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# Continuity and Change in the Vienna Police Force, 1914–1945

## Part II

### Abstract

Part II is the second half of a study examining the transformation of the Viennese police during four political systems. Part I had shown that the police was centralized and given additional powers between 1927 and 1934, yet the force was not ideologically unified, as a small section joined the Nazi Party. Part II, covering Austrofascism and Nazism, sheds light on the Kriminalpolizei and the Sicherheitswache (the latter became the German Schutzpolizei after March 1938). Both institutions were shaped “from above” and “from below”. The Nazi Sicherheitsdienst wanted to build a new, expanded state police in Vienna (the Gestapo) and secure the compliance of the regular police, yet police at the middle and lower ranks adapted themselves to Nazi policy, even if they were not Nazi Party members. In particular, the Kriminalpolizei and Schutzpolizei helped enforce labor policy, expropriation, racial persecution, and deportation of Roma and Jews.

### Developments under Austrofascism

The late republic had already brought about a greater centralisation of the police, leading to growing conflicts with social democracy and communism, as the police had viewed the latter as the major threat to the state since the First World War. 1933 was a transitional year as the government’s ban on oppositional political parties opened the door to more police crackdowns on party meetings and publications across the political spectrum, as well as satirical and scholarly publications. Police reports from the autumn of 1933 show that the police leadership wanted the institution to serve the dictatorship: It investigated leftist groups, presented information to the state prosecutor arguing that they should be prohibited, protected major Catholic events that were pro-regime, and confiscated newspapers that criticised the Dollfuß government.<sup>1</sup> Emmerich Tálos argued that before the establishment of Austrofascism, the government had used the police to control political opposition, and that the Dollfuß government now wanted to use the police to achieve its goal of creating a fascist government.<sup>2</sup> As evidence of this, he cited the centralisation of police or-

- 1 In Österreichisches Staatsarchiv, Archiv der Republik, Bundeskanzleramt, Bundeskanzleramt-Inneres, Bundespolizeidirektion Wien (OeStA/AdR BKA BKA-I BPDion Wien) Berichte, 1933 Sept. (K. 35), see the police surveillance of social democratic meetings (where socialists criticised the Viennese municipal government’s financial situation), Pr.Zl. IV-1-36/33/340, 5 September 1933; the police application to shut down the Bund der Freunde der Sowjetunion on the grounds that the group was engaged in revolutionary activity, not only working to prevent war, Pr.Zl. IV-756/33/23, 5 September 1933; and police protection for the Allegemeine deutsche Katholikentag, a multi-day event of Catholic speeches and hero commemorations that the police thought might be opposed by social democrats and Nazis, Pr.Zl. IV-6566/2/33, 3 September 1933; Pr.Zl. IV-6566/33, 9 September 1933; Pr.Zl. IV-6566/15/33, 12 September 1933. In OeStA/AdR BKA BKA-I BPDion Wien Berichte, October 1933 (K. 36), see the report on the police’s seizure of the entire print run of the Arbeiterzeitung from 8 October 1933, Z. 3061 G.P.P./33, 9 October 1933, and the report on the strikes which followed, Pr.Zl. IV-1-524/33, 10 October 1933.
- 2 Emmerich Tálos, *Das austrofascistische Herrschaftssystem. Österreich 1933–1938*, Vienna 2013, 228–230.

ganisation, the elimination of civil liberties, increased use of police authority to determine punishments (under *Polizeistrafrecht*), and the establishment of detention camps (*Anhaltelager*) used to intern Nazis, social democrats, communists, and other political opponents, who could be sent there without a criminal proceeding proving they had committed a crime. Elisabeth Winkler explained that the authoritarian Dollfuß government wanted the police to conform to its views by creating a new special disciplinary commission on 10 May 1933 in which public employees (including the police) could be terminated if they “knowingly promoted efforts hostile to the state or government”. She noted that this was geared more toward Nazis in the police than social democrats, some of whom had already been purged after 1927.<sup>3</sup>

Yet the concept of the police as a tool does not give much weight to the internal dynamics of the police at the lower and mid-levels, nor does it address the police as a complex social institution with its own customs, culture, and relationship with the public (other than as a blunt instrument of repression). In fact, by concentrating on the decisions of the Ministerial Council to create new disciplinary measures – or the decisions of the security minister or chancellor to supervise the police directly – the historian may unintentionally end up excluding the social and cultural aspects of the police as an institution. Additionally, some of the developments under Austrofascism have precedents in the imperial past. For example, Tálos stated that a new part of the Austrofascist system was the establishment of the State Police Bureau in November 1933, emerging from the *Generaldirektion für die öffentliche Sicherheit* (General Directorate for Public Security). He describes the Bureau as a type of centralised intelligence service that cooperated with a police commissar in every federal state to surveil political opposition groups, such as social democrats, communists, and Nazis. The Bureau had the power to determine the nature and extent of punishment, as well as send people to a detention camp.<sup>4</sup> Actually, this replicated certain aspects of the First World War-era *Defensive Kundschaftsdienst* and the State Police, which investigated persons perceived as hostile to the monarchy, state, or military, who were then sent to detention camps. The First World War system was different in some respects: As explained in Part I, there was closer cooperation between the military and the police in creating a central record system of information, and the wartime *Defensive Kundschaftsdienst* (from the perspective of the planners) was supposed to protect the Dual Monarchy against spies and saboteurs, while the Austrofascists wanted to use the police to cement dictatorial rule. But as evidence of continuity, one can look to Otto Steinhäusl, who was the head of the *Sicherheitsbüro* until he was removed in 1935 due to Nazi activity. Actually, the *Sicherheitsbüro* had existed as part of the *K.k. Polizei-Direktion* during the First World War, and Steinhäusl worked in that office at the time, leading investigations into “politically suspicious persons”. For example, he worked on a case in 1914 in which a Serbian businessman, born in the Banat and a Hungarian subject, was accused of supporting Serbian nationalism and was therefore sent to internment camps in Austria and Hungary for several years.<sup>5</sup>

3 Elisabeth Winkler, *Die Polizei als Instrument in der Etablierungsphase der austrofascistischen Diktatur (1932–1934) mit besonderer Berücksichtigung der Wiener Polizei*. (Dissertation), Vienna 1983, 32–48, 111–120. Winkler argued that starting in 1927, the right-wing government tried to force policemen to conform to its views by disciplining those who expressed political views critical of the government, changing the voting rules for the election of police union stewards (to favour the “Unpolitische Liste” associated with the Christian Social Party), and then instituting rules in January and February 1934 that allowed the government to suspend public employees even if they had not committed a punishable offence.

4 Tálos, *Das austrofascistische Herrschaftssystem*, 233.

5 His signature appears on the “Agenten vom Dienst” document for the case. He signed the protocol for the police’s search of the suspect’s house (Johann Notarosch) and it appears that he wrote the report summarising his

The impact of two major events – the social democratic revolt of 12–14 February 1934 and the Nazis’ putsch attempt in July 1934 – should also be analysed to consider the transformations in the police in this period. First, let us consider the impact of the social democratic revolt. Though the police leadership and state prosecutors later tried to claim that the whole revolt was a centrally planned attempt to overthrow the state, the events in Vienna actually began as sympathy strikes with protesting workers in Linz, who were demonstrating against weapons searches and the government’s decision to ban the Social Democratic Party.<sup>6</sup> In Vienna, after the government ordered the arrest of social democratic leaders and confronted protesters in the streets (in some cases shooting at them), the situation escalated into an armed revolt by the Republikanischer Schutzbund, which attacked police stations, killed police officers, and took police officers hostage.<sup>7</sup> The Austrian Social Democrats had stated in 1933 that a general strike was a legitimate course of action if their party was prohibited or there was an attempt to change the constitution by a coup,<sup>8</sup> while operatives who were allegedly smuggling weapons for the Schutzbund claimed that the formation of an armed group was necessary to oppose other armed groups that wanted to eliminate the constitution and undertake a putsch.<sup>9</sup> An internal police update, submitted while the revolt was in progress, acknowledged that the revolt was not a centrally executed operation, but that every Gemeindehaus was working autonomously.<sup>10</sup> The dynamic of escalation (police searches and arrests, police attacks against demonstrators, and the response by the Schutzbund to move from strikes to armed revolt) produced a civil war situation. The police were not equipped for this; under machine gun fire, they lost control of police stations in the working-class districts of Simmering and Floridsdorf and had to evacuate them on 13 February.<sup>11</sup> The Schutzbund, along with tram workers, occupied the tram and railway station in Floridsdorf, which lies northeast of central Vienna, across the Danube. This cut off a vital northeasterly transportation route within the capital. The government brought in military artillery and began bombarding occupied buildings, forcing the Schutzbund to flee some areas, but the government was unable to dislodge the fighters from the Floridsdorf police station, deciding finally to suspend the assault as darkness approached.<sup>12</sup> The government was only able to break the resistance on the third day (14 February) by resuming shelling and sending in additional military troops, call-

findings to the chairman of the Sicherheitsbüro on 27 August 1914. See: Archiv der Landespolizeidirektion Wien (LPDW), 1914, Scha. V/7, 433/914/K.

6 OeStA/AdR BKA BKA-I BPDion Wien Februar-Akten, 1934, K. 10, Pr.IV- 2606/158/1934, Betreff: Aufstellung über das Einsetzen der Kampfhandlungen des Rep. Schutzbundes. Folder: Telephonische Mitteilungen, Aktenvermerk (Dr. Nagy), 12 February 1934 (hereafter Tel. Mitteilungen).

7 On the arrests, see *ibid.*, Verhaftete prominente Führer der Soz.dem.Arbeiterpartei, 12 February 1934. On police shooting at a large gathering of workers in Floridsdorf after they were allegedly fired upon, see *ibid.*, “Koat Floridsdorf teilt mit”, 12 February 1934, 17:50 (Rupertsberger). On the police evacuation of three stations in Simmering (where 4,000 armed Schutzbund members took control), see *ibid.*, Meldung (Dr. Hellhuber Koat Simmering), 18:45. On the Schutzbund’s machine gun attack against the police station in Floridsdorf, see *ibid.*, report from 8:00, 13 February 1934 (Sturminger) and 9:00, 13 February 1934 (Rupertsberger). On the Schutzbund’s occupation of the police station in Jedlersdorf and the taking of 9-10 policemen as hostages, see *ibid.*, Aktenvermerk (Dr. Berger), 13:00, 13 February 1934.

8 See: Friedrich Adler, speech to the Special Conference of the Labour Party in London, 1 October 1933, 10, OeStA/AdR BKA BKA-I BPDion Wien Berichte, November–December 1933, K. 37, Pr.ZI.IV-10094/33, 5 December 1933.

9 See the statement of Rudolf Löw, who was arrested for allegedly arranging the financing of bullets and explosives shipped from Czechoslovakia, OeStA/AdR BKA BKA-I BPDion Wien Berichte, February 1934, K. 39, Niederschrift aufgenommen mit Rudolf Löw, BPD Wien, S.B. 931/34.

10 Tel. Mitteilungen, 13 February 1934, 19:05 (Dr. Weiser).

11 See: footnote 7.

12 Tel. Mitteilungen, Aktenvermerk, 13 February 1934, 12:15 (Dr. Berger); Aktenvermerk, 13 February 1934, 17:15 (Dr. Berger).

ing this a “cleansing action”.<sup>13</sup> Only then could police return to occupy buildings previously held by the *Schutzbund*.<sup>14</sup> The police claimed victory, retaking *Schutzbund*-controlled buildings and arresting anyone suspected of participating in the revolt. In Floridsdorf, police arrested 1,000 persons and seized 1,000 rifles and 50–60 machine guns.<sup>15</sup> This pattern was repeated elsewhere in the city, as the police, military, and *Heimwehr* dismantled the *Republikanischer Schutzbund*.<sup>16</sup> The government then banned organisations with social democratic membership – or those which it said were connected to the party. The police was the agency that actually shuttered them, stunting Viennese cultural life by closing down associations devoted to music, theatre, bike tours, nature walks, and worker organisations for specific national groups, such as Hungarians, Italians, Poles, and Yiddish-speaking Jews. Savings and lending organisations and welfare organisations for the unemployed (which were very important in the 1930s) were also forced to close.<sup>17</sup>

The police also bolstered their ranks with soldiers whose views conformed to the regime: Catholic, authoritarian, and anti-socialist. According to my study of the *Sicherheitswache* who were hired after the First World War and remained on the force under National Socialism, all the police hired between 1934 and 1938 (in my sample) were men who transferred from the Austrian army. In some cases, they only had one year of training, rather than the normal two. Some had been decorated by the army for fighting against the social democrats in February 1934.<sup>18</sup> Their anti-leftist credentials and willingness to use force made them useful assets to the Viennese police. The fact that some were hired after the Nazi putsch in July 1934 and before Schuschnigg’s July Agreement with Hitler (11 July 1936), which was supposed to guarantee Austrian sovereignty, may indicate that the police were also trying to add anti-Nazi policemen or needed replacements for suspended social democrats and Nazis.

Five months later, the Austrian Nazis’ putsch against Dollfuß in July 1934 also had a major impact on the police. *Kriminalbeamte* and *Sicherheitswache* played a prominent role in the planning and execution of the plan to take over the chancellery building, hold the Ministerial Council hostage, and declare a new Nazi government.<sup>19</sup> Konrad Rotter, the founder of the *Gersthof 2* group (the Nazi Party organisation inside the Vienna police), carried out important preparations for the putsch plan, collaborating with the leader of *SS-Standarte 89*, Fridolin Glass. Rotter was to ascertain the time when the Austrian ministers were meeting on 24 July (the original day when they were to be taken hostage), obtain plans of the chancellery, determine the nature of the military and police guards in the building, investigate the nearby area, and find police personnel who would secure the build and camouflage the actions of the *SS* when they entered the building.<sup>20</sup> Rotter also claimed (after the putsch had failed) that he was the one who had convinced Otto Steinhäusl, the head of the

13 Tel. Mitteilungen, 14 February 1934, no title; see 3 (“Die Aktion in Floridsdorf”) for a compilation of reports whose first page begins with “Oberkommissär Maly”.

14 Pr.IV-2606/2169/1934, Telegramme, Meldungen, 14 February 1934, 9:40, Zkl. 999 (Präs.)

15 Tel. Mitteilungen, Aktenvermerk 14 February 1934, 13:45 (Dr. Mitterman), Floridsdorf, meldet.

16 Tel. Mitteilungen, Situationsmeldungen am 16. Feber 1934 ab 0 Uhr 15.

17 OeStA/AdR BKA BKA-I BPDion Wien Berichte, March 1934, Vereinsauflösungen, K. 41.

18 LPDW, Personalakt Karollus, Albin, St.Nr.848/36 (148/61); Neumayer IV, Franz, St.Nr.300/36 (112/69); Oberlehner, Stanislaus, St.Nr.625/1936 (759/1946).

19 Gerhard Jagschitz, Die politische Zentralevidenzstelle der Bundespolizeidirektion Wien. Ein Beitrag zur Rolle der politischen Polizei in der ersten Republik, in: *Jahrbuch für Zeitgeschichte* (1978), 68–88; 99–129.

20 “Rotter Bericht II”, Wiener Stadt- und Landesarchiv (WStLA), Volksgericht Wien, Vg 6b Vr 7893/47 gegen Rudolf Weydenhammer, Denkschrift Konrad Rotter über den Juliputsch, 1935, transcription published by Kurt Bauer <http://www.kurt-bauer-geschichte.at/Juliputsch.htm> (22 September 2019), 15 (using Bauer’s pagination here and hereafter).

Kriminalpolizei, that the latter should take over as police chief under the projected Nazi government, led by Anton Rintelen.<sup>21</sup> The “second strike for the conquest of power” was supposed to be the takeover the police. Rintelen would appoint Steinhäusl police president; following this, Kriminalbeamte in the State Police (who were part of Rotter’s group) would arrest the current Police President Seydel, Vice President Skubl, and other leading police officials.<sup>22</sup> The importance Rotter attached to a Nazi police official taking over the police is shown by his self-serving explanation in 1935 for why the putsch collapsed: Glass had failed as a political leader. According to Rotter, because Glass did not come to the chancellery during the putsch and did not lead the political negotiations with the existing Austrian government to force it to accept a Nazi takeover, Rintelen, who was supposed to become Chancellor, did not issue a decree naming Steinhäusl police president. That meant that the rest of the police were not told that Steinhäusl should be their new commander and should follow him. Instead, according to Rotter’s logic, Steinhäusl remained passive, and the police remained ‘loyal’ to the government and repressed the putsch by surrounding the building.<sup>23</sup> This assumed that with a change in the leadership, the police would have followed. Whether this would in fact have happened in 1934 remains open to speculation, though it did occur in March 1938 under different internal and external conditions. Yet the importance of his claim is not that it provides a realistic explanation for the failure of the putsch (the real reasons lay elsewhere<sup>24</sup>); it demonstrates how Nazis in the police, such as Rotter, believed that the police was simply an institutional instrument that they could flip to their side, like a switch.<sup>25</sup> In fact, other Nazi putschists, namely Paul Hudl (who was not a policeman) and Franz Holzweber (a former army Wachtmeister who led the putsch in the chancellery) tried to convince Dollfuß, while he was wounded but still alive, to issue an order telling the state executive (the police) to recognise Rintelen as chancellor and not to storm the building – which Dollfuß refused to do.<sup>26</sup> Fey, the Heimwehr leader and a cabinet minister, also wanted to persuade the executive to follow Rintelen’s instructions (probably for his own benefit, as he hoped to take over as security minister in a Nazi-controlled government, a position he had recently lost). Technically a hostage in the chancellery, though negotiating with Holzweber, Fey wrote an appeal telling the state executive to obey Rintelen and not to attack the building.<sup>27</sup>

In addition to police involvement in the planning, approximately 25 police officers were involved in executing the plan on 25 July.<sup>28</sup> They stood guard at the Bundesturnhalle (where other police and the SS disguised themselves with military uniforms and received weapons), arrested other loyal police officers (Anton Marek and Karl Pflug) who were sent to the scene to investigate, and joined the putschists who took over the chancellery. Others, such as Johann Hoi, kept the chancellery under

21 Ibid., 16.

22 Ibid., 20.

23 Ibid., 23.

24 The putschists were unable to take over the radio transmitter in Vienna (Ravag, which would have enabled them to keep broadcasting messages that the government had resigned and their government was now in power), they failed to occupy the main police barracks (Marokkanerkaserne) and the central telephone office, and various putsch attempts in other parts of Austria, many of which were not sufficiently planned or coordinated, were all suppressed by the Austrian army. Jagschitz, *Der Putsch*, 145-167.

25 He again emphasized the importance of taking over the police leadership in the conclusion to his report, claiming that the failure of the putsch could not be blamed on him or the police organisation he led. “Rotter Bericht II”, 26.

26 Jagschitz, *Der Putsch*, 121.

27 Ibid., 123-124.

28 Ibid., 102.

surveillance during the putsch and reported news back to Rotter. Franz Kamba, a Kriminalbeamte who worked in the chancellery, was involved in planning the putsch; he had given plans of the building to Rotter. He was in the building during the occupation, playing a double role by pretending not to be in league with the putschists, though he actually kept Rotter informed of events inside and delivered Fey's appeal (and the putschists' threats) to the ministers,<sup>29</sup> who refused to agree to their terms. Instead, they opted to issue an ultimatum to the putschists: Give up, or the army, the police's Alarmabteilung, and the Schutzkorps would storm the building.<sup>30</sup>

Gerhard Jagschitz enumerated several failures by the police in preventing the putsch, partly basing his analysis on an Austrian Generalprokurator's investigation, which criticised several deficiencies in the police leadership.<sup>31</sup> The State Police had intelligence about an impending putsch in May and June 1934, including the threat that the Nazis would try to arrest the ministers, but because there were so many warnings, police officers were just told to remain on alert, rather than take specific additional security measures or open new investigations. During the initial stages of the putsch on the morning of 25 July, when Heimatschutz commanders and Fey's Adjutant Robert Wrabel learned about the putsch plan from a police Revierinspektor (Johann Dobler), who decided to betray his comrades and reveal what he knew, Wrabel did not immediately alert the security services. Instead, he met with Fey, then sent two Kriminalbeamte (the above-mentioned Marek and Pflugl) to the scene, rather than immediately securing the chancellery. At the Bundesturnhalle, Marek and Pflugl saw weapons being loaded onto trucks – which Marek managed to report before he was arrested. In this same timeframe, but before getting precise information about the events at the Bundesturnhalle, the new minister for state security, Carl Karwinsky, told Police President Seydel that he should send police officers there and secure the chancellery, but neither saw it as urgent. Part of the problem here was that Marek was telephoning information to Wrabel (not to his superior officer in the police, which was proper procedure), and that Wrabel and Fey were still acting as if they controlled state security, when it was supposed to be Karwinsky's domain. This meant that information from the police was going up the chain to Wrabel, who was not acting quickly enough, while senior police officials only got their information from Karwinsky, who only learned about an impending attack on the chancellery from Fey – during the time they were in the chancellery with Dollfuß for a meeting, literally right before the putschists arrived. The security apparatus was not prepared with an efficient flow of information nor a predetermined plan to protect the building. Furthermore, some of the security measures that the police took were either misdirected or not strong enough. For example, at the same moment Karwinsky told Seydel to send men to investigate the situation at the Bundesturnhalle, Ludwig Presser, a senior official in the State Police, learned about an impending attack on Dollfuß – a grenade attack on the Michaelerplatz, possibly a ruse to keep the chancellor at his office, where the real putsch was to occur. Presser sent Kriminalbeamte

29 The 1934 disciplinary proceedings against Kamba and other Kriminalbeamte who participated in the putsch state that as part of the theatre to conceal Kamba's role, other putschists took away his pistol when they took officials hostage in the chancellery, but they later gave it back. Wiener Stadt- und Landesarchiv (WStLA), A1-Vr-Strafakten, Landesgericht für Strafsachen Wien (Volksgericht), Vg 12 Vr 8720/46 gegen Preisegger Florian, OrNr 26, BLZ 179, Besondere Disziplinarkommission beim Bundeskanzleramt, 6 5 - B.DK./1934, Erkenntnis, 7-8 (hereafter Preisegger, Besondere Disziplinarkommission).

30 Jagschitz, *Der Putsch*, 133.

31 *Ibid.*, 107, 176. The sequence of events and the police measures in this paragraph come from Jagschitz's account, especially 90-91, 101-119.

to the Michaelerplatz to secure the area, which limited the officers he could send elsewhere. Meanwhile, Polizeirat Karl Penn went to the Bundesturnhalle with a team of Kriminalbeamte to investigate the suspicious situation there. Just as they arrived, the putschists (the SS and former army members), camouflaged as soldiers, were leaving on trucks to go the chancellery. The police tried to stop the last truck but failed, and they did not pursue the convoy. Once Karwinsky understood that something was seriously amiss at the Bundesturnhalle (due to Marek's reports), he told Seydel to secure the chancellery, and Seydel contacted the Generalinspektor of the Sicherheitswache, Rudolf Manda. But Manda only sent twenty men, rather than the Alarmabteilung, comprised of 500 men.

Before these operational failures during the putsch, the police had been unable to eliminate Nazi infiltration in the early 1930s. It is true that the Alarmabteilung in the early 1930s, led at the time by Polizeioberkommissär Leo Gotzmann, was infiltrated by Nazis, and the police leadership dealt with this problem by transferring thirty to forty officers to other district police stations in August 1933 – but these men were not dismissed. Key figures (Gotzmann, Polizeimajor Josef Heischmann, and Polizeioberkommissär Paul Hönigl) continued developing a plan to occupy the chancellery and the police headquarters on the Schottenring with the help of Nazi-oriented soldiers in the Austrian army.<sup>32</sup> Since 1931, the State Police had been trying to flush out Nazis from the police, but had limited success, given that the Gersthof group had grown during this time and Rotter had put together a group of putschists from its ranks, including officers who worked in the State Police, such as Hoi, Josef Steiner, and Karl Prieler.<sup>33</sup> Franz Morawetz, a career State Police official in the First Republic and Austrofascist state (and who later worked for the Gestapo) said that Ludwig Weiser, the chairman of the State Police, tasked him in 1931 with the secret job of attending Nazi meetings to determine which other police officers attended, often to hear Vienna Gauleiter and Nazi publisher Eduard Frauenfeld. Morawetz said in 1946 that the Generaldirektion für die öffentliche Sicherheit had him investigate police in Linz and St. Pölten who belonged to the Nazi Party after it was prohibited in 1933. Most interestingly, he claimed that he undertook top secret investigations of Steinhäusl when he was head of the Security Bureau in the 1930s, and that as a result of his reports, Weiser ordered Morawetz to search Steinhäusl's apartment and his office in one of the main police buildings at Rosbauerlande. The police found compromising material that was used against Steinhäusl, and Morawetz testified as a witness against him.<sup>34</sup> After the putsch, Steinhäusl was sentenced to seven years in prison in 1935 (though prosecutors could not prove his direct involvement in the putsch); he was released in 1936.<sup>35</sup>

The phenomenon of Nazi police officials being dismissed and prosecuted after the putsch, but then returning to serve under the Nazis, was an important feature of the key group around Rotter, too. Rotter, Kamba, Steiner, and two other Kriminalbeamte, Florian Preisegger and Johann Kaiblinger, were all dismissed from the po-

<sup>32</sup> Ibid., 70-71.

<sup>33</sup> WStLA, Vg 12b Vr 4466/47, Strafsache gegen Hoi, Johann, Niederschrift, aufgen. mit dem Krim.Bez.Insp. Prieler Karl, 15.5.1938, Abschrift von BlzI.93-95.

<sup>34</sup> WStLA, Vg 5a Vr 5261/46, Strafsache gegen Morawetz, Franz, Gedächtnisprotokoll, 1946, BlZ. 66-67, 70-71. The aforementioned Polizeirat Anton Walitschek, the anti-socialist conservative who praised the centralisation of Austrian security institutions after 1927 and managed to adapt to both the Nazi state and Second Republic later, was present at this search of Steinhäusl's office.

<sup>35</sup> Franz Weisz, Steinhäusl, Otto, in: Österreichisches Biographisches Lexikon 1815–1950, [https://www.biographien.ac.at/oeb1/oeb1\\_S/Steinhaeusl\\_Otto\\_1873\\_1940.xml;internal&action=hilite.action&parameter=steinh%E4usl](https://www.biographien.ac.at/oeb1/oeb1_S/Steinhaeusl_Otto_1873_1940.xml;internal&action=hilite.action&parameter=steinh%E4usl) (22 September 2019).

lice by a special disciplinary commission convened by Chancellor Schuschnigg's office in August 1934,<sup>36</sup> but Kamba, Kaiblinger, and Preisegger were given jobs in the Viennese police under the Nazis later, because they knew how Austrian security institutions operated, and they promoted their participation in the putsch as a mark of dedication to the Nazi movement.<sup>37</sup>

The Schuschnigg government did prosecute nine policemen for their role in the putsch, executing four and handing prison sentences to the others.<sup>38</sup> Yet the influence of Nazis in the police was not fully curtailed. The Gersthof group was dismantled, but it actually lived on as the "Hoi Group", whereby Hoi got money from the Nazi Hilfswerk and other donors and distributed money and food to Nazi policemen who had been arrested or dismissed.<sup>39</sup> Additionally, Hoi's career path shows how the Austrian state's external political dealings with Nazi Germany actually preserved Austrian Nazi policemen during the illegal period. After participating in the putsch, Hoi was arrested and investigated by a military court, but released due to lack of evidence. He was arrested again in March 1936 for Nazi activity, sentenced to six months arrest, and was to be prosecuted by the Landesgericht for treason. But after Schuschnigg signed the July Agreement with Hitler, he was amnestied, then arrested again three days later. He was released from custody in November 1936 and finally dismissed from the police.<sup>40</sup> After his dismissal, he took over the leadership of the illegal Nazi police organisation in Vienna and built an "extensive" intelligence service that kept in constant contact with the Gestapo in Berlin, specifically with Franz Josef Huber,<sup>41</sup> who surveilled Austrian Nazi groups until he became head of the Viennese Gestapo on 22 March 1938. After the Nazi takeover, Hoi returned to the police, this time working for Gestapo Referat II C 3 in Vienna (which repressed monarchists, the Heimwehr, and Otto Strasser's Black Front).<sup>42</sup>

The Viennese police under Austrofascism remained strongly anti-communist. After the government banned the Communist Party of Austria (KPÖ) on 26 May 1933, the police conducted extensive investigations aimed at destroying the party's entire underground organisation. While the police strategy during the First Republic was to keep the party under observation, then suppress its publications and demonstrations, its strategy in 1935 and 1936 was to dissolve the party's underground organisation by finding young, low-level members, arresting them, interrogating them, and pressuring them to give the names of the persons who held functions in secret cells. By following the links of the chain, one by one, the police successfully crippled the organisation. This is illustrated by the investigation of Wilhelm Korinek, a young soldier stationed in the Radetzky Barracks, which resulted in the punishment of 118 people (who were given three weeks to six months police arrest).<sup>43</sup> In 1935, the Com-

36 Preisegger, *Besondere Disziplinarkommission*.

37 This was especially necessary for them, because they did not have the educational requirements to achieve a higher rank in the police (Regierungsrat). The police president's office tried to secure this for them with a letter to the head of the Sicherheitspolizei in Berlin in 1939, but he was not successful. WStLA, 2.5.1. 8 A1-16 Preisegger, Florian, PD Wien, KBR, Zl. P104/46, Bl. 37.

38 Jagschitz, *Der Putsch*, 173.

39 WStLA, Vg 12b Vr 4466/47, Strafsache gegen Hoi, Johann, Vernehmung des Beschuldigten, 19 September 1945, Blz 9. This statement was copied from Vg 2b Vr 559/45.

40 *Ibid.*, Blz. 20-21, Niederschrift (Abschrift von Blz.85-86), aufgenommen am 22. Mai 1938 mit dem der Staatspolizeileitstelle Wien Referent II C zugeteilten Kriminal-Rayonsinspektor Hoi Johann.

41 *Ibid.*, Blz. 22.

42 *Ibid.*, Blz. 83, Staatsamt für Inneres, Abteilung 2, Niederschrift aufgenommen mit Johann Hoi, 18 September 1945.

43 WStLA, Landesgericht für Strafsachen, A11-Vr-Strafakten: LG I Vr 773/1936, Korinek Wilhelm und Genossen.

unist Party had a well-organised underground network in Vienna, with a paying membership, meetings, and publications. The police in Ottakring (a working-class district) learned from the military that Korinek possessed copies of a publication called *Der Rote Soldat*, and they arrested him. He said he was in the Republikanischer Schutzbund (which was banned at this point) and that he had shared the pamphlets with other soldiers. At first, Korinek explained that he did not know who had given him *Der Rote Soldat*, claiming a totally unknown person had just handed him the copies on the street. In a follow-up interrogation, he said he was a communist but did not belong to any political party; he also said he had belonged to the social democrats and the Republikanischer Schutzbund, but after they were dissolved by the authorities, he had left them. It is unclear from the interrogation records if he was pressured psychologically or physically, but as the interrogation continued, he finally declared: “Now I will tell the truth.”<sup>44</sup> He said he had obtained *Der Rote Soldat* from Friedrich Landl, an unemployed student, so police went to Landl’s parents’ house (he lived with them in the fifteenth district) and searched the premises. They found nothing incriminating, but arrested one of his friends, Ludwig Lang, because he “looked suspicious”. Police searched Lang’s house and found prohibited communist pamphlets. They also interrogated Landl, who admitted he was the political leader of a KPÖ cell. He may well have been pressured or threatened to confess, though police interrogations, including those going back to the Habsburg period, only relate what the suspect or witness said, not what the police said or did. Landl told police who paid dues, where his cell held meetings, who owned a duplication machine, and where they disseminated pamphlets.<sup>45</sup> Now the police were able to unravel the network from the bottom, eventually arresting 118 people in the twelfth, thirteenth, fourteenth, and fifteenth districts, as well as eliminating a union in the Bally Shoe Factory. The police claimed victory, stating they had “rolled up” the entire organisation of “Kreis III” (consisting of the aforementioned districts and neighbouring locales). They also said that they now knew how the cells were structured and who held which positions. The arrestees were charged with treason and, even though the state prosecutor decided in August 1936 to drop the charges, the police arrest was used to cow them and break up the movement. The Österreichische Rote Hilfe complained that the suspects had been mistreated during their interrogations, placed in front of a hot oven and then moved to a cold cellar. The Kriminalbeamte who conducted the interrogations denied this, stating that they had not abused or beaten anyone.<sup>46</sup> The Ministry of Justice investigated and, relying only on the police’s statements, it concluded that there had been no abuse, since only a small number of detainees had complained, and none showed any traces of mistreatment.<sup>47</sup>

The introduction of an Austrofascist dictatorship brought broad and subtle changes to the Viennese police. Following laws introduced between 1933 and 1935, the police gained increased power to censor the press, shut down oppositional publications and radio broadcasts, and conduct house searches for weapons and propaganda.<sup>48</sup> Individual rights were trampled. The police also played a role in destroying

44 Ibid., Korinek, Blz. 59, Niederschrift, 18 November 1935; Blz. 60, Niederschrift continued on 19 November 1935.

45 Ibid., Landl, Blz. 80, undated Niederschrift; Blz. 81, Niederschrift continued on 4 January 1936.

46 WStLA, LG I Vr 773/1936, Blz. 181, excerpt from Zeugenvernehmungsprotokoll, 13 May 1936, Dr. Josef Auinger.

47 Dokumentationsarchiv des österreichischen Widerstandes (DÖW), 20690/51, Bundesministerium für Justiz, 39.440-4/36, 30 July 1936.

48 For a list of these decrees, which the Nazis retained and used after they took over in 1938, see: Weisz, *Die Geheime Staatspolizei*, Vol. 8, Part 2, 2-5.

civil society and cultural institutions, especially those accused of having ties to the Social Democratic Party. The Vaterländische Front also took an interest in supervising the political reliability of new hires into the police, and a number of new policemen came from the ranks of the Austrian army, so they did not have extensive experience with neighbourhood patrols or building relationships with people in the districts where they were assigned. These factors laid the groundwork for the conversion into a Nazi police state that took place after March 1938, distinct from the Austrian police under Austrofascism. While the latter had powerful tools of repression – expanded powers of search and detention, the power to open mail and seize publications, and the ability to confine persons in police jails and detention camps (through the use of administrative law, not prejudicing second punishment by a criminal court) – the police was not an independent power centre which made policy concerning labour, property, and population. The Nazi police had these powers, controlling slave labour (and punishing forced labourers who violated their ‘contracts’), systematically expropriating property from the Jewish population and shifting assets into ‘Aryan’ hands, and deporting and exterminating ‘inferior races’. If the police under Austrofascism was a ‘state guardian’, an enforcer of harsh laws, and a repressor of opposition, under National Socialism it was all these things plus a formulator of policy and an executor of social and biological engineering. Additionally, the Viennese police under Austrofascism exhibited limited power in two key situations: It needed army intervention to suppress the socialist revolt in February 1934 and it failed to protect the dictatorship in July 1934 (as a splinter group of Nazi police helped plan and execute the putsch). The police did not have a unified self-concept – in theoretical terms, it may not have been an “alienated subculture” in the sense of the Berlin police in the Weimar period<sup>49</sup> – because even though the Viennese police was hated by the left and seen as weak by the Austrofascist right, the internal social sinews within the force did not create a unified “us versus them” mentality. There were fissures between Austrian authoritarians and Austrian Nazis and between Austrian authoritarians and former social democratic policemen who had escaped disciplinary purges and remained on the force.<sup>50</sup> These went deeper than the instrumentalisation of the police for political purposes; the stationhouse culture became divided and mistrusting.

### The Police under National Socialism

The Nazi transformation of the Austrian police in March 1938 was a multifaceted process in which the German Nazis replaced Austrian security institutions with ones built on German design, utilising Austrian minds and expertise, and converted the Austrian federal state into provinces of the ‘Third Reich’.<sup>51</sup> To understand these change, we must first examine the Nazi takeover of Austria in 1938, which occurred due to three factors. First, local Austrian Nazis staged a “pseudo-revolu-

49 George Browder, *Hitler's Enforcers. The Gestapo and the SS Security Service in the Nazi Revolution*, New York 1996, 17-18, 24.

50 I base this statement on certain Sicherheitswache who either claimed after the Second World War that they had been social democrats or whose neighbours said they had been social democratically oriented. These policemen had remained on the force under Austrofascism and National Socialism, participating in deportation transports but not joining the Nazi Party. See: LPDW, Personalakt Abramink, Oscar 587/48, St.Nr. 69/21; Personalakt Huber IV, Anton, St.Nr.857/20 (94/57); Personalakt Seidler Rudolf, St.Nr.918/19 (119/49).

51 Franz Weisz, *Die Geheime Staatspolizei, Staatspolizeileitstelle Wien 1938–1945, Organisation, Arbeitsweise und personale Belange*, (Dissertation), Vol. 4, Vienna 1991, 72-78.

tion from below”, mobilising Nazi Party supporters and fellow travellers to demonstrate in favour of an ‘Anschluß’ and to undertake pogroms which went unchecked by police. Second, there was a “quasi-legal seizure of power from above”, in which Hitler’s government pressured the Austrian government until Chancellor Schuschnigg voluntarily resigned. The Nazis then installed a new government under Arthur Seyss-Inquart and used the authoritarian constitution of 1934 to legitimise their position. The Nazi leadership purged the high bureaucracy of members of the Vaterländische Front as well as of Jewish Austrians, but preserved the higher civil service in order to maintain a functioning administration. Third, the German Nazis secured the pseudo-revolution from below and the seizure of power from above by inserting Reichsdeutsche – people from Germany proper – into positions of power, including the police, while also preserving the Kriminalpolizei and the Sicherheitswache, as they needed their support to maintain control. The external German intervention by German troops marching into Austria was a guarantee that these two other quasi-revolutions would last.<sup>52</sup> Next, the Nazis legitimised their seizure of power and the annexation of Austria to Germany by changing Schuschnigg’s plan for a popular referendum on whether Austria should remain independent into a referendum on whether Austria should be ‘reunited’ with Germany. After a propaganda campaign stressing economic recovery and the restoration of unemployment benefits, 99 percent of Austrian voted in favour of ‘re-unification’ on 10 April 1938.<sup>53</sup>

The Nazi regime’s policy toward the Austrian police was centralisation, ideological indoctrination, and forced integration into the SS police state that Heinrich Himmler and Reinhard Heydrich had developed in Germany by 1937.<sup>54</sup> The Austrian State Police was not merely given a name change (the Gestapo) and shoe-horned into the German Nazi organisational structure. Though the Nazis arrested some State Police officials immediately and retained others for their skills and local knowledge,<sup>55</sup> Himmler ordered the creation of a new Gestapo main office in Vienna, taking over the former State Police and the Generaldirektion für die öffentliche Sicherheit. The new Gestapo institution had a different set of tasks and its own organisational structure. It also had a different relationship to other state police offices in Austria than had existed during the First World War, the First Republic, or the Austrofascist period. In Habsburg Austria and the First Republic, the state police was subordinated to the Viennese Police Presidium (the office of the police president), and the police as a whole was under the control of the Interior Ministry. Under Austrofascism, the Police Directorates were put under the direct control of the chancellor, with a secondary path of control over security affairs via the Security Directors, one for each federal state. The State Police never controlled the police as a whole. On 18 March 1938, Himmler’s office issued instructions for the Organisation der Geheimen Staatspolizei in Österreich (Organisation of the Secret State Police in Austria). The Secret State Police (the Gestapo) was authorised to give orders to Police Directorates, police commissariats (the district police stations), and gendarmerie posts. Vienna and other Austrian Gestapo offices would receive instructions from the Chief

52 Botz, *Nationalsozialismus in Wien*, 51, 147-151.

53 Botz attributed this wide approval to statements of support from Vienna’s Archbishop Theodor Innitzer and social democratic statesman Karl Renner, the promise of special salary payments and the restoration of unemployment benefits, a multi-level, technically executed propaganda campaign stressing economic recovery, pan-German nationalism, Jews as “internal enemies”, and a highly organised “get out the vote” campaign. *Ibid.*, 242-245.

54 In 1936, Himmler brought the separated political police offices in the different German states under his control and created a unified Gestapo for the Reich. Browder, *Hitler’s Enforcers*, 32-33.

55 Weisz, *Die Geheime Staatspolizei*, 36-39, 41.

of the Security Police, which was organisationally subordinated to the main Gestapo office in Berlin, and these offices were to report immediately any political police matters.<sup>56</sup>

Historians present differing views about the Gestapo. Franz Weisz presented a thesis about the Gestapo as a whole for the Third Reich, plus an interpretation that the Viennese Gestapo contained rivalries and problems in information flow that threatened the cohesion of the Viennese office. The Gestapo, which began as the political police in Prussia in 1933, was not hemmed in by formal legal constraints (since the laws and decrees creating it were intentionally vague) or by regional administrative authorities. With the creation of a Gestapo law on 10 February 1936 and the insertion of the Chief of the German Police (Himmler) into the Reichsministerium des Inneren, the political police became “a foreign body in the apparatus of the internal administration [...] which wanted to change fundamentally the whole police organisation and [the highest police leadership’s] connections to the internal administration”.<sup>57</sup> The Gestapo became a dynamic institution, part of a permanent revolution. Claiming “legal state authority” for itself, it protected the Nazi leadership, enforced racial and work policies, repressed state opponents, and sought to ‘supervise’ the poor. Yet Weisz stressed the rivalries among different sub-departments in Vienna and frictions between Vienna and Berlin to such a degree that it almost appears as though the Gestapo was not effective – when in fact it was extremely effective, as well as vicious. Perhaps in tracing the intricacies of arrests, file-handling, and report-writing, one loses sight of the big picture.

Thomas Mang held that the Gestapo had unchecked power to repress thought and speech in private spaces, not only overt criminal behaviour. Following Bernward Dörner,<sup>58</sup> he stated that its legal basis was the Gesetz gegen heimtückische Angriffe auf Staat und Partei und zum Schutz der Parteiuniform (Law against Treacherous Attacks on State and Party and for the Protection of Party Uniforms) of 20 December 1934, which the Nazis introduced into the ‘Ostmark’ on 23 January 1939.<sup>59</sup> Using private denunciations and information from confidential informants, the Gestapo probed into the most intimate areas of private life, arresting and interrogating alleged perpetrators of “treacherous attacks against the state”. Compared to the State Police in Vienna during the Habsburg period, the Viennese Gestapo was a larger bureaucracy. It had more extensive executive authority (often superior to that of government administrators) and used more severe repressive measures, including torture, deportation to concentration camps, and murder. Although Mang viewed the ‘totalitarian’ system after 1938 as a new development, the Gestapo’s invasion into personal life, its arbitrary use of deportations, and the creation of an in-depth filing system were not new in Austrian history, because the political police and regular police, as part of the Defensive Kundschaftsdienst, had used similar techniques during the First World War. However, the scope and intensity of Nazi repression against state enemies were many orders of magnitude greater. The goals of repression were markedly different, too – to guard the Reich against opponents and enforce racial and social policies – whereas the goals during the First World War had been to protect the dynasty and the territorial integrity of the empire and to prevent sabotage. Yet the Nazi system could

56 Bundesarchiv (Berlin-Lichterfelde), R48/241, Fiche 3, Frames 127-128, Abschrift. Organisation der Geh. Staatspol. in Österreich, RdErl. d. RFSSuChdDtPol. im RMdI, v. 18.3.38 - SV 1 Nr. 120/38-151.

57 Weisz, *Die Geheime Staatspolizei*, 14.

58 Bernward Dörner, “Heimtücke”. *Das Gesetz als Waffe. Kontrolle, Abschreckung und Verfolgung in Deutschland 1933–1945*, Paderborn 1998.

59 Mang, *Gestapo-Leitstelle Wien*, 43-45.

draw on a psychological perspective that already existed in the minds of Austrian policemen: Malicious, dangerous elements were always lurking in the population, and minority groups could not be trusted. Although there were differences in the German and Austrian police bureaucracies, Austrian police officials were already skilled in processes of conducting background investigations, writing up records, and saving all the information in files that could be later be researched.

The Viennese Gestapo issued executive instructions to the Kriminalpolizei and other local police concerning “political policing” tasks, but its authority was not absolute. First, the Viennese Gestapo was subordinated to the main Gestapo office in Berlin, which issued central orders and set policies.<sup>60</sup> The Viennese Police Directorate no longer had the type of coordinating authority over other Austrian State Police offices that it had during the Habsburg era. Along with this new pathway of policy and reporting, the Nazis gave the Austrian police carte blanche to conduct house searches and confiscate property “outside of the heretofore set legal boundaries”,<sup>61</sup> according to a Security Police decree of 17 March 1938, which suspended all civil liberties. This decree was the same as the one that the Nazis imposed in Germany following the arson attack on the German Reichstag in 1933 (the ‘Reichstagsbrandverordnung’ [Regulation of the Reich President for the Protection of People and State]). It was one of the keystones of the Nazi dictatorship, used to eliminate communist, socialist, and other forms of opposition. However, as mentioned in the section on Austrofascism, the police in Austria already had tremendous power to conduct searches, seize publications, and impose periods of arrest on persons “hostile to the state”. As already stated, the Nazis imposed their own centralised organisational structure, but they also changed the upper leadership and expanded the categories of ideological enemies.

The first Viennese Gestapo chief was the former Munich police official, Franz Josef Huber (skilled in the surveillance of the right-wing in Austria). He was a German who was childhood friends with Heinrich Müller, a Bavarian police official who specialised in communist surveillance and headed the Gestapo Main Office’s Department of Interior Political Affairs since 1936, then was named inspector of the Sicherheitspolizei in Austria in March 1938. Both had worked for the Gestapo Main Office in Berlin and were trusted by Reinhard Heydrich, the head of that office since April 1934.<sup>62</sup> After a short transitional period in which different Gestapo branches were located in the offices of the Police Presidium on Schottenring 11, and the offices of the former Generaldirektion für die öffentliche Sicherheit were located in Herrengasse 7, the main headquarters were installed in the Hotel Métropole on the Morzinplatz. The Gestapo transformed the former hotel into a labyrinth of offices for its many departments and jail cells for interrogation victims. The site represented repressive authority, terror, as well as uncertainty (for the families who visited there to find out what happened to their spouses, siblings, and children).

On 20 July 1938, the police received instructions defining the Gestapo’s main tasks in Austria: the suppression of Bolshevism, the surveillance of Jews and Jewish

60 On Huber’s biography, see *ibid.*, 111–121. Müller was only inspector for a short time, becoming head of the Gestapo Main Office in 1939. In the inspectorate position in Austria, he was succeeded by Franz Stahlecker, and when Stahlecker left, Huber, already Gestapo chief, became the inspector as well.

61 BA, R58/256, Der Chef der Sicherheitspolizei, SV-1 Nr. 128, Erlaß, Staatspolizeiliches Einschreiten, 17 March 1938.

62 Heydrich later headed the Reichssicherheitshauptamt (RSHA), founded shortly after the invasion of Poland in September 1939, which combined the Security Police (the Kriminalpolizei and Gestapo) with the Security Service (the SD). Carston Dams/Michael Stolle, *The Gestapo. Power and Terror in the Third Reich*, translated by Charlotte Ryland, Oxford 2014, 19.

politics, the surveillance of right-wing opposition movements, the investigation of corruption in the economy (including Jews who attempted to ‘conceal’ their capital), the control of press affairs, and defence against espionage and treason.<sup>63</sup> Groups of internal enemies were assigned to individual bureaus of Gestapo Abteilung II: IIA repressed left-wing movements (socialists and communists), IIB handled “world-view enemies” (including churches and Jews), and IIC surveilled non-left-wing political opponents (the former Christian Social Party, armed groups associated with the Dollfuß-Schuschnigg regime, and Habsburg legitimists).<sup>64</sup> Bureau IIE supervised large-scale expropriations of well-off Jews and political opponents; it also enforced the regulations of forced labourers and carried out the largest number of arrests in 1940/1941.<sup>65</sup> Controlling the transfer of Jewish property to ensure that it was taxed by the state and only went to approved buyers, not to the party-appointed ‘Kommissars’ was important to the regime in 1938/1939, while the control of forced labour, used to replace German male workers sent to the front, grew in importance from 1940 onwards.<sup>66</sup> The purview of espionage was given to Gestapo Abteilung III, though it had conflicts with the Sicherheitsdienst, whose bureaucrats handled foreign intelligence as well as domestic surveillance.<sup>67</sup> The Viennese Gestapo obtained its information through denunciations, confidential informants, and political prisoners, who under the extreme duress of torture were forced to reveal names of other people. In some cases, the Gestapo wrote reports to create a pseudo-legal basis for the state prosecutor to bring charges. A special court focusing on treason and crimes “undermining military strength” (Wehrkraftsetzung) called the Volksgerichtshof (People’s Court) was extended to Austria in June 1938. A comparative study of cases in Austria and Hesse conducted by Wolfgang Form showed that there was a higher number of investigations and a higher proportion of death sentences in Austria, indicating the effective power of the legal system in crushing resistance in Austria.<sup>68</sup> The Gestapo regularly transferred prisoners to concentration camps, such as Dachau and Mauthausen, without sending the case to a prosecutor, either because the evidence was too thin or Gestapo officials wanted to preserve the prisoners, such as agents working with Allied parachutists, to exploit them for more information.<sup>69</sup> The Gestapo also sent resistance groups to Mauthausen directly for execution. For exam-

63 The instructions were contained in a three-page memo issued by the Reichsstatthalter-Landesregierung (presumably Arthur Seyss-Inquart’s office), the State Secretary for Security Affairs and Higher SS and Police Leader (at this time Ernst Kaltenbrunner), and the inspector of the Sicherheitspolizei (during the summer of 1938 still Heinrich Müller). The text reminded the Vienna police that they were to report any political police matters immediately to the local Gestapo office and that they were required to follow the Gestapo’s instructions (referring back to Himmler’s circular decree for Austria from 18 March 1938). It then repeated a short passage from Nazi Germany’s third Gestapo Law from 10 February 1936 stating that the Gestapo’s task was to investigate and combat all activities dangerous to the state in the entire territory of the state. Next, it listed the types of state enemies it would combat, as well as types of activities it would suppress, including treason, attacks against the party and state, atrocity propaganda, attempts to build new parties and organisations, unauthorised possession of weapons, and misdemeanours against price freezes. See: LPDW, Normalien 1938, Tgb. Nr. S II A 1 – 18/38g, Aufgabenbereich der Geheimen Staatspolizei, 20 July 1938.

64 WStLA, Vg 12 Vr 1223/47, Strafsache gegen Ebner, Karl, OrNr 54, Blz. 231, Geschäftsverteilungspläne der Gestapo aufgest. v. Besch.; Weisz, Die Geheime Staatspolizei, 152-164.

65 *Ibid.*, 329-350.

66 Botz, Nationalsozialismus in Wien, 317-323; Weisz, Die Geheime Staatspolizei, 346.

67 BA R58/827, Stabskanzlei I 11 Sche/Ld, Vermerk, 5 July 1938, especially 6-8. This Sicherheitsdienst memo (probably authored by Walter Schellenberg) argued that the Gestapo’s organisation was outmoded and that it should be replaced by a centralised bureau (run by the Sicherheitsdienst) that would gather and evaluate foreign and domestic intelligence about regime opponents. The author claimed that under the Gestapo system, an event that warranted State Police investigation was recorded in 6 or 7 card index files, which was inefficient.

68 Cited in Wolfgang Neugebauer, *The Austrian Resistance, 1938–1945*, translated by John Nicholson and Eric Canepa, Vienna 2014, 43-44.

69 *Ibid.*, 38.

ple, young communists and socialists, comprised of Viennese and Czechs living in Vienna, were sent to Mauthausen and shot on 6 November 1941 as alleged members of the Tschechische Sektion der KPÖ (Czech section of the Communist Party of Austria). In the first four months of 1945, the Vienna and Linz Gestapo sent more than 400 Austrians of all political orientations to Mauthausen, where 120 of them were gassed.<sup>70</sup>

Vienna also lost its status as a capital city, which affected the authority of the police in the former country. Under Himmler's system, Austria's former Security Directorates were transformed into Gestapo offices, each with its own area of jurisdiction; they answered to the main Gestapo office in Berlin, not Vienna.<sup>71</sup> The Viennese Gestapo had jurisdiction over the City of Vienna, the territory of former Lower Austria, and the northern Burgenland (including the former capital, Eisenstadt). It also controlled several satellite Gestapo offices in nearby cities (St. Pölten, Wiener Neustadt, und Znaim/Znojmo) and supervised the border police in charge of the Czech and Hungarian borders (following the German occupation of the areas bordering southern Moravia and Slovakia after the Munich Agreement).<sup>72</sup> According to the above-mentioned "Organisation of the Secret State Police in Austria" from 18 March 1938, the Viennese Gestapo was required to transmit Berlin's instructions to other Gestapo offices in Vienna and could request reports from them, but it was not their commander.<sup>73</sup> At a higher policy level was the Sicherheitsdienst (SD). In Germany, the SD had been the intelligence-gathering service for the party, verifying the reliability of party members and officials. From 1934 to 1937 it engaged in a power struggle with the Gestapo to gather intelligence about internal enemies, but the two institutions also cooperated in efforts to force foreign Jews to leave Germany. After 1938, the SD was able to carve out a place for itself as the architect of extreme population policies (going far beyond the policy of emigration its intellectuals had supported in the mid-1930s) by positioning itself as the office that could channel the most radical wing of the Nazi Party.<sup>74</sup> The role of the SD to set policy and issue instructions to Vienna, which was then required to transmit and follow those instructions, is visible in the SD's orders to the Vienna Gestapo concerning the November Pogrom in 1938. Heydrich, as head of the SD, ordered the Gestapo to instruct the regular police that the latter should not prevent the 'demonstrations' against the Jews (actually pre-planned SS grenade attacks against synagogues, and pre-planned looting and arrests conducted by Nazi Party members). The regular police were instructed to take an active role by seizing all the archives of the synagogues and arresting "as many Jews in all districts – especially the rich – as can be accommodated in existing prisons."<sup>75</sup>

The regular police, which had important, day-to-day interactions with people – concerning denunciations, reports of crimes, and investigations of real and perceived criminals – had its own organisational structure, yet it functioned as an integral part of the whole. Once the Nazis took power, they tapped the Austrian Nazi and former Security Bureau Director Otto Steinhäusl to be the police president, with authority

70 Hans Maršálek, *Die Geschichte des Konzentrationslagers Mauthausen*. Dokumentation, Vienna 2006 (originally published 1974), 190-191.

71 After 1939, the main Gestapo office became "Office IV: Investigating and Combating Opponents" in the RSHA.

72 Weisz, *Die Geheime Staatspolizei*, 108-109.

73 BA, R48/241, Abschrift. Organisation der Geh. Staatspol. in Österreich.

74 Browder, *Hitler's Enforcers*, 186-193.

75 Riots of Kristallnacht, Heydrich's Instructions, Nov. 1938, in Yitzhak Arad/Israel Gutman/Abraham Margalot (ed.), *Documents on the Holocaust. Selected Sources on the Destruction of the Jews of Germany and Austria, Poland, and the Soviet Union*, Lincoln NE 1999, 102-104.

over the Kriminalpolizei. He held this post from March 1938 until June 1940, when he died. He was replaced by Leo Gotzmann, who had commanded the police's Alarmabteilung in the 1930s and helped plan the 1934 putsch. Similar to the pre-Nazi periods, the Nazified Kriminalpolizei in Vienna had four directorates (administration, the criminal investigation inspectorates, the criminal records/wanted persons directorate, and the directorate that supervised the detectives and inspectorates across Vienna's 26 districts – five new districts had been created along with 'Greater Vienna' in 1938).<sup>76</sup> These had the autonomy to handle investigations of all types of crimes and then prepare case files for murder, "moral crimes", theft, and fraud, which went to an investigating magistrate (who had the power to call and question witnesses, the same as in the pre-Nazi Austrian system). The Police President issued controlling orders to the Kriminalpolizei,<sup>77</sup> but the detectives and inspectors also worked with some autonomy in the framework of Nazi laws and policies.

The Viennese Sicherheitswache was taken over by the German Schutzpolizei, which was organisationally subordinate to the Inspector of the Order Police. This was a separate structure from the Inspector of the Security Police, which supervised the Kriminalpolizei and Gestapo. The Viennese Schutzpolizei's main office was still located on Schottenring 11 and had its own commander (Oberst der Schutzpolizei Pohlmeier) and Chief of Staff (Oberstleutnant Butenop).<sup>78</sup> Various power centres used the Schutzpolizei to execute policy: the Gauleitung, the Inspector of the Order Police, and the Police President all issued orders to the uniformed police. Prior to the Nazi period, the Sicherheitswache had station houses in Vienna's districts (which the police organised into Rayons and Reviers); the Nazis expanded the Revier areas following the incorporation of formerly independent municipalities on the outskirts of Vienna into an enlarged metropolis ('Greater Vienna'). Reviers were organised into different Group Commandos – Centre, South, West, and East. Police officers were assigned a station house inside a Revier, and in 1941, when they were deployed into military units (called Reserve Police Battalions) they had a specific commanding officer in a Schutzpolizei-Abschnittskommando (SAK). Uniformed police officers were able to keep their jobs under National Socialism if they were 'indifferent' to the 'system regime' (the Austrofascist government), 'nationally oriented' (meaning they were pan-German nationalists), or had protected Nazis during the 'illegal period'. They did not have to be Nazis themselves, though a small proportion applied and joined during the war, either because they believed in the ideology or wanted the material advantages, such as promotions.<sup>79</sup> In 1938, a special staff, called the Illegal-

76 Handbuch Reichsgau Wien, Vol. 63/64, Vienna 1941, 677.

77 For examples, see: LPDW, Normalien 1939, Staatliche Kriminalpolizei, Rundverfügung, Zl. I B 167/39, 14 March 1939, Fahndung nach flüchtigen Angehörigen der Wehrmacht, des Reichsarbeitsdienstes, der SS-Verfügungstruppe, der Totenkopfverbände und Dienstverpflichteten; and Der Polizeipräsident in Wien, Rundverfügung, II 3000/39, 11 September 1939, Betrifft: Internierung bez. Meldepflicht von Ausländern. The first decree specified the rules that a particular inspectorate had to follow when sending out information to search for army deserters. The second detailed that all British male citizens between ages 15 and 65 had to be arrested and transferred to internment camps, while all British women (including those from British colonies) had to report twice weekly to their local police station, or they would also be interned.

78 Butenop took over this position on 26 October 1939, having previously been on the staff of the Inspekteur der Ordnungspolizei Wien. WStLA, 2.5.1.9. A1.32 (Schutzpolizei Wien), Kommando der Schutzpolizei, Betrifft: Offizierstellenbesetzung, 2a-3160, 25 October 1939.

79 For an ideological example, see the case of Josef Tremer (1907–1978), a former Bundesheer soldier who joined the police in 1935. He joined the Nazi Party on 1 October 1940 and the SS on 20 December 1941 with the rank of Obersturmführer (LPDW, Personalakt Tremer Josef, St.Nr.542/36 [300/52], Polizeidirektion Wien, Abt. I, I-1148/598/48 res, Aktenvermerk, 7 March 1949). Although he claimed after the war that his SS rank was merely equivalent to his police rank, other facts in his case reveal his ideological commitment. He attended the officer's training school at Fürstenfeldbruck, a necessary step for policemen who wanted to enter the middle-ranks of the Sicherheitspolizei, *ibid.*, OrNr 4, "Mein Lebenslauf", 5 January 1946. He was chosen to be the

isierungstab (Paul Batzelt, Ernst Schwertführer, and Stefan Rudorfer in the Police Presidium), evaluated the political backgrounds of police officers, sometimes falsifying their biographies to show that they had supported the Nazi Party during the illegal period or stood close to its views. They issued 500 to 600 confirmations of Nazi Party and SS memberships, backdating memberships, which were then approved by police official and putschist Franz Kamba, who worked in the personnel department of the Vienna Gauleitung.<sup>80</sup> The Nazi Party tried to rebuild the Gersthof 2 group by inviting Nazi policemen to register again in May 1938.<sup>81</sup>

Austrian criminal law was maintained in certain respects, but in August 1940, the Nazi regime replaced parts of Austrian criminal law with sections of German law, for example relating to the police's power of arrest: Persons could henceforth be arrested if they endangered society because they might commit future crimes. This would supposedly protect the Nazi racial community, according to the ideological-criminological theory. Judges were also allowed to "rule by analogy", meaning that if there was not a criminal law directly corresponding to the actions of the accused, the judge could interpret a similar law according to the "healthy common sense of the people".<sup>82</sup> This was a völkisch transformation of criminal law that concentrated on the supposed inclinations of the perpetrator (what the person might do in the future) rather than on crimes that the person had already committed. The system therefore stood in clear opposition to the ideas of the Enlightenment school, which argued that criminal law should protect underlying individual rights, as well as the nineteenth-century school of "protected legal interest", in which legislators contended that the state had a legal interest in protecting society's welfare by creating "police law" (Polizeirecht) that dealt with offenses against morality and decency. The Nazi system imposed in Germany and Austria made its central principle the elimination of "dangerous elements to the community", which were defined by racial pseudo-science and criminological theories based on biological determinism.<sup>83</sup>

Although some Kriminalbeamte when trying to get readmitted to the police after the Second World War claimed that they were never involved in anything political, trying moreover to draw a clear line between the Kriminalpolizei (as a "purely crime-

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transport leader of policemen from the 1<sup>st</sup> Reserve Police Company East who guarded a train of 993-1,000 Jews deported from Vienna to Theresienstadt on 10 July 1942. Yad Vashem Archives (YVA), O.51, Nazi Documentation, File No. 88, Item No. 36855621, Folio 50, 1.Res.Pol.Komp.Ost, Wien, 9 July 1942, Betrifft: Evakuierungstransport n. Theresienstadt, Doc. 49; *ibid.*, I-2502/42, Wien, 9 July 1942, 1. Vermerk. See also: Alfred B. Gottwaldt/Diana Schulle, *Die "Judendeportationen" aus dem deutschen Reich von 1941–1945. Eine kommentierte Chronologie*, Wiesbaden 2005, 297. Franz Stawa (1902–1970) represents a case of a policeman who may have applied to the Nazi Party to keep his job or seek a promotion. Stawa joined the police in 1920 but was only promoted to Rayonsinspektor on 31 July 1934. He applied to join the Nazi Party in July 1938, claiming after the war that he did this to keep his job and that he only kept paying party dues because he feared that if he stopped, he would be terminated or sent to a concentration camp. LPDW, Personalakt Stawa Franz, St.Nr.525/20 (98/61), OrNr 6, Zum Fragebogen Punkt 14. His case is unusual because he was rejected by the party in 1943 – not due to political reasons, but because the local Gau leader said: "His public reputation is not boosted by his casual control over the reins of his marriage." *Ibid.*, OrNr. 24, Gauakt Nr. 127282.

80 Weisz, *Umstellung*. See the case of Karl Bilek as an example of a police applicant who acquired fake documents to prove he had been in the SA since January 1938. Vg 2f Vr 4727/45, Bilek, Karl, Hauptverhandlung, Blz. 131; Urteil, Blz. 141-142.

81 LPDW, Normalien, 1938, Erfassung der N.S. Polizeibeamten, Pr.Z.I-196/1938, 20 May 1938.

82 LPDW, Normalien, 1940, Staatliche kriminalpolizei-kriminalpolizeileitstelle Wien, KPL. I B 55/3/1940, Österreichisches Strafrecht; Angleichung an das Reichsrecht, 28 August 1940. This introduced Paragraph 2 of the Reichsstrafgesetzbuch and replaced sections of the Austrian code of criminal procedure dealing with arrest (Paragraph 175, öst. StPO) with the Reich code of criminal procedure (RStPO), Paragraphs 112, 113, and 127.

83 Thomas Vormbaum/Michael Bohlander (ed.), *A Modern History of German Criminal Law*, translated by Margaret Hiley, Heidelberg 2014, 47-56, 172-185.

fighting police”) and the Gestapo (as a repressive political police),<sup>84</sup> the Kriminalpolizei enforced the Nazi regime’s policies concerning forced labour and racial engineering. During the First World War, the State Police had sent “politically suspicious” civilians and military deserters to internment camps, but during the Nazi period, the regular police’s involvement in controlling the movement of forced labourers was greater. During the Second World War (specifically in 1941), the Gestapo (Referat II E) wrested control of the “worker re-education” facility at Oberlanzendorf in the twenty-third district from the Vienna municipal government, whose Asozialkommission intended to send Germans from the Reich proper there, who refused to work or were considered ‘burdens’ on the social welfare system. The Gestapo instead used the facility to imprison and exploit foreign workers.<sup>85</sup> The Kriminalpolizei and the Schutzpolizei controlled where foreign workers could go and when they could use public transportation, even before forced labourers were transferred to Oberlanzendorf. In 1940, the Reichstatthalterei (the office of the governor of Vienna) decreed that Polish forced labourers (who were working in civilian enterprises) had to display a “P” on their clothes and needed police passes to ride on trains. These workers were assigned to work sites and their movements were circumscribed. In 1941, the Deutsche Reichsbahn-Reichsbahndirektion Wien notified police that Polish workers were violating these rules, so the police president at the time (Gotzmann) sent an order to the Kriminalpolizei offices reminding them to check workers’ passes.<sup>86</sup> In May 1942, Gotzmann ordered the Schutzpolizei to arrest Polish workers who did not have the necessary residency permits or travel passes. They were to be transferred to the Kriminalpolizei. If the worker was also not wearing the “P”, then the worker was to receive an administrative penalty and, after that, was sent to the Kriminalpolizei for additional punishment.<sup>87</sup> In 1943, punishment measures against forced labourers who illegally rode trains or who escaped from their work sites in the Protectorate of Bohemia and Moravia were increased. Gotzmann, “after consulting

84 See the case of Johann Zwettler, WStLA, 2.5.1.8 A1-24, Kriminalbeamtenreferat [KBR], Zwettler Johann. Post-war, Zwettler claimed that he had only carried out regular criminal police duties, not political ones, during the Nazi period. Born 22 February 1915 in Eggenberg, Steiermark, Zwettler joined the Viennese Kriminalpolizei in 1940 and then worked in two inspectorates (including missing persons and “Abortion, Homosexuality and Race Defilement”) until the Sicherheitsdienst deployed him in September 1944 to Verona, Italy and then to Padua. KBR Zwettler, Geheime Staatspolizei- Stapoleitstelle Wien, Nachrichten-Übermittlung, FS.-Nr. 33995, 25 August 1944 (Abschrift), OrNr 53. Verona had an Italian concentration camp for Jews, established by the fascist Italian Social Republic, while in the Padua province, there was the Chiesanuova concentration camp (for Yugoslav civilians and military personnel), which was taken over by the Germans after the Italian armistice in September 1943. United States Holocaust Memorial Museum Encyclopedia of Camps and Ghettos, 1933–1945, Vol. 3, Camps and Ghettos under European Regimes Aligned with Nazi Germany, Bloomington, IN 2018, 416, 474. Zwettler’s exact activities are unknown, and he claimed he was involved in regular police activities in Italy, without giving specifics. KBR Zwettler, Niederschrift, aufgenommen am 28 January 1946 im Pol.Koat. Währing, OrNr. 14, 3. He returned to Vienna in October 1945 but was ultimately rejected in 1950 for reinstatement in the police because he had never been an employee of the Austrian state. Ibid., Bundes-Polizeidirektion Wien KR Vb/231/50/Eb, 22 May 1950. The police were suspicious of him, noting that he had applied to the SS in October 1939 and had been deployed by the SD to Italy. Ibid., Kriminalbeamtenreferat to Generaldirektion für die öffentliche Sicherheit, Zl.Pers. 679/47, 25 April 1947. In fact, he admitted to wearing an SD uniform in Vienna. Ibid., Niederschrift, 28 January 1946, OrNr. 14, 2. Additionally, the SD stated in an evaluation in 1940 that he had held pro-Nazi views during the ‘Systemzeit’. Ibid., Sicherheitsdienst des Reichsführers-SS, SD-Leitabschnitt Wien, II A 4, PA 13 262/39, 14 March 1940, OrNr 30.

85 Josef Prinz, *Erziehung zur Arbeit – Arbeit durch Erziehung? Ein Beitrag zur Geschichte des Arbeitserziehungslagers Oberlanzendorf bei Wien 1940–1945*, in: Willibald Rosner/Gertrude Langer-Ostrawsky (ed.), *Forschungen zur NS-Zeit in Niederösterreich 1938–1945. Beiträge zur Zeitgeschichte aus den Jahren 2001–2006*, St. Pölten 2007, 192–206.

86 LPDW, Normalien 1941, II 30 12/41, Unerlaubte Benützung der Reisezüge durch die Polen, 28 March 1941.

87 LPDW, Normalien, 1942, II 20.45/42, Behandlung der im Reich eingesetzten Zivilarbeiter und Arbeiterinnen polnischen Volkstums, 14 May 1942. 240 copies were sent to the Schutzpolizei command for further distribution, showing that they were involved in enforcement.

with the participating offices”, decreed that workers from the Protectorate who travelled to Vienna without a valid pass should be punished,<sup>88</sup> after which the prisoner would be taken back to the police jail and transferred to the gendarmerie command in Brünn/Brno.<sup>89</sup> The police were also supposed to investigate whether the worker had broken his/her work contract (even if the worker had not violated the travel rules). If so, the worker was to be transferred to the Oberlanzendorf labour camp on the orders of the Viennese Gestapo.<sup>90</sup> Thus, regular police were charged with handling the enforcement of the forced labour system, which under certain cases could mean transfer to a camp under Gestapo control.

The Kriminalpolizei also investigated Jews and non-Jews accused of ‘race defilement’ (sexual intercourse between Jews and non-Jews, which the Nazis said damaged the ‘German race’ by diluting its purity). For example, the ‘morals’ department (Inspectorate IIB, Sittlichkeitsverbrechen) built a case against a man named Leopold Spielmann, a retired scaffold worker who had converted from Judaism to Catholicism in 1914. He was accused in 1940 of having sex with a married non-Jewish woman named Rosa Zimmerman, who lived in the fourteenth district.<sup>91</sup> Police learned about the case from a zealous low-level Nazi Party official who complained that Zimmerman was loudly arguing about the matter with her landlady; the official also complained that the landlady’s daughter (defined as ‘Aryan’) had gotten pregnant by having sex with a Chinese textile dealer.<sup>92</sup> Police determined that the latter claim was false,<sup>93</sup> but forced Spielmann to admit that he had had sexual relations with Zimmerman, rubbing his genitals against her thighs until orgasm (without having intercourse).<sup>94</sup> Zimmerman, fearing prosecution, said that she had jumped out of bed when Spielmann had approached her, but the landlady claimed she had heard the couple having sex, and the landlady’s daughter and her friend told police that they had watched the couple through a window.<sup>95</sup> After Spielmann’s trial, the court determined the couple had had a sexual relationship before the Nazis came to power, but it was not proven that they had had intercourse in 1940; nevertheless, it convicted him of attempting to engage in “racially shameful sex with a married woman” and sentenced him to one year in prison.<sup>96</sup> He was actually sent to a work-

88 The basis for punishing the worker who travelled without a valid pass was the Paßstrafverordnung of 27 May 1942 (RGBl. I, No. 57, p. 348-350), which gave the police the latitude to impose a monetary fine, arrest, jail time, or prison.

89 LPDW, Normalien, 1943, II 20.38/43, Protektoratsarbeiter, Behandlung illegal zugereister, 5 May 1943.

90 Ibid.

91 WStLA, 2.3.4, Landesgericht für Strafsachen, A12, LG II, Vr 2417/40, Leopold Israel Spielmann. Strafanzeige, II B 2-4520/40, 4 October 1940, OrNr 2. Spielmann, born in 1871 in the Burgenland, was Jewish until August 1914, when he converted to Catholicism and then married a Catholic woman, who was originally from Hungary but was living in Vienna when she got married. They had three children and apparently were still married during the time Spielmann was prosecuted. He told police that Rosa Zimmerman was a distant cousin of his wife, and he had known her since his youth. In the police’s Strafanzeige, see: Blz. 20-21, II. Zur Sache. See also his baptismal certificate and marriage certificate in the file.

92 Ibid., Blz. 7, Kreisleiter Pangerl (Kreisleitung VII) to Leiter der Kripoleitstelle, oVII/K/A, 3 September 1940.

93 After questioning the landlady’s daughter (Auguste Pospischil), police learned that she had gotten pregnant with a Catholic Austrian who had been drafted into the Wehrmacht. See: Kriminal-Assistent Kanick’s comment at the bottom of Ibid., Blz. 16.

94 Ibid., statement of Spielmann, Blz. 20-21.

95 Ibid., Niederschrift aufgenommen mit Rosa Zimmermann, 25 September 1940, Blz. 15-16; Niederschrift aufgenommen mit Aloisia Pospischil [the landlady], 19 September 1940, Blz. 12; Niederschrift aufgenommen mit Leopoldine Küttner [Auguste Pospischil’s friend], 3 October 1940, Blz. 13-14.

96 Ibid., Urteil, 20 January 1941, OrNr 19, Blz 78-79. The court also decided that Spielmann was ‘racially’ Jewish because he stated that his parents were Jewish, although he had no documents showing their religion or birthplace, while Zimmermann was ‘German-blooded’, even though she was born out of wedlock and did not know her father. Compare Vernehmung des Beschuldigten, Leopold Spielmann, OrNr. 4, Blz. 30, 12 October 1940, with the Zeugenvernehmung, Rosa Zimmerman, 28 October 1940, OrNr 7, Blz. 48.

house in Göllersdorf until October 1941, before being transferred to the Gestapo, which examined his court judgment and deported him to Dachau in January 1942.<sup>97</sup> He died there six months later.<sup>98</sup> The case illustrates that the police did not simply follow non-ideological criminal laws concerning property and personal safety, separate from Nazi policy. The Kriminalpolizei acted on the Nazi Party functionary's denunciation, probed the intimate lives of individuals, and recorded accounts (the landlady and her daughter) that were used at trial to convict Spielmann. Had the police not filed a case with the public prosecutor, he would not have been convicted and sent to a workhouse. By the time the Gestapo got involved, deciding he should be sent to a concentration camp, the police and the legal system had already condemned him. They therefore played a critical role in enforcing this system.

Several police agencies also collaborated to organise and carry out deportations of Jews and Roma from Austrian territory between 1939 and 1943. Scholars have debated whether Eichmann's Zentralstelle or Huber's Gestapo had the main decision-making power and whether they developed their own plans or carried out orders from the Reichssicherheitshauptamt (RSHA) in Berlin.<sup>99</sup> It is important to stress the various roles and interlocking responsibilities of different agencies – not just the aforementioned two. The Zentralstelle planned deportations by establishing the timetables and arranging for train transport; it also pressured the Vienna Israelite Community (Israelitische Kultusgemeinde, IKG) to liquidate its property to fund the costs of deportation. The Gestapo arrested Jews and seized their property; its officials, alongside members of the Zentralstelle and the Gauleitung, set the policies of who should be deported (and who was entitled to exceptions). The Kriminalpolizei checked the papers of persons who were required to emigrate before certain deadlines.<sup>100</sup> The Schutzpolizei guarded the trains sending deportees to transit camps, ghettos in Eastern Europe, and extermination centres.

The higher-level policies were developed in stages: Eichmann and his staff in Referat IV B 4 (in the Sicherheitsdienst) worked on a plan in the autumn of 1939 to deport Jews from Vienna, Kattowitz/Katowice, and Ostrava to a planned 'Jewish reservation' in Nisko, Poland (the 'Nisko Operation'), which resulted in five transports. Eichmann also worked out plans to expel Poles and Jews from Polish territory that was annexed to Nazi Germany, with several of these transports occurring in early 1940.<sup>101</sup> In July 1940, following the defeat of France, Eichmann was so confident in his ability to organise deportations that he demanded that the head of the IKG, Joseph Löwenherz, should draw up a plan for "a total solution to the Jewish question", encompassing four million Jews. Löwenherz initially declined, telling Eichmann that the IKG needed concrete locations and state financial aid, but Eichmann insist-

97 Ibid., Mitteilung des Abganges eines Gefangenen oder Verwahrten, Strafgefangen-Abteilung Göllersdorf, 4 October 1941, BlZ. 87; Geheime Staatspolizei to Landgericht Wien, B.Nr. 5795/41-II B/J., 29 October 1941, BlZ. 89

98 DÖW, Datenbank Gestapo-Opfer, Leopold Spielmann (born 24 December 1871).

99 Hans Safrian, *Eichmann's Men*, translated by Ute Stargardt, New York 2010, 110, stated that Eichmann "personally managed the negotiations with the responsible institutions at the target locations", concluding that the RSHA and Eichmann's office centrally planned the deportation and murder process. Mang, *Gestapo-Leitstelle Wien*, 257-262, concluded that in Vienna, Gauleiter Schirach was the main instigator, starting in the autumn of 1940, behind the deportation of Vienna's Jews, and Gestapo Chief Huber worked out the operational plans in early 1941.

100 LPDW, *Normalien 1938, Überwachung der Auswanderung der Juden*, B.f.O. 334, 15 July 1938. On 25-27 May 1938, 2,000 persons had been arrested on Gestapo orders and transported to Dachau. Doron Rabinovici, *Eichmann's Jews. The Jewish Administration of Holocaust Vienna, 1938-1945*, translated by Nick Somers, Cambridge 2011, 45.

101 Safrian, *Eichmann's Men*, 50-63.

ed on the basic outline of a plan, so Löwenherz submitted one under duress.<sup>102</sup> Eichmann could not realise his vision at this time. The RSHA's plan to deport European Jewry to the French colony of Madagascar depended on the outcome of diplomatic negotiations with the collaborationist Vichy regime, but ultimately Germany could not organise large-scale sea transports because the British Navy stood in the way.<sup>103</sup> Although Eichmann had accelerated forced emigration with an "assembly line process" – creating the Zentralstelle, which supervised the liquidation of property and the arrangement of visas – the process in Vienna was in no way smooth or efficient for the refugees. During the autumn of 1940, random arrests of Jews continued and Jews continued to be evicted from their apartments. The IKG had to negotiate with host countries that might agree to take in Jews, but also plead with Eichmann's Zentralstelle for funds to pay for emigration to Shanghai and South America.<sup>104</sup> Starting on 15 October 1940, Jews had to apply for special ID cards at an office on the Taborstraße and, starting on 1 November, all food coupons issued to Jews were marked with the word "Jew".<sup>105</sup> The police were instructed to check all registered addresses before approving ration cards, adding an additional control in the system that allowed the Zentralstelle to check addresses for later forced expulsion.<sup>106</sup> During this same period in the autumn of 1940, Gauleiter Baldur von Schirach lobbied Hitler to remove Vienna's 60,000 Jews (arguing that he needed to solve a 'housing emergency' for 'Aryans') and Hitler approved this plan.<sup>107</sup> In November, when Löwenherz discussed the ongoing harsh apartment evictions with SS-Obersturmführer Alois Brunner, the latter told him that 'resettlement' was not just occurring in Vienna, but across the whole Reich and Protectorate, so it was pointless to appeal to the Nazi governor and request a change in policy. Brunner demanded that the IKG provide twenty people who would 'help' with apartment evictions, and though Löwenherz refused, Brunner, who had the upper hand, got his way. Löwenherz then made an important trip to Lisbon to try to arrange monthly emigration to Portugal for Jews from Germany, Austria, and the Protectorate, which would be partly funded by the American Joint Distribution Committee, with additional funds coming from the IKG. But the Zentralstelle controlled the purse strings, and the IKG's funds, based on the assets that the Zentralstelle had forced the IKG to liquidate, were dwindling. Löwenherz appealed to another Zentralstelle official, Hans Günther, on 23 January 1941, telling him that there were rumours of deportations and that if they happened, the Joint Distribution Committee would not support the emigration plan. Günther lied, stating he knew nothing about deportations.<sup>108</sup> A week later, on 1 February 1941, Karl Ebner, the chief of the Gestapo department dealing with Jewish affairs, summoned Löwenherz to the Gestapo headquarters on the Morzinplatz to tell him that 10,000 people would be 'resettled' to the General Government by train, starting on 15 February 1941 and continuing weekly until May.<sup>109</sup> The Zentralstelle and

102 Vg 12 Vr 1223/47, Strafsache gegen Ebner Karl, I. Band, Löwenherz report, 15-16. Another copy of the report, with different pagination, is in Vg Vr 1866/1946, Rixinger Johann, I. Band, OrNr 26, Blz. 149-216.

103 Christopher Browning/Jürgen Matthäus, *The Origins of the Final Solution. The Evolution of Nazi Jewish Policy, September 1939–March 1942*, London 2004, 86-88.

104 Löwenherz report, 18-19.

105 *Ibid.*, 17.

106 LPDW, *Normalien 1940, Der Polizeipräsident in Wien, II 1202/40, Erfassung der Juden bei der polizeilichen Anmeldung, Erteilung von Meldebestätigungen für den Bezug von Lebensmittelkarten durch Juden*, 15 October 1940.

107 Safrian, *Eichmann's Men*, 55-56, 67-71; Thomas Mang, "Gestapo-Leitstelle Wien, mein Name ist Huber". *Wer trug die lokale Verantwortung für den Mord an den Juden Wiens?*, Münster 2004, 207-215.

108 Löwenherz report, 18-20.

109 *Ibid.*, 20-22.

Gestapo each had their domains: the Zentralstelle would choose the families who had to emigrate, while the Gestapo would seal their apartments, take their keys, list their assets, and liquidate them.<sup>110</sup> The money, Ebner said, would be used to cover “resettlement costs”.<sup>111</sup> Eleven days later, on 12 February 1941, Brunner (from the Zentralstelle), Ebner (from the Gestapo), and Henrich Laube (the business leader of the Gauleitung in Vienna) discussed the rules for how to handle disabled Jewish war veterans and couples in mixed marriages – deciding that the veterans would be examined by a police doctor to see if they were ‘fit’ enough for deportation, while ‘Aryan’ women would be encouraged to divorce their Jewish husbands, who would then be deported.<sup>112</sup> This again shows that the SD, the Gestapo, and the Gauleitung were coordinating plans.

The following day, 13 February 1941, Police President Gotzmann issued a circular memo from Huber, the Gestapo Chief, stating that the Viennese Jews were to be ‘evacuated’ to the General Government on 15 February 1941.<sup>113</sup> Mang claimed that this was a clear set of instructions from Huber to the Zentralstelle,<sup>114</sup> but a closer examination of the police order suggests otherwise. The order indicates that Huber was issuing instructions to the police (via Gotzmann) to prevent Jews in Vienna from being able to leave, because 240 copies of Gotzmann’s memo were sent to the Schutzpolizei offices. The memo also included an example copy of an authorisation form, to be signed by a representative of Brunner’s office, that any Jew would need in order to leave Vienna. The police were instructed to arrest persons who did not have this form and transfer them to a former school in the Castellezgasse, which was being used as a detention centre before Jews were deported by train. This indicates that the Zentralstelle had the authority to determine who could leave the area. Overall, this meant that the Zentralstelle and Gestapo were cooperating, with local police acting as enforcement agents. It does not prove that Huber alone, without consulting with the RSHA, made the decision to begin deportations.

According to plan, five transports left Vienna, deporting Viennese Jews to rural towns in the General Government, where they either died due to malnutrition or were sent to labour camps (and then were later murdered in extermination centres.) After these five, the deportation process stopped – either because the authorities had to deal with persons who had changed their addresses<sup>115</sup> or because the German military required trains for the upcoming invasion of the Soviet Union.<sup>116</sup>

Following the invasion, local Ordnungspolizei units took the initiative to exterminate partisans, Soviet commissars, and Jewish males in Tilsit and Białystok, and then Wehrmacht and special SD murder squads (the Einsatzgruppen) were deployed to undertake mass exterminations in occupied Soviet territory under the justification that these were security measures. Decisions by local commanders were approved by the RSHA, sometimes after the fact, which only later developed formal policies over a series of months in the summer of 1941.<sup>117</sup> Plans to deport the rest of

<sup>110</sup> Ibid., 21, point 5.

<sup>111</sup> Ibid., point 6.

<sup>112</sup> Andrea Löw (ed.), *Deutsches Reich und Protektorat Böhmen und Mähren. September 1939–September 1941*, Vol. 3, *Die Verfolgung und Ermordung der europäischen Juden durch das nationalsozialistische Deutschland 1933–45*, Munich 2012, Dok. 150, 392–394.

<sup>113</sup> LPDW, *Normalien 1941*, *Der Polizeipräsident*, II 5220–41, *Evakuierung von Juden aus Wien in das Generalgouvernement*, 13 February 1941.

<sup>114</sup> Mang, *Gestapo-Leitstelle Wien*, 251.

<sup>115</sup> Rabinovici, *Eichmann’s Jews*, 103.

<sup>116</sup> Safrian, *Eichmann’s Men*, 70.

<sup>117</sup> Browning/Matthäus, *The Origins of the Final Solution*, 250–261.

European Jewry to Soviet territory could not be realised due to the Wehrmacht's need for train transports, as well as the fact that the Germans' lightning campaign had not brought quick victory against the Soviets as planned. In September, Hitler authorised the deportation of Jews from the Greater German Reich to ghettos in the east (Łódź/Litzmannstadt, Riga, and Minsk), with the possibility of deporting them again to points further east later, changing his earlier plans to complete the 'racial cleansing' of Europe after the end of the war. This change in plans may have occurred because pressures had built up in the General Government, whereby local administrators feared the outbreaks of epidemics in Jewish ghettos (which could affect German troops). Moreover, Governor General Hans Frank was looking for a way to rid his area of Jews and Poles, agreeing to impose death sentences on any Jews caught outside their ghettos. The Higher SS and Police Leader for the Lublin District, the Austrian Odilo Globocnik, proposed the creation of an extermination camp, outfitted with fixed gas installations, to Himmler in October, having brought technical personnel from the Nazis' 'euthanasia' programme to the district in September. Himmler approved this programme, and construction on the extermination centre at Belzec began on 1 November 1941.<sup>118</sup>

Vienna enters the picture because in September, Himmler wanted to proceed with plans to deport Jews living in the Reich and the Protectorate, so Eichmann's office developed plans to deport 60,000 Jews from Vienna, Berlin, and Prague to the Łódź/Litzmannstadt ghetto – as well as 5,000 Roma from the Burgenland in Austria, including people detained in the Lackenbach concentration camp, which was operated by the police.<sup>119</sup> Himmler and the head of the Ordnungspolizei, Kurt Daluge, agreed that the Schutzpolizei would guard these train transports and ensure that no one escaped. These plans were partially realised (five Jewish transports and five Roma transports were sent to the Łódź/Litzmannstadt ghetto) with horrible consequences. Thousands of Jews were deported from Łódź to Chelmno in January 1942 and murdered in mobile gas vans,<sup>120</sup> while the Roma, more than half of whom were children, either died from typhus or were gassed.<sup>121</sup> In another turn of the wheel toward extermination, local authorities in Łódź objected to more deportees, leading the SD Referat IV B 4 to propose sending Jewish deportees to Riga and Minsk, both part of the Nazi-controlled Reichskommissariat Ostland, where the Einsatzgruppen planned to put them in camps and exploit them for forced labour.<sup>122</sup> When the civil administration in the Ostland learned in October that the RSHA planned to deport Central European Jews, they did not want them; they had already ghettoised their local Jewish populations and were working them to death. The Einsatzgruppen 'solution' in Minsk was to murder Belorussian Jews to 'make room' for incoming Central European Jews. After seven transports, the Wehrmacht opposed continuing them, stating that "more intelligent" German Jews in these transports would incite the local population to revolt. Transports (including Jews from Germany, Vienna, and Breslau) were therefore rerouted to Kovno/Kaunas, where they were executed by Einsatzgruppen. All this was determined by the decisions of local Einsatzgruppen commanders, including a decision to execute the native Jewish population in Riga to 'make space' for new transports from Central Europe.<sup>123</sup> By early 1942, the Nazis in

118 Ibid., 352-363.

119 Safrian, *Eichmann's Men*, 84-90.

120 Rabinovici, *Eichmann's Jews*, 104.

121 Gerhard Baumgartner, "Zigeunerlager Lackenbach". *Liste der identifizierten Opfer* 13.11.2010, Vienna 2010, 10.

122 Safrian, *Eichmann's Men*, 89-90.

123 Ibid., 91-111.

Riga and Minsk used gas vans to murder persons unfit for work. Reich authorities on the highest level then met with Heydrich at the Wannsee Conference in January 1942 to work out operational details for an overall deportation and extermination plan. On 31 January 1942, Eichmann issued a fundamental set of instructions to all State Police offices in the Altreich (Germany proper) and Vienna, stating the categories of Jews to be deported and ordering the State Police offices to prepare lists of persons who met these criteria. This controlling order set the wheels in motion for the major waves of deportation that followed in 1942.<sup>124</sup>

Deportations in Vienna were carried out in the spring of 1942 to Izbica in the General Government. The victims were later killed at Belzec, where gassing operations began in March 1942, and at Sobibor, where routine mass murder by gas began in May 1942. Additional transports were sent from Vienna to the Theresienstadt ghetto in the Protectorate, which served as a transit camp until the victims were later deported to the extermination centre at Auschwitz-Birkenau in Poland. Furthermore, in 1942, there were additional transports from Vienna to Minsk and Maly Trostinec, a former collective farm outside of Minsk. These Jewish victims were either shot, or a portion were used as slave labour, while the rest were killed in mobile gas vans.<sup>125</sup> In October 1942, large-scale deportations from Vienna, having decimated the community, ceased, and the Zentralstelle bureaucrats were sent to Berlin. The IKG was officially dissolved in November and was replaced by a “Council of Elders”. Yet deportations did not stop entirely at this point. In fact, police records show that there were additional deportations to Theresienstadt between January and June 1943 and two deportations to Auschwitz in March 1943.<sup>126</sup> These deportations were smaller than previous ones – but no less deadly for the victims, identified in the Yad Vashem database as Austrian Jews, Romanian Jews, Hungarian Jews, and stateless Jews.<sup>127</sup> In post-war testimony to an Austrian court, Max Weiss, the former head of the IKG’s technical department, stated that there were only 130-150 ‘full Jews’ (meaning not ‘mixed’) left in Vienna in 1945.<sup>128</sup>

Policemen were chosen to guard deportation transports by the Reserve Police Battalions to which they were assigned. In Vienna, these battalions were formed in

124 Gottwaldt/Schulle, Die “Judendeportationen”, 138-146.

125 Gottwaldt and Schulle stated that the people in this transport were shot, based on a report from the SS-Unterscharführer, who described digging pits for four days, which were then filled by the bodies of the Jews arriving on 11 May. *Ibid.*, 237-238. Safrian, Eichmann’s Men, 126, argued that eighty persons went to Maly Trostinec as slave labourers, while the rest were murdered in gas vans, as were the persons transported from Vienna on 20 and 27 May 1942 and 2 and 9 June 1942.

126 For evidence of the Jewish transports to Theresienstadt, see: YVA 51/88/36855621, Folio 93 (transports of 5, 8, and 11 January 1943), Folio 117 (transport of 30 March 1943), Folio 116 (transport of 1 April 1943), and Folio 122 (transport of 24 June 1943). The mention of a ‘Gypsy’ transport on Folio 117 is an error. One of the policemen who guarded this transport, Anton Huber IV, told a post-war police examining commission that it was a Jewish transport consisting of one car attached to a regular train. LPDW, Personalakt Huber, Anton IV, St.Nr.857/20 (94/57), Referat IV Ueberprüfungskommission, Niederschrift aufgenommen am 9. September 1946. According to the Yad Vashem database, this was a Jewish transport of 101 people. See: Transport 46f, Vienna to Theresienstadt, 30 March 1943, <https://deportation.yadvashem.org/index.html?language=en&itemId=6994447&ind=18> (22 September 2019). For evidence of the 1943 transports to Auschwitz, see: Folio 106 (transport of 3 March 1943) and Folio 119-120 (transport of 31 March 1943). Folio 119 mistakenly lists the destination as Auspitz, but this is corrected on Folio 120, which states that Revierleutnant Franz Reinbacher was given an advance of RM 70 for the trip to Auschwitz. Unlike the transport from Vienna to Auschwitz on 17 July 1942, which carried 995-1,000 Jews, these were smaller transports (3 March 1943 had 75 Jews, while 31 March 1943 had 82).

127 See the Yad Vashem database for the statistical data for transport 47b to Auschwitz (<https://deportation.yadvashem.org/index.html?language=en&itemId=7085848&ind=3>) and transport 46f to Theresienstadt (<https://deportation.yadvashem.org/index.html?language=en&itemId=6994447&ind=18>, 22 September 2019).

128 WStLA, Volksgericht Wien, Vg 11g Vr 1866/46, Strafsache gegen Rixinger, Johannes, Or.Nr. 69, Zeugenvernehmung Max Weiss, 3 June 1946, 3.

August 1941,<sup>129</sup> part of a larger Reich-wide development of giving older police officers military training and then deploying them in the war.<sup>130</sup> The Viennese Schutzpolizei command, under Chief of staff Butenop, issued instructions assigning particular battalions to handle the transports. For example, Reserve Police Battalion 172 (1<sup>st</sup> and 2<sup>nd</sup> companies) guarded the Roma transports in November 1941; Reserve Police Companies East, West, and South handled the transports of 1942, and Police Watch Battalion I handled the 1943 transports.<sup>131</sup> Butenop received his orders from the Zentralstelle, which determined the dates and the railway schedules. The original plan to use the Schutzpolizei to guard transports dates from an agreement between Reinhard Heydrich, then head of the Sicherheitspolizei, and Kurt Daluge, Inspector of the Ordnungspolizei; the agreement is set out in a controlling order from 4 October 1941.<sup>132</sup> Butenop at the local level specified the clothing, rations, and weapons the policemen were to take, as well as instructions that they were to meet at the train station (either the Asperngasse or later the Nordbahnhof) at a specified time. Money for travel expenses for the transport leader and other policemen was issued in advance, with balances settled after the trip.<sup>133</sup> Starting in March 1942, Butenop specified that the transport leader should be a Revierleutnant (a district lieutenant) and should come from the Reserve Polizei Bataillon zur besonderen Verwendung. Furthermore, he ordered that they should have experience leading a prior transport.<sup>134</sup> According to the personnel files and accounting records for seven transport leaders, many had led multiple transports. Six were Nazi Party members (and I suspect the seventh was too, since he led multiple transports and had a higher rank.)<sup>135</sup> The decision to employ an experienced commander with strong Nazi cre-

129 In Vienna, battalions were first formed at Schönbrunn and Wiener Neudorf, then men were transferred to Kagran, where there was a police shooting range, for further military training in January 1942. See the statements made by the following policemen to the post-war Ueberprüfungskommission (Ref. IV) of the Generalinspektorat der Sicherheitswache: Alois Ammerer (LPDW, Personalakt St.Nr.55/26 [82/64]), Anton Brenneis (LPDW, Personalakt St.Nr.669/19 [9/57]), and Albin Karollus (LPDW, St.Nr.848/36 [148/61]).

130 Browning/Matthäus, *The Origins of the Final Solution*, 230–231.

131 YVA 51/88/36855621, Folio 4, Kommando der Schutzpolizei, Ia 6260/Zig./Nr.369/41 (g), Betr.: Gestellung von Transportkommandos, 24 October 1941; Folio 8, Kommando der Schutzpolizei, Ia 6260/42, Betr.: Gestellung von Transportkommandos, 20 March 1942; Folio 33, Kommando der Schutzpolizei, Ia 6260/43, Betr.: Gestellung von Transportkommandos, 4 January 1943.

132 YVA 51/88/36855621, Folio 6, Chef der Ordnungspolizei, Schnellbrief. Evakuierungen von Juden aus dem Altreich und dem Protektorat, Kdo. g 2 (01) Nr.514/41 (g), 4 October 1941.

133 Much of YVA 51/88/36855621 contains records of these advances and the balances paid after the transports.

134 YVA 51/88/36855621, Folio 8, point 2.

135 The Nazis were Josef Hofstetter (1900–?), Otto Mantler (1897–1983), Johann Pflamitzner (1902–?), Robert Rill (1895, disappeared 1944/1945), Johann Scholz II (1895–?), and Josef Tremer (1907–1978). Johann Peter II (1894–1944) led five transports in 1942 and was probably a Nazi, though no Gauakt for him could be found. Born in Bohemia, he fought in the Habsburg army in the First World War, joined the Vienna police in 1919, and was killed in an air raid in June 1944. LPDW, Personalakt Peter II, Johann, St.Nr. 276/45 (231/1918), Kommando der Schutzpolizei, 2 F-3530/26.6, 27 June 1944. The five policemen who survived the war (Hofstetter, Mantler, Pflamitzner, Scholz II, and Tremer) were all dismissed from the force between 1947 and 1950 due to their Nazi Party or Polizei-SS membership, not because they had led transports. Three were prosecuted in Austrian war crimes courts for allegedly belonging to the Nazi Party when it was illegal. Mantler was found not guilty, while Pflamitzner was found guilty, but his judgment was later vacated. Scholz was found guilty of being an 'illegal' who possessed a higher rank, so he was sentenced to eighteen months in 1947. None of these proceedings discussed their involvement in deportations, although the post-war State Police had investigated the role of regular policemen at least to the point where it gave names to the Generalinspektorat's examining commission. Although the post-war Austrian justice system did not totally ignore the deportations (deputy Gestapo chief Karl Ebner was prosecuted for his role, for example), the court system did not deal with this aspect of the regular police's involvement. See: LPDW, Personalakt Mantler Otto, St.Nr.291/18(253/47), Urteil Vg 11f Vr 3424/47 (Abschrift), 22 October 1948; WStLA, Strafsache gegen Swinger, Heinrich und Pflamitzner, Johann, Vg 8e Vr 543/55, especially Niederschrift, Generalinspektorat der Sicherheitswache, 16 April 1947, in which Pflamitzner admitted he had been an 'illegal' Nazi and had joined the party on 1 July 1932; and LPDW, Personalakt Scholz Johann (II), St.Nr.244/46, Urteil Vg 1c Vr 6338/46, 1 February 1947 (Abschrift).

dentials – while the rest of the team often were not Nazi Party members – indicates that the Schutzpolizei wanted reliable guides who agreed with the mission and could keep the team in line in case of problems. However, none of the existing reports that the transport leaders wrote after the trips indicate any refusals or problems of this type.<sup>136</sup>

Before leaving the train station, the transport leader contacted the Zenstralstelle (Alois Brunner or Ernst Girzik) by telephone and carried the written orders needed to show the Wehrmacht and any other authorities during the trip. Butenop also informed police that “weapons, in accordance with the rules for their use, are to be used immediately in case Jews attempt to escape”.<sup>137</sup> In 1946, a policeman named Rudolf Seidler told a police examining commission that he had guarded a Jewish transport to Riga in February 1942. “The Jews were happy that the Viennese police were assigned as escorts, since they knew that they would treat them humanely and loyally”, he said.<sup>138</sup> This is false. The authorities did not provide the deportees with food and water (they were supposed to bring their own), and people died of exhaustion and shock during the trip. The trains leaving Vienna were passenger trains, but persons deported to Minsk and Maly Trostinec were forced to transfer to cattle trains in Wolkowitz, in what is today Belarus. This was an extremely violent process. One survivor, believed to be a Viennese businessman named Wolf Seiler, was on the transport leaving on 6 May 1942. In his post-war testimony, he said that when the deportees were forced to change to cattle cars in Wolkowitz in the middle of the night, they were kicked by the SS and old people were beaten with clubs and left to lie on the platform. “Many had lost their minds during the night – they had gone insane. The transport leader gave instructions that all the people who had gone insane should be locked in a separate train car. What happened in this car is virtually indescribable.”<sup>139</sup> The transport leader, Johann Peter II, as required by Butenop’s instructions, wrote a barren, bureaucratic report about the transport, enumerating all the dates and times of arrival and departure. Peter mentioned that three Jewish men and five Jewish women had died by the time the train reached Kojdanow (today

136 YVA 51/88/36855621, Folio 15 (report on Jewish transport from Vienna to Wlodawa on 27 April 1942); Folio 27 (report on Jewish transport from Vienna to Minsk on 6 May 1942); Folio 42 (report on Jewish transport from Vienna to Sobibor on 14 June 1942); Folio 90 (report on Jewish transport from Vienna to Minsk on 5 October 1942).

137 Ibid., Folio 8-9, Kommando der Schutzpolizei, Ia 6260/42, Betr.: Gestellung von Transportkommandos, 20 March 1942, point 5.

138 “Die Juden waren erfreut, dass sie Wiener Polizisten als Begleitung zugeteilt erhielten, da sie wussten, dass sie von diesen menschlich und loyal behandelt werden.” LPDW, Personalakt Seidler, Rudolf, St.Nr.918/19 (119/49), Polizeidirektion Wien, Generalinspektorat d. Sicherheitswache, Ref.IV Ueberprüfungskommission, Niederschrift aufgenommen am 16. September 1946. Seidler (1900–1949) was born in Wagstadt, Silesia as Rudolf Dluhosch and Germanised his name on 11 June 1942. Ibid., Kommando der Schutzpolizei, 2 b 3061/Dlu/42, 22 July 1942. He worked as a clerk in silk and button factories in Wagstadt until February 1918, when he was drafted into the Habsburg army. After the war, he joined the Viennese police in July 1919. Ibid., Seidler Rudolf früher Dluhosch, Lebenslauf, 23 May 1945. He was not a Nazi Party member, but he guarded three Jewish transports: one to Riga on 6 February 1942, one to Theresienstadt on 5 January 1943, and one to Theresienstadt on 30 March 1943. He was reinstated into the police after the war but died in 1949 of lung and heart problems. His statement to the Ueberprüfungskommission mentioned the February 1942 deportation. The exact date of 6 February comes from Gottwaldt/Schulle, Die “Judendeportationen”, 135-136. This transport of 1,003 people exclusively comprised Viennese Jews, including 331 people between 61-70 and 23 children aged ten and younger. Proof of his participation in the 5 January 1943 transport comes from YVA 51/88/36855621, Folio 94, Polizei-Wachbataillon I im Ido-Bereich Wien 2. Komp., Nachweisung, 9 January 1943; proof of the 30 March 1943 transport comes from ibid., Folio 117, Polizei-Wachbataillon I im Ido-Bereich Wien 2. Komp., Nachweisung, 29 March 1943. This document, revealing that policemen received cash advances of RM 35 for the trip, states that this was a “Gypsy transport”, but this is an error. See note 242.

139 DÖW 854, undated report from after 1945, possibly Wolf Seiler, 1. See also footnote 1 of the transcription.

Dzyarzhynsk), where it sat immobile for two days on the orders of the SD before proceeding to Minsk.<sup>140</sup>

Did the policemen know that their human cargo was not really being ‘resettled’ in the East, where they would supposedly find employment and start a new life, the deception that the Zentralstelle had used in Vienna in 1942? Anton Brunner, the Zentralstelle official who admitted to organizing 48 deportations, confessed to post-war State Police, “I remember how once during [Alois] Brunner’s absence a Schutzpolizei lieutenant from the transport escort reported that the Jews were liquidated in the camp.”<sup>141</sup> However, none of the policemen who gave statements to an examining commission in 1946 address this question – nor were they asked. It is possible that the police who guarded a transport that left Vienna on 14 June 1942, delivering 949 Jews to Sobibor, the extermination camp, knew that this was not really a ‘work camp’, as the leader of the transport, Josef Fischmann I, called it in his report.<sup>142</sup> Sobibor had been regularly exterminating people by carbon monoxide gas since May 1942 (experimental killings started in April), with Jewish prisoners being forced to bury the victims in pits that were five to seven meters deep. These mass graves began to decompose in the hot summer weather of 1942, causing an extreme stench to pervade the camp and the neighbouring areas. The police escorts remained outside the camp at the Sobibor train station, because only trusted German railway personnel were allowed to drive the deportation trains inside the camp.<sup>143</sup> However, the police were at the station for one hour on 17 June, and they may have smelled the bodies. Fischmann also reported that they transferred the Jews directly to commandant Franz Stangl,<sup>144</sup> who had started his career as an Austrian police official in Linz. One can only speculate what Stangl may have told (or not told) Fischmann. There may have been opportunities for the police escort to discuss Jewish deportations and executions in occupied Poland with other police in Poland. After leaving Sobibor, they took a four-hour special train to Lublin, where they spent almost six hours before taking a regular train to Krakow. There they stayed overnight with another Reserve Police Battalion (74, 3<sup>rd</sup> Company),<sup>145</sup> and further conversations could have ensued with them.

## Conclusion

Each era under consideration saw the introduction of important changes in the police. In May 1914, the creation of a new defensive intelligence service, based on the cooperation between the State Police and Evidenzbüro (military intelligence), but also relying on information and investigations conducted by the regular police, was an important development, leading to the creation of expanded surveillance during the First World War. The regular police evaluated denunciations and tips, the State Police initiated investigations based on censors’ reports, and central bureaus catalogued information in filing systems that were shared across the empire. Suspicious

140 YVA 51/88/36855621, Folio 27, 95. Pol. Revier, Betr: Erfahrungsbericht über durchgeführten Evakuierungstransport (Juden), 16 May 1942.

141 Safrian, Eichmann’s Men, 216.

142 Ibid., Folio 42, 152. Polizeirevier, Erfahrungsbericht, Betr: Transportkommando für den Judentransport Wien-Aspangbahnhof nach Sobibor am 14.6.1942, 20 June 1942.

143 Yitzhak Arad, Belzec, Sobibor, Treblinka. The Operation Reinhard Death Camps, Bloomington IN 1987, 30-33, 68-74, 170-172.

144 YVA 51/88/36855621, Folio 42.

145 Ibid.

people, including those from nationalities whose politicians wanted to secede from the empire, or persons with connections to states at war with Austria-Hungary, were interned. Police suspicions also centred on Eastern European Jews, warzone refugees whom they believed might be spies or black marketeers, as well as Central and Eastern European Jews whom they thought were socialist revolutionaries intending to bring down the monarchy. Austria-Hungary's internal problems, such as food shortages and massive wartime casualties, created an environment of public mistrust toward neighbours, and the police tried to wade through tips and rumours to differentiate real dangers from imagined ones. Still, police officials believed that this was a valid system to protect against sabotage and revolution, and they hoped to implement a version of it after the war.

Due to a lack of funds and the politicians' mistrust that such a system would give the police too much state power, the police were not able to sustain this system at the level that existed during the war. The political environment also changed. The new policemen hired in 1918/1919 were expected to uphold the laws of the new republic, yet the police leadership was wary of working-class revolutionary rhetoric and worked to ensure that Workers' Councils and other revolutionary movements did not take over the state. The situation in the 1920s was exacerbated by Austria's economic weakness and the cultural question of what an Austrian republic, separate from the other Habsburg territories, would mean. A series of armed paramilitaries spanning the entire political spectrum emerged in the 1920s, challenging the police's authority, while various political leaders sought to seize control of the police to pursue their own agendas. Class conflict exploded with the police violence during the Justizpalast fire in 1927, which destroyed any social democratic belief that they could demonstrate peaceably, while the police, backed by the Christian Social Party and other middle-class parties, claimed they were protecting the state against revolution. The police's willingness to use extreme force against the civilian population deepened the social and political conflict in Vienna, but the federal government backed the police by instituting a new constitution that increased police authority in 1929. The civil war of 1934, a response to the right-wing government's prohibition of the Social Democratic Party, resulted in working-class barricade warfare against the police, who proved themselves unable to put down the revolt, requiring the assistance of the military. This further bolstered the Heimwehr's argument that the police needed their assistance. Meanwhile, during the late 1920s and early 1930s, a small portion of the Viennese police joined the Nazi Party, attracted by pan-German nationalism, the promises of economic recovery, and the message that this was the party that would really deal with the 'Jewish question'. The criminal police inspectors who participated in the Nazi putsch of 1934 believed that following a Nazi takeover, they could shift the ranks of the police to their side, banking on the idea that with a change of leadership, the rest of the officers would follow. Although the putsch failed, the police involvement shows that the institution was internally divided, and there were deficiencies in the leadership's approach to dealing with the Nazi presence through investigations, transfers, and dismissals. Another problem was that some of these policemen held on, getting support from underground Nazi organizations, or remained on the force as crypto-Nazis. Additionally, SS and SA members who fled the country while the Nazi Party was illegal in Austria obtained refuge in Germany, where some obtained police training and joined the German police. When the Nazis took over in Austria in March 1938, these were transferred back to their home country, and in Vienna, where some of them joined the Kriminalpolizei and the Gestapo, they received an unchecked power that they had never possessed during the prior era.

The German Sicherheitsdienst prepared for the takeover of Austria in February 1938, believing that the key would be the centralisation of authority in Berlin and the elimination of the Security Directors who had reported directly to the Austrian chancellor.<sup>146</sup> Yet their plans were also aided by Austrian police officials loyal to the Schuschnigg government, who decided that using force against a Nazi takeover would result in a bloodbath, choosing instead to cooperate with the ‘moderate’ Nazis. They were mistaken, as Himmler’s plan was to arrest and remove them, then restructure the Austrian security apparatus according to the German police state model. This resulted in the formation of a large, powerful Gestapo operation in Vienna. Initially, German Nazis controlled certain leading positions (and continued to do so), but Austrian Nazis also helped build the institution. They also drew from veteran Austrian police officials who had not been Nazis during the ‘illegal period’, but whose anti-communist credentials and knowledge in navigating Austrian police bureaucracy proved useful.

The plainclothes detectives, the Kriminalpolizei, were integrated into the Sicherheitspolizei. While some Austrian Nazis who had never been policemen were rewarded for their service as ‘Old Fighters’ with jobs in the police, the important transformation is that the Kriminalpolizei adapted to fit the new Nazi system. The uniformed police, the Sicherheitswache, followed a similar path. They were allowed to remain on the force (becoming part of the German Schutzpolizei, adopting its ranks and salary scale) as long as they had been indifferent to the prior political system and had not actively worked against the Nazis. Much of the force that existed in the period from 1934 to 1938 remained, already acclimatised to an Austrian dictatorship that was anti-socialist, anti-communist, and anti-democratic. They retained their job security and were indoctrinated into the Nazi system through ideological education programmes and propaganda.

The Kriminalbeamte and the Schutzpolizisten made fatal choices by remaining on the force. The Kriminalbeamte were drawn into a system where they investigated persons for ‘racial dishonour’ and hunted down persons who produced counterfeit ration cards. They were also required to check the papers of Viennese Jews who had been arrested by the Gestapo in 1938, then released under the condition that they leave the country by a set deadline. They helped keep the system running, providing assistance to the Viennese Gestapo and Gauleitung when the latter introduced new policies of forced labour, housing evictions, economic expropriation, curfews, and social exclusion. Kriminalbeamte could claim after the war that they had not joined the Nazi Party or argue that they had been ‘automatically’ entered into the Polizei-SS, but this conceals the fact that they enforced regime policies. The system needed reliable executors of policy on Vienna’s streets, and they complied. The attempt by some to create a post-war image that they had purely been “officers in the Kriminalpolizei” whose duties had no political meaning does not withstand historical scrutiny, though one must examine individual cases to assess individual responsibility.

For the Schutzpolizisten, many of whom were Viennese policemen who had been on the force since the 1920s, they had already adapted to multiple changes in the political system – the purges of social democratic policemen after 1927, the introduction of a dictatorship in 1933/1934, a series of changing police presidents, and local station house politics that pitted political factions against each other. Many pledged

<sup>146</sup> See the 1938 report in which the SS security office analysed the Austrian security apparatus: Das österreichische Sicherheitswesen und dessen Einbau in die Sicherheitspolizei des Reiches nach Eingliederung Österreichs (Südmark), DÖW, 14890, 44-45.

the oath to Hitler in 1938 either because they wanted to preserve their jobs or because they believed in the programme. In the context of the extreme antisemitic environment in Vienna after the Nazi takeover, following police orders and policies allowed them to compartmentalise their tasks in the context of fulfilling their duty and maintaining public order. Furthermore, the regime promoted some of them, and it paid their salaries and supplements. For many, the situation only radically changed when they were drafted into Police Battalions and sent to the front or to occupied areas. When their post-war autobiographical statements discussed events during Nazism at all, they usually mentioned that they had been injured in the war or were interned after the war ended and had a difficult time getting back to Austria after the Nazi defeat. These were their prominent memories, tailored to obtain reinstatement in the police, not to discuss particular arrests they made while working in Vienna or to mention that they guarded deportation transports. They only addressed the latter if required to make a statement to the special examining commission. Most statements were formulaic, suggesting that they either coordinated statements or had been told what to say. The Generalinspektorat's post-war priority was to reconstitute the police force with available manpower, rooting out illegal Nazi Party members and SS members (who had joined before March 1938), but some policemen slipped through the cracks. Others, who did not bear the label of 'illegal' or 'SS member,' but who were integral to a functioning Nazi system in Vienna were retained. Thus, during four political systems, the police force was not merely a political tool of a regime; it was a social institution with its own traditions, rules, and culture that extended over political periods, with important transformations.

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