimmten Wahlordnung. Durch die vollzogene Wahl erwerben die Gewählten ohneweiters die Rechte der Mitgliedschaft.

§ 8.

Das Präsidium der Akademie setzt sich zusammen aus einem Präsidenten, einem Vizepräsidenten und zwei Sekretären. Der Präsident und der Vizepräsident, ebenso die zwei Sekretäre müssen verschiedenen Klassen angehören. Einer der Sekretäre leitet neben den Geschäften der Klasse, der er angehört, auch die Geschäfte der Gesamtakademie und führt den Titel Generalsekretär.

Die Amtsdauer des Präsidenten und des Vizepräsidenten beträgt drei Jahre, die der beiden Sekretäre vier Jahre.

Der Präsident, der Vizepräsident, der Generalsekretär und der zweite Sekretär werden in Gesamtsitzungen der Akademie aus den wirklichen Mitgliedern gewählt und sind nach Ablauf ihrer Amtsdauer wieder wählbar, der Präsident und Vizepräsident jedoch nur mit drei Vierteln der abgegebenen Stimmen bei Anwesenheit von zwei Dritteln der wirklichen Mitglieder.

Die Wahlen der Mitglieder des Präsidiums bedürfen der Bestätigung durch den Bundespräsidenten.

Fig. 46: Statute of 1922, §§ 7 and 8

elected persons shall automatically acquire the rights of membership.”¹² It now read: “The completed election must be confirmed by the Minister of Science, Education, and Culture. The confirmation may be withdrawn.”¹³ And while until then paragraph 8 stated that the election of the members of the Presiding Committee had to be confirmed by the Federal President, the new Statutes limited the rights of the Academy in that it could merely propose persons coming from the ranks of the ordinary members for nomination to the Minister for Science, Education, and Culture. The appointment was a matter for the Reich Minister. And whereas in the old Statutes the principle of collegiality was emphasized: “The Presiding Committee is made up of a President, a Vice-President and two Secretaries,”¹⁴ it now read: “At the head of the

¹² Statutes of 1922, and Amendment of 26 February 1925 in the *Almanach* for 1937, 87 (1937), p. 13.

¹³ Provisional Statutes in the *Almanach* for 1938, 88 (1939), p. 12.

¹⁴ Statutes of 1922, and Amendment of 26 February 1925 in the *Almanach* for 1937, 87 (1937), p. 13.

§ 7.

Die Akademie wählt ihre Mitglieder nach der in der Geschäftsordnung bestimmten Wahlordnung.

Die vollzogene Wahl bedarf der Bestätigung durch den Reichsminister für Wissenschaft, Erziehung und Volksbildung. Die Bestätigung ist widerruflich.

§ 8.

An der Spitze der Akademie steht der Präsident der Akademie. Er wird vertreten und unterstützt durch einen Vizepräsidenten und zwei Sekretäre. Der Präsident und der Vizepräsident, ebenso die zwei Sekretäre müssen verschiedenen Klassen angehören. Einer der Sekretäre leitet neben den Geschäften der Klasse, der er angehört, auch die Geschäfte der Gesamtakademie und führt den Titel Generalsekretär.

Die Amtsdauer des Präsidenten und des Vizepräsidenten beträgt drei Jahre, der beiden Sekretäre vier Jahre.

Der Präsident, der Vizepräsident, der Generalsekretär und der zweite Sekretär werden aus der Zahl der ordentlichen Mitglieder vom Reichsminister für Wissenschaft, Erziehung und Volksbildung ernannt. Die Akademie kann geeignete Mitglieder vorschlagen.

Fig. 47: Statute of 1938, §§ 7 and 8

Academy is the President of the Academy. He is represented and supported by a Vice-President and two Secretaries.”¹⁵

Reich Minister Rust was able to impose a change of Statutes on the Berlin Academy in which the “Führer principle,” the strict application of the Reich-Citizen Law, as well as a relaxing of the geographical restrictions for ordinary members were explicitly defined. In contrast, the Statutes of the Vienna Academy were subject to relatively small changes, and thus offered few opportunities for enforcing the “Führer principle” at the Vienna Academy.

The contents of paragraphs 9 to 11, in which the tasks of the Presiding Committee and members’ rights were set out, were not changed. In paragraph 12, which had previously also explicitly regulated postage and fee waivers as well as tax exemptions, and had also guaranteed the Academy the right to “utilize the active support of federal and regional authorities for projects of its own or which it had arranged,” the relevant provisions were replaced by the phrase “the scholarly activities of the Academy shall

¹⁵ Provisional Statutes in the *Almanach* for 1938, 88 (1939), p. 12.

be promoted by the Reich and state agencies.” While paragraph 15 had previously stated that the statements of accounts were to be examined by the independent *Rechnungshof* [Court of Auditors], this control was now exercised by the responsible Ministry itself. In contrast, the other parts of the old Statutes were adopted virtually unchanged, with any changes only concerning language conformity. New, however, was an additional paragraph 20, in which it was stated: “The By-Laws and Amendments to the Statutes and By-Laws are subject to the approval of the Minister for Science, Education, and Culture.”¹⁶

It has frequently been pointed out that these Statutes were also remarkable in that the “Land of Austria” is mentioned more than once (and indeed until 1945). In the spring of 1938 this definitely still corresponded to official usage. Thus announcement of the federal law of 13 March 1938 in connection with the “Anschluss” also spoke of the “reunification of Austria with the German Reich.” It was only on 24 May 1938 that the “Land of Austria” was divided into seven *Gaue* [highest regional organizational units of the Nazi Party]. This meant that in the course of 1938, Austria was also linguistically extinguished and replaced by the term “*Ostmark*.” A Führer decree of 1942 introduced the official designation Danube and Alpenreich *Gaue*. The continued existence, year after year and thus at a time when it had already officially long been suppressed, of the expression “Land of Austria”¹⁷ in Provisional Statutes as printed in the *Almanach* at least reflects a certain stubbornness on the part of the Academy as an institution.¹⁸

The Provisional Statutes shared the fate of so many provisional matters: they remained in force throughout the Nazi era and were replaced in 1945 by the original Statutes of 1922, including their Amendment of the year 1925.

Herbert Matis

¹⁶ Provisional Statutes in the *Almanach* for 1938, 88 (1939), p. 16.

¹⁷ This is also pointed out by Graf-Stuhlhofer (1995), *Akademie*, pp. 135 and 159.

¹⁸ But even departments in the so-called Altreich still used this designation in the 1940s, and some firms retained the term “Austria” in their company names throughout the Nazi era.