1. Contested Spaces: Criminalization of Marginalized Communities in Former Habsburg Lands in the First Half of the Twentieth Century: The Case Study of Austrian Zigeuner ("Gypsies")

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PART 1

SPATIAL AND TEMPORAL CONTINUUITIES
Today, “the Roma people are Europe’s largest ethnic minority.” Yet for a long time their fate had been underrepresented in twentieth-century commemorative culture and research on the persecution of minorities. This is also due to the fact that up to this day, Zigeuner (“gypsies”) have often been regarded as “criminals.” Among the most influential people laying the foundation for this “scientifically verified” perception was Austrian criminologist Hans Gross (1847–1915), who described the “gypsy” “type of criminal” at the end of the nineteenth century as follows: “The gypsy is simply overall different from any ‘Kulturmensch’ [civilized man], he himself is of the most brute and most degenerated nature and everything you have learned and practiced when communicating with many other people, is useless when you have dealings with gypsies.” Gross was professor at the University of Graz, and for a long time his publications set the international standard and even served as police manuals. His continued use of the “criminal gypsy” stereotype was received internationally and became one of the preconditions for the claim for crime prevention measures against “gypsies.”

In the history of the Roma people, terrortimes usually refers to the Roma genocide (Samudaripen) under National Socialism. But there is a temporal continuity discernible, a continuity of stereotypization and discrimination, throughout time. By including new source material, this chapter contributes to the argument that the history of discrimination and persecution of Austrian “gypsies” cannot be reduced to the era of National Socialism but goes back hundreds of years. Nevertheless, the
National Socialists persecuted “gypsies” in thitherto unknown radical ways, culminating in genocide. As I argue, the criminalization of “gypsies” occurred on different levels—juridical-legal-administrative, social, and ideological-racist—linked by a common acceptance that “gypsies” were “different” and that their absence (by means of deportation or annihilation) would not do harm to society or the economy. National Socialist “gypsy politics” can only be analyzed in context with the preceding developments. This chapter provides an overview of the complexity of the mechanisms and structure that allowed for the discriminations and persecutions in Austria-Hungary and later National Socialist Austria. Since at the time of National Socialism, most of the Austrian “gypsies” were living in the eastern part of the country, focus is laid on the area of Eastern Austria and Western Hungary (today the Austrian provinces of Burgenland and Styria). The chapter is based on a thorough study of primary sources, as well as on scholarly works. Besides, special attention has to be paid to sources made accessible or created within the last few years, such as the recently rediscovered early testimonials of Austrian Roma and Romnia, or to oral history, which are included in this chapter.

SOME NOTES ON THE TERMINOLOGY USED

Before going into detail, it is important to clarify terms used in this chapter. Much has been published on the problematic use of “gypsy.” End, Herold, and Robel, for instance, emphasize the omnipresence of the imagination of “the gypsy” and demonstrate that the term refers to a projective picture produced in the hegemonial discourse, which is itself dominated by non-Romani people. To this day, the question of concepts and terminology is highly controversial, not only in regard to the autonym used by the ethnic group itself but in particular when talking about the exonym. The scientific community has undertaken various attempts to discuss nonstigmatizing umbrella terms. In German and Hungarian, as in many other European languages, the terms Zigeuner and cigány not only implicate a fuzzy concept ranging between social and ethnic definitions but also have a pejorative connotation. Thus, German academics usually apply the autonym “Sinti and Roma,” which has some shortcomings. First, according to linguistic theory, Sinti are only a subgroup of the larger Roma. Second, Sinti and Roma are both victim groups, but the term does not encompass other ethnic subgroups persecuted as “gypsies,” such as Lovara, Kale, and Manouche. According to Rombase, “today, Roma living in various lands around the world use different ‘autonyma’ for their societies (Sinti, Kale, Manouche, etc.)” but “all acknowledge a common origin and basic identity with Roma.” However, the use of the term Roma would be anachronistic in the context of historical research because the sources use an expansive definition of “gypsies,” and it would disguise the heterogeneity of the group of people discriminated
against as “gypsies.” In the absence of objective criteria, depending on the context and on the subjective assessment of officials, Zigeuner comprised different meanings, thus deliberately addressing one or another group. 11 Sometimes it referred to a racist or ethnic ascription, sometimes to “vagrancy” in general, and at other times to “antisocial behavior.” 12 As Freund noted, “State and local authorities almost never made distinctions between beggars, vagabonds, and Gypsies.” 13 The term was applied notwithstanding the individual’s self-perceptions and thus also affected people who did not regard themselves as gypsies. 14 Benedik pointed out that “these people . . . were not persecuted as Rom or Romni but as ‘Zigeuner’ or ‘Zigeunerin’ and these concepts are by no means synonymous or even arbitrarily exchangeable.” 15 To sum it up, the term Zigeuner or “gypsy” was and still is a discriminatory and stigmatizing exonym and thus is rejected by most of the Romani people. However, because this term is found in the sources this chapter is based on, it is used throughout, although in quotation marks and with some reservations, too.

**DISCRIMINATION AGAINST “GYPSIES” BEFORE MARCH 1938**

An analysis of the criminalization of “gypsies” shows that this took place on various levels. 16 The juridical-legal-administrative level refers to questions of government and the creation, implementation, and enforcement of law. This includes, for instance “measures to combat the gypsy nuisance” (Maßnahmen zur Bekämpfung des Zigeunerunwesens), 17 decreed in 1888 by the minister of the interior of the Austrian half of the monarchy (Cisleithania) or regulations on poor relief and right of residence (Heimatrecht), 18 which became a predominant part of the “gypsy discourse” as of the second half of the nineteenth century. 19 The ideological-racist level comprises different ideas of the treatment of “gypsies,” from enlightened absolutism, the First Republic, and the Austrian corporate state to National Socialism and the racist persecution of “gypsies.” 20 Finally, on a social level of discrimination, focus is laid on the social position of “gypsies” in society, as discussed in the following.

In March 1938, at the time of the so-called Anschluss, which incorporated Austria into National Socialist Germany, most of the Austrian “gypsies” lived in the province of Burgenland, former Western Hungary. According to estimates, about nine thousand of eleven thousand Austrian “gypsies” lived there. 21 Within this province, most, and the largest, “gypsy settlements” (Zigeunersiedlungen) were documented in the district of Oberwart. 22 In contrast to other parts of Austria and Europe, “gypsies” had been permanently settling in this district since the seventeenth century, which is considered quite an exceptional development. 23 Although resident, they kept on “traveling” in the greater area,
as did many other non-“gypsies” as well. Therefore, this practice must be seen in the context of a generally high internal migration at that time but also in relation to their specific occupations.\textsuperscript{14} Quite for the benefit of the countrified people, they carried out some of their trades in their workshops and/or peddling; for example, they produced baskets, chairs, brushes, and brooms; worked as polishers/grinders and musicians; or fixed umbrellas.\textsuperscript{15} Even before the economic crisis, poverty was widespread, and many of the non-“gypsy” peasants also lived on the bread line. Furthermore, the Austrian Historical Commission has documented that contrary to popular prejudice that all “gypsies” would be a burden on the taxpayers, some “gypsies” even owned real estate, bank accounts, and so forth, which became of note in the National Socialist era, when expropriations took place.\textsuperscript{16}

The relationship of the “gypsy” with the non-“gypsy” population can be characterized as ambivalent. On the one hand, “gypsies” were exposed to many stereotypes due to their ascribed “otherness,” were verbally harassed,\textsuperscript{27} and were exposed to racist coverage by the local media, which often stoked certain fears and presented them as frauds and thieves.\textsuperscript{28} In general they lived on the margins of society, which was also visible in the segregation of settlement, since their settlements were often on the outskirts of the villages.\textsuperscript{29} On the other hand, they were popular musicians and thus contributed as “gypsy bands” to village festivals and customs, and their participation was not only welcomed but taken for granted.\textsuperscript{30} In addition, among Catholics it was a common practice for non-“gypsies” to agree to be godparents or sponsors to “gypsy” children.\textsuperscript{31} In fact, “gypsies” were part of the rural community, even though social interaction alleged a dichotomy between the community members and the “gypsies.” These boundaries were context-specific as well as fluent, as Wilhelm Horvath recounts: “You know, the non-Roma have also made an exception. We were, so to say, respected ‘gypsies’ because we were musicians.”\textsuperscript{32} Not only was the acceptance of the entire group changeable—celebrated as musicians, but suspected as criminals—but belonging to the group of “gypsies” was open to negotiation. Before, during, and after National Socialism markers of “gypsyness” varied in visibility; for example, a blond person might not be regarded as a “gypsy” because he or she did not conform to the traditional image of the darkhaired “gypsy.”\textsuperscript{33} A marker could also be a certain address; a person who would not live in the gypsy settlement was thus not immediately classifiable as “gypsy” via his or her address.\textsuperscript{34} In terms of belonging, someone would simply not consider himself or herself to be a “gypsy.”\textsuperscript{35}

Since the nineteenth century, the question of “gypsy” identity—although in terms of identity authentication—had occupied the minds of cis- and transleithanian authorities too. The registration of “gypsies” was widely discussed and in parts implemented by the means of “gypsy conscriptions,” photography, and fingerprint identification.\textsuperscript{16} However, in their interpellation in the House of Representatives of the Austrian Imperial Council, German-national deputies pointed out that photography would not be a reliable method. As early as 1908 they demanded that “every gypsy picked up
should be marked in a way that he is recognizable any time. For example, he could receive a figure tattooed on his right forearm, and the name, which the gypsy has given himself, should be added. . . . In this case, the particular district court, similar to automobiles, . . . could receive the figures, which it would then ordain to be tattooed.” In 1933, the local newspaper in Oberwart reported that the Hungarian district of Abaúj was thinking about tattooing “gypsies” in order to verify their identity. As can be seen, the idea of identification of inmates with identification numbers tattooed on the left forearm, with a specific symbol or name added (e.g., “Z” for “gypsy”), was by no means a National Socialist invention at Auschwitz but can be traced back to the turn of the century. The economic crisis and the crisis of the social welfare system reinforced the image of the “criminal gypsy,” which was sustained by the media. The discussion of the “gypsy menace” was hallmarked by suggestions to “solve” the “Gypsy Question,” comprising the deprivation of civil rights, the establishment of segregated schools, a note on “race” in the passports of “gypsies,” compulsory registration and deregistration at police stations, deportation to their communities of origin, confiscation of their carriages and horses to provide security for cost recovery (for deportations), commitment to a penitentiary or an institution for forced labor, and other provisions. Again, these measures were often picked up ideas from older (canceled) edicts or from legal regulations that were effective in other countries. However, Austria soon had to realize that most of them could not be implemented for legal reasons; the constitution, the League of Nations, and the Treaty of St. Germain made this impossible. Only the idea of segregated schools was put into practice, when “gypsy” schools (Zigeunerschulen) were established in Burgenland, for example in the village of Stegersbach.

Throughout the 1920s, the public discussion was less affected by racial questions than by considerations of security policy. When after World War I the former German Western Hungary became the Austrian province of Burgenland, the police started to collect extensive data on “gypsies” as of 1924, and a “gypsy card file” (Zigeunerkartotheke) was created, which contained photographs, data, and fingerprints of about eight thousand gypsies. When the National Socialists seized power in Burgenland, they were able to access the file, which became a basic source for the “efficient persecution of the gypsies” in this area. In 1931, an Austrian newsreel company shot a documentary that shows this “gypsy” card file. The card file vanished into thin air, and this footage remains the only evidence of it. Unfortunately, little is known about the International Central Agency to Combat the Gypsy Nuisance (Internationale Zentralstelle zur Bekämpfung des Zigeunerunwesens), established in Vienna in 1936, but the name refers to the international (at least European) dimension of the “problem” discussed. In any case, measures taken on a local or regional level seem to have been of greater importance than the establishment of international agencies. An example is the “gypsy conference” (Zigeunerkonferenz) held in Oberwart in 1933, at which participants—local politicians
and “gypsy experts” — even suggested to deport “gypsies” to overseas countries or to sterilize them.\(^{48}\) However, the problem remained that there was no common definition and that “it was left up to the local authorities to determine who was or was not a Gypsy.”\(^{49}\) In the 1930s the security-political discussions became increasingly racist, although still without legal consequences. This was to be changed after the Anschluss. As Freund has demonstrated, the interwar identification and registration of “gypsies” was of vital importance to their deportation and annihilation during National Socialism.\(^{50}\)

**NATIONAL SOCIALIST PERSECUTION AFTER MARCH 1938**

The Anschluss in March 1938 also had a severe impact on the situation of Austrians labeled as “gypsies.” On the one hand, discriminatory measures were taken on a superrregional level: “gypsies” were deprived of the right to vote in the 10 April 1938 plebiscite, and in May 1938, Reichsführer-SS Heinrich Himmler (1900–1945), chief of the German Police, ordered the registration of all Austrian “gypsies.” Under reference to Himmler’s decree on “crime prevention” (*Erlass über die vorbeugende Verbrechensbekämpfung*), from March to June 1938 more than two hundred Burgenland “gypsies” considered able to work were arrested and sent to camps.\(^{51}\) On the other hand, local and regional National Socialists were also very active. National Socialist Gauleiter and governor of the Burgenland, Tobias Portschy (1905–96),\(^{52}\) not only implemented the instructions he received but also refined them.\(^{53}\) He acted on the “proposals for solutions” that had been discussed in earlier decades and presented these ideas in a radicalized way in his racist memorandum, “The Gypsy Question” (*Die Zigeunerfrage*), in which he preached a “final solution of the gypsy question”: “Only by an effective diminuation [sic] of their reproduction [i.e., sterilization], by a compulsory detention in labor camps [i.e., forced labor] and by enabling their mandatory migration to a foreign country [i.e., deportation] we will be able to free ourselves from the gypsy plague. . . . This kind of solution . . . is the National Socialist solution and thus the only true solution.”\(^{54}\) In 1988, Portschy defended his memorandum by referring to the fact that he had only compiled ideas based on speeches of democratic politicians and that he had been supported by officials who had collected the material.\(^{55}\) Even though Portschy had not been the spin doctor of all discriminatory measures, this does not release him from his responsibility in general and for the steps he took to radicalize the anti-“gypsy” policy at that time. As early as 1983 Erika Thurner pointed out: “The radical suggestions . . . by Portschy and others largely agreed with the persecution program of the Nazis, or, rather, they preceded and influenced it.”\(^{56}\) The contribution of Austrian authorities to the cumulative radicalization of Nazi policy must not be underestimated.\(^{57}\)
In 1938, Portschy legalized a whole slew of discriminations specifically targeted at “gypsies,” such as the prohibition against performing music, which deprived them of legal means of existence. In fact, years before the Anschluss he had admonished his followers not to employ “gypsies” as musicians in order to exclude them from society and expel them from a field where they had been generally accepted. It can be asserted that the discussion—which had so far been conducted in the realms of politics and society as well as in a legal and media framework, hallmarking arguments of security policy and crime prevention—was now augmented by an ideological-racist component. The already existing proposals for solutions were seized upon and gradually implemented under the overarching legitimization of race theory. As the Austrian Historical Commission has shown, it took months or even years to absorb and implement some of the Burgenland regulations in other parts of National Socialist Germany. Portschy’s prohibition of school attendance for “gypsy” children, decreed in September 1938, was implemented in other districts at the beginning of the school year 1939–40 and in the entire German Reich only in March 1941. In the long run this meant that after 1945, the majority of survivors were illiterate. Portschy’s order sending “gypsies to roadworks” (Zigeuner zur Straßenarbeit) was based on pre–National Socialist ideas and became effective in August 1938. It basically decreed that all male “gypsies” able to work would be exploited in forced labor. Separated from other workers, they had to work under survey of guards (see figures 1.1–1.4). From their small wages, social service expenses were subtracted, and some money was automatically transferred to their communities of origin. This “Burgenland model of forced labor for gypsies,” which was introduced even before special “gypsy” labor camps were established, was later adopted in other districts too.

In October 1938, the Burgenland was split and became part of Gau Lower Danube (Niederdonau) and Gau Styria (Steiermark), and Southern Burgenland became Styrian. This meant that now the debate about the “gypsy question” was transferred to Lower Danube and Styria. At this time, almost a quarter of all Austrian “gypsies”—about four thousand—lived in the Southern Burgenland district of Oberwart. Tobias Portschy was appointed deputy gauleiter of Styria, which was led by Gauleiter Sigfried Uiberreither (1908–84). Although the two of them had many conflicts of opinion, they agreed upon a “solution” of the “gypsy question,” and Uiberreither gave Portschy a free hand as much as possible in managing the issue. Consequently, time and again various Styrian government agencies interceded in Berlin in order to pressure higher-ranking authorities in Berlin on the topic. In Lower Danube, “gypsy expert” Bernhard Neureiter, who had worked for Portschy in the 1930s, was now responsible for the persecution of “gypsies.” Thus Michael Zimmermann’s findings are true for Austria, too: “The interaction between center and periphery, between government officials, police and SS leadership, and local authorities, was crucial to the development
1.1. “Gypsies” at forced labor in Oberwart, Austria. Source: 

1.2. “Gypsies” at forced labor in Oberwart, Austria. Source: 

of a Nazi Gypsy policy that culminated in forced sterilization and murder.”

I would even argue that the roles of local and regional authorities and the population must not be underestimated. The radicalization and implementation of anti-“gypsy” measures relied on the assistance and contribution of the local population as well as local and regional political elites (mayors, district officials, etc.). Only a few people would help their neighbors or friends; most would remain bystanders, and some even played an active part in the persecution of the “gypsies,” which provided for an “efficient” policy of persecution and annihilation. It is important to emphasize that people not only reacted and carried out orders but also acted. This is discussed in detail later.

The legal basis for the further “suppression of the gypsy nuisance” was an edict by Himmler dated 8 December 1938. In this document he ordered to register all “gypsies.” At the Reich Criminal Office’s (Reichkriminalpolizeiamt) disposition, more than seven hundred male and female former Burgenland “gypsies” were arrested in June 1939 and either taken into “preventive detention” (Vorbeugehaft) or deported to the concentration camps of Dachau and Ravensbrück. In October, the chief of the Reich Main Security Office (Reichssicherheitshauptamt), Reinhard Heydrich (1904–42), decreed a detainment decree (Festsetzungserlass), which banned “gypsies” from leaving their current place of residence. Here, too, it becomes apparent that even on the Reich level the issue of “gypsies” was under the responsibility of different authorities and not unified. A secret report of the SS Security Service (SS-Sicherheitsdienst) in Berlin from 9 October 1939 sheds light on the pressing role of Austrians: “From Austria we have received the suggestion to now implement the absolutely essential solution of the gypsy question by a ruthless accommodation of the gypsies in secured camps.” Austrians were not just carrying out orders issued by Berlin but exerted pressure in order to get the “gypsy question” “solved.” Further interventions by the Styrian government were ineffective, but on 31 October 1940 Heydrich issued guidelines on the establishment of camps for forced laborers. In former Austria, such forced labor “gypsy” camps were established in Vienna, Upper Austria, Salzburg, Lower Danube (e.g., Lackenbach), and Styria. It is apparent that the National Socialists acted quite paradoxically. Many of the arrested “gypsies” who were urged to hold down a job in the labor camp were in fact arrested at their regular working place and transferred to camps, arbitrarily taken away from their jobs. Allegedly “unwilling to work,” they were, for example, taken from their jobs as farm or seasonal laborers and transferred to labor camps and forced to work. This was in sharp contrast to their supposedly antisocial behavior. A similar situation occurred when in 1941–42 all “gypsies,” among them medaled and/or frontline soldiers, were expelled from the Wehrmacht (German Armed Forces) and deported to Auschwitz. Even before 1941, it happened that “gypsy” soldiers on leave from the Wehrmacht, wearing their Wehrmacht uniforms, were arrested and deported, or that they voluntarily accompanied their families when these were arrested.
In the course of time, in particular after the invasion of the Soviet Union, the National Socialists changed their tactics. They did not aim at discrimination directed against “gypsies” and exploitation of their labor anymore; the goal changed to annihilation. Early plans to deport “gypsies” had failed, but in 1940 the systematic deportation of “gypsies” from Styria to the Lackenbach camp started. One of the greatest deportations—euphemistically called *Umsiedlung* (change of residence)—was the transport to Łódź/Litzmannstadt (today in Poland), where more than five thousand Austrian “gypsies” from camps in Styria and Lower Danube were deported between 5 and 9 November 1941 (see figure 1.5). Those who survived the shortage of supplies and the disastrous sanitary conditions were gassed in the extermination camp of Chelmno/Kulmhof in December 1941 and January 1942. No one survived.

It can be assumed that it is no coincidence that just at the time when the deportations started, the Landrat (district administrator) of Oberwart explicitly barred “gypsies” from using public transport, with the exception of the railroad. At first glance this may be seen as an almost liberal bylaw, but in fact it was a logistical necessity. After all, the railroad was the most important means of deportation. “Gypsy” settlements were demolished, and the municipalities had permission to sell what was left. In spite of the prohibition against enrichment, the local population took what remained, although the Landrat called it “dishonorable for a German *Volksgenosse* to enrich himself financially with the belonging of gypsies. Unfortunately, this has happened.”

Based on Himmler’s infamous Auschwitz decree (*Auschwitz-Erlass*) of 16 December 1942 and its instructions on 29 January 1943, all “gypsies” were to be deported to Auschwitz. Subsequently, about 22,700 people were transported to the Auschwitz-Birkenau “gypsy family camp.” Once the “gypsies” were gone, a lively debate unfolded in Styria over who was allowed to keep the assets and estates left behind. In the end, it was decided that the assets were to be confiscated on behalf of the German Reich. This too conflicts with the National Socialist argument that due to their poverty “gypsies” posed a threat to the social system and thus a burden on the taxpayers. It can be said that Himmler’s Auschwitz decree constitutes the final stage of the “solution of the gypsy question.”

To this day, reliable information is not available, and thus casualty figures are rough estimates. According to the Austrian Historical Commission, only about fifteen hundred to two thousand of eleven thousand “gypsies” survived National Socialism. In the district of Oberwart, about two hundred of four thousand survived.
Staatliche Kriminalpolizei
Kriminalpolizeistelle Graz
Graz, den 30. Oktober 1941.
Der Leiter

Betreff: Umsiedlung von Zigeunern.

GEBREM

Bezug: Erlaß des Reichsführers-SS und Chefs der Deutschen Polizei im Reichsministerium des Innern vom 1. Oktober 1941 - S- V & 2 b Nr. 8/41 g II -.

Auf Grund des oben genannten Erlasses werden am 5., 7. und 8. November 1941 zusammen 3.000 Zigeuner aus der Steiermark in das Ghetto in Litzmannstadt umgesiedelt. Im Einvernehmen mit den hierbei beteiligten Stellen wird die Durchführung der Aktion wie folgt geregelt:

I. Bestimmung des abzutransportierenden Personenkreises.
Zum Abtransport sind vorgesehen:

a) 2.000 Zigeuner aus dem Kreise Oberwart und
b) 1.000 Zigeuner aus den Kreisen Fürstenfeld und Feldbach, sowie aus den übrigen Kreisen des Reichsgaus Steiermark.


II. Errichtung von Sammellagern.
Zum Zwecke der Zusammenfassung der Zigeuner für den bevorstehenden Abtransport sind zwei Sammelager errichtet worden, und zwar:
1.) in Pinkafeld für die unter Ziffer I a) erwähnten 2.000 Zigeuner und
2.) in Fürstenfeld für die unter Ziffer I b) erwähnten 1.000 Zigeuner.

1.5. “Instructions on the Deportation of the ‘Gypsies’ to Litzmannstadt, 30 October 1941.” Source: Steiermärkisches Landesarchiv, LReg. 120, K2093.
The following case examples reveal the powerlessness and helplessness of people classified as “gypsies” as well as the populations’ limits of agency and their different reactions to their neighbors’ persecution. Because Roma tradition is oral, written evidence, in particular personal accounts, is scarce. From most archival material no information can be obtained if a person considered himself or herself to be a “gypsy” or if this status was merely ascribed by others. The case of Franz Baranyai (1891–1943) is exceptional; sources reveal his faith in the authorities and in the justice system as well as the heterogeneity of the lives of people labeled “gypsies” and thus discriminated against. Baranyai was a police officer in Graz (Styria). In March 1942, he wrote to Gauleiter Uiberreither to complain about “unfair treatment as a gypsy” and argued that his “thought” was “German” and that he could not be a “gypsy” at all “since neither my ancestors nor my parents had tramped. And never had feelings or thoughts like gypsies.” His statement was checked thoroughly, and it was discovered that his name appeared in a local “gypsy file.” In spite of his valid “Aryan certificate” (Ariernachweis), the police arrived at the conclusion that he was to be considered “a full gypsy.” In 1942 he was expelled from the police, and in July 1943 he was murdered in Auschwitz. Baranyai’s trust in the authorities was in vain and his hopes for help dashed. This was true for many other Austrian “gypsies” too. In rare cases locals provided support. Some people pitied “gypsies,” or helped by assigning work to them and treating them well, by providing them with food, or by warning them of an upcoming deportation; a survivor described his mother’s flight, which was only possible “because someone from the village knew her, a non-Rom, and he said, ‘Get out of here, because all of you will be taken away!’” A form of nonviolent resistance could be seen in nonobservance of orders, such as teaching “gypsy” children although it was prohibited. These examples show that even in restrictive times there were people who assumed responsibility, used the opportunities and means available, and displayed courage.

Nevertheless, the prevailing mood was affirmative, as a contemporary witness recounted when interviewed about his life and his memories of local Roma people: “My mother once said—she was a very religious woman—I don’t know, if I should say this here at all. She said, it was good though that Hitler put away the ‘gypsies’ but he should not have killed them.” The lion’s share of sources, however, suggest that most of the population was either passive, showed approval, or was even voluntarily involved in incidents of discrimination and persecution. The following case exemplifies this. After World War II, a “gypsy” survivor pressed charges against police officer Ernst Chwojka, who had mistreated him in a small Burgenland village. The accused was brought before the People’s Court (Volksgericht); in July 1947, he was sentenced to half a year, but he was released in September.
Chwojka’s wife Marie had been involved in the mistreatment of a “gypsy” too. That man survived the concentration camp, and after the war he filed charges. The police report states that in 1939, “he fled from the camp to an open field, where he was stopped and held by the policeman’s wife Marie Chwojka.” In the course of denazification, Marie Chwojka was registered because of her illegal NSDAP membership. However, the police did not prosecute the fact that she had been actively involved in the persecution of a “gypsy.” In regard to the question of pressing charges against former offenders, the Chwojka case is somewhat exceptional, since after 1945, for various reasons, most of the survivors did not file charges against former National Socialists. Anton Müller explains his decision to remain silent as follows: “Our farmers certainly tried to ingratiate themselves with us and brought bread and lard to us. They were Nazis and did not want to be betrayed [to the Allies]. But I did not betray anybody, least of all from our village. I just would have had to tell the Russians who had been a Nazi. If you live in the same village, that’s simply not done. Yes, that’s just the way it was.” However, in regard to the question of penalties after 1945, the Chwojka case is not isolated at all.

ROMA IN POSTWAR AUSTRIA

In postwar Austria, it was common that People’s Courts found former National Socialists not guilty of mistreatment of “gypsies,” even if there was substantial evidence to support the allegations. Often testimony given by “gypsies” was not considered reliable. This must be seen in the postwar context, when collective stigmatization, criminalization, and exclusion persisted. In public opinion “gypsies” were considered to have been “unwilling to work,” “antisocial,” and “criminals” who had been detained rightfully. Prevailing attitudes stipulated that “what he [Hitler] did to the Jews, he would not have needed to do, but what he did to the gypsies was right.” Legislation penalized “gypsies”; racist laws originating from the monarchy were still effective; and for decades “gypsies” were excluded from the Austrian compensation measures (Opferfürsorge) on grounds of the legal regulations, which only defined two categories of victims: resistance fighters and people persecuted for political reasons. Tobias Portschy’s further career also acts as an indicator for the general attitudes of the time. In 1949 a People’s Court sentenced him to fifteen years and forfeiture of his assets, but he was released early in 1951. Although his racist memorandum was among the documents presented to the court, his co-responsibility for the murder of thousands of “gypsies” was not prosecuted. He neither admitted guilt nor regretted his doings; on the contrary, all his life he did “not take back any word” of his memorandum.
though, remained underprivileged. To escape classification and stigmatization and to find work, some would leave their rural settlements and move to cities, hide their Roma background, or even change their “typical” surnames to “German” names in order to avoid being identified as “gypsy.” It is obvious that this had a bearing on the people left behind and the social structure of their rural settlements, which were threatened with extinction. Furthermore, victims were traumatized by the atrocities they had suffered in the camps, such as sterilization and gassing. Ludwig Horvath, whose mother had been imprisoned in a concentration camp, remembers an incident after the war: “When we moved to the new Roma settlement, suddenly there was electricity and running water. And what did she say when she saw the new water pipe? ‘Children, don’t take a shower, gas will come out!’” The long shadow cast by National Socialism affected all Roma families, cross-generationally. And fifty years after the end of the war Burgenland Roma again had to fear for their lives for racial reasons, when in 1995 a bomb killed four young men of the Roma settlement in Oberwart. The assassin, who had carried out a series of bomb attacks, was finally sentenced to life imprisonment. This attack was one of the most violent acts of domestic terrorism in Austria since 1945.

After World War II it took decades for an autonomous organization of the Romani minority to be established in the course of the 1980s people’s movement. In 1989, the first Romani association in Austria was founded in Oberwart, and others followed. They worked hard to gain public recognition. So far they have achieved a great deal, and many projects have been carried out; for example, the spoken language of Burgenland Romani was standardized and transferred into writing, and memorials have been established as well as a commemorative culture (e.g., the implementation of annual cultural and memorial events). In 1993, the Austrian state officially recognized Romani people as a national ethnic community. Thereby they received the same status as other autochthonous minorities of Austria such as Hungarians or Croatians. Two years later, the Roma Ethnic Group’s Advisory Board (Volksgruppenbeirat) was constituted, and financial grants allowed for maintaining a sound infrastructure to protect Romani interests. In 1999 the Adult Education Center of the Burgenland Romani (Volkshochschule der Burgenländischen Roma) was established to offer learning opportunities and promote Romani–non-Romani dialogue. In 2011 the European Commission called for national strategies for Roma integration, and thus Austria too implemented a national Roma strategy and established a National Roma Contact Point in the Federal Chancellery. In spite of all achievements, anti-gypsyism is increasing, and there is still a lot to be done. A Romani newspaper stated in 2014 that “a comprehensive integration still fails due to the stereotypical notions deployed from the people and the media. In many contemporary people’s minds Romani people have simply remained ‘gypsies.’” This is still an incontrovertible fact.
CONCLUSION

This chapter has discussed the ways in which marginalized groups in Austria were discriminated against and persecuted at the end of the nineteenth and in the course of the twentieth centuries. As demonstrated, this discrimination occurred over centuries. Many of the discriminatory measures had already been contemplated decades before the Anschluss and were then implemented by the National Socialists. As can be seen, these developments were based not only on the mere execution of instructions in a hierarchical structure but also on a bottom-up process. A “successful” implementation was only possible due to the concerted action and interaction of National Socialist politicians and executive, legislative, and judiciary personnel on all levels (local, regional, Reich) with the local population. Because Roma were also criminalized and stigmatized as “gypsies” after 1945, many people who had been involved in crimes against humanity could avoid legal persecution, often even investigation. They were able to attain positions in society again without any lasting disruption. Although today every European Union country has a “responsibility to improve the lives of the EU’s Roma citizens,” the European Commission has pointed out that “many Roma in the EU are victims of prejudice and social exclusion, despite the fact that EU countries have banned discrimination.”

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NOTES

widely perceived as pejorative. Since the sources analyzed for this chapter use an extremely expansive definition of Zigeuner (“gypsy”), the term is used but with certain reservations. This is discussed in more detail later.


11. See F. Freund, “Der polizeilich-administrative Zigeunerbegriff: Ein Beitrag zur

17. See Tandl, “Die Bekämpfung.”


23. See Mayerhofer, Dorfzigeuner, 18–19.


27. See also the interviews in Mri Historija and Amari historija.


30. Adolf Papai in Mri Historija, 6:5; see also Amari historija; and Mindler, “Die Kriminalisierung,” 64#20.

31. Amari historija, 117 and 181.


33. Anton Papai in Mri Historija, 5:16.


35. Halbrainer, Lamprecht, and Mindler, Unsichtbar, 94–95.


37. “Nach unserer Ansicht sollte jeder aufgegriffene Zigeuner auf eine Art und Weise

42. Freund, “Genocidal Trajectory,” 53.
47. See Tandl, “Die Bekämpfung,” 126f312.
50. Freund, “Genocidal Trajectory.”


56. Thurner, National Socialism, 39; see also Uslu-Pauer, “Verdrängtes Unrecht,” 62.

57. See also Freund, “Genocidal Trajectory,” 53.

58. See Mindler, Tobias Portschy, 98.

59. See “Letter from the Superintendent of Schools” (ca. September 8, 1938), BLA; see also Freund, Baumgartner, and Greifeneder, Vermögensentzug, 59; and Mri Historija.

60. See Freund, Baumgartner, and Greifeneder, Vermögensentzug, 33; see also the life stories in Mri Historija and Amari historija.

61. Grenzmark Burgenland, July 31, 1938, 1.

62. Grenzmark Burgenland, July 31, 1938, 1; Freund, Baumgartner, and Greifeneder, Vermögensentzug, 97–101; and Mindler, Tobias Portschy, 104–5.

63. Freund, Baumgartner, and Greifeneder, Vermögensentzug, 97.

64. See Freund, Baumgartner, and Greifeneder, Vermögensentzug, 29.


66. Oral History Archive, Department of Economic, Social, and Company History (University of Graz), 2/85.


69. Mri Historija; and Amari historija.


71. Freund, Baumgartner, and Greifeneder, Vermögensentzug, 103–8; Mri Historija; and Amari historija.

72. “Aus Österreich kommt die Anregung, die dringend notwendige Lösung der
Zigeunerfrage jetzt durch rücksichtslose Unterbringung der Zigeuner in geschlossenen Lagern zur Durchsetzung zu bringen.” Quoted in Fings, “Nationalsozialistische Zwangslager,” 205.

73. Freund, Baumgartner, and Greifeneder, Vermögensentzug, 109–110.
74. See Thurner, National Socialism, 42–101; and Uslu-Pauer, “Verdrängtes Unrecht.”
75. Fings, “Nationalsozialistische Zwangslager,” 206; Freund, Baumgartner, and Greifeneder, Vermögensentzug, 109–37; and Teichmann and Urbaner, “. . . Dass die Zigeuner.”
78. See Wilhelm Horvath in Mri Historija, 7:5; and Anton Papai in Mri Historija, 3:9.
80. See Lamprecht and Mindler, “Verfolgung.”
85. See Freund, Baumgartner, and Greifeneder, Vermögensentzug; see also Peter Hinterlechner’s order of November 11, 1941, Oberwart, in DÖW, Widerstand und Verfolgung, 283.
86. See Freund, Baumgartner, and Greifeneder, Vermögensentzug, 138–211; Mri Historija; and Amari historija.
87. “Es ist eines deutschen Volksgenossen unwürdig, dass er sich mit Habe von Zigeunern
bereichert. Bedauerlicherweise ist dies aber vorgekommen.” See Hinterlechner’s order of November 11, 1941, in DÖW, Widerstand und Verfolgung, 283.
89. See Peter Hinterlechner’s order of September 6, 1944, Oberwart in DÖW, Widerstand und Verfolgung, 289.
90. A victim’s database can be retrieved at the Cultural Association for Austrian Roma (Kulturverein österreichischer Roma) in Vienna, which includes information regarding eleven thousand Austrian “gypsy” victims. See Freund, Baumgartner, and Greifeneder, Vermögensentzug, 244.
91. See report by the police department of the district of Oberwart, May 30, 1946, in DÖW, Widerstand und Verfolgung, 279; Freund, Baumgartner, and Greifeneder, Vermögensentzug, 29; and Ludwig Horvath in Mri Historija, 15:5.
92. In particular Amari historija; and Mri Historija.
93. See Halbrainer, Lamprecht and Mindler, Unsichtbar, 94–95.
95. Halbrainer, Lamprecht, and Mindler, Unsichtbar, 94.
97. See Adolf Papai in Mri Historija, 6:16.
98. Amari historija, 31.
100. Adolf Papai in Mri Historija, 6:7.
102. See Anton Papai in Mri Historija, 5:6.
103. See Amari historija; and Mri Historija.
105. “Er flüchtete aus dem Lager auf ein freies Feld, wo er von der Gendarmenfrau Marie Chwojka angehalten und gestellt wurde.” “BH Oberwart 12.” BLA.
106. “BH Oberwart 12,” BLA.
107. “Unsere Bauern haben natürlich versucht, sich einzuschmeicheln, und haben uns Brot und Schmalz vorbeigebracht. Sie sind Nazis gewesen und haben nicht wollen, dass man

108. See work from Susanne Uslu-Pauer.


110. Tiefenbacher and Benedik, “‘Der unnütze Fleiß.’”

111. “Das, was er [Hitler] mit den Juden getan hat, hätte er nicht müssen, aber das, was er mit den Zigeunern getan hat, war schon richtig.” Quoted in *Amari historija*, 141.

112. The 1873 Vagabond Law was effective until the 1970s, and the 1888 Gypsy Edict until the 1960s. Freund, “Genocidal Trajectory,” 44 and 46.


125. “Roma Equality, Inclusion and Participation in the EU,” European Commission, accessed


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