

# RUNDBRIEF

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Die nachstehende Denkschrift ist gemeinsam vom Londoner Bureau und der Auslandsvertretung der Gewerkschaften ausgearbeitet und an alliierte Stellen geleitet worden. Sie knüpft an das in der London-Information (No.5 vom 1. März 1944) veröffentlichte Memorandum "Austria Is An Occupied Country". Inzwischen haben sich die der Oesterreichischen Vertretungskörperschaft angeschlossenen Organisationen auf eine Erklärung über die verfassungsmäßigen Grundlagen der Wiederaufrichtung des österreichischen Staates geeinigt, die in der London-Information (No.10 vom 15. Mai 1944) abgedruckt ist.

## THE RE-ESTABLISHMENT OF DEMOCRATIC INSTITUTIONS IN AUSTRIA

(First Measures)

### I. DEMOCRATIC RULE

(1) It is assumed that the United Nations are agreed that it is desirable that a democratic régime should be re-established in Austria with the full co-operation of the Austrian people as soon as possible after the country's liberation.

This is borne out by the Moscow Conference Declaration on the restoration of Austria as a free and independent State and on the restoration of democracy in Italy; the latter applying in principle also to other liberated countries, as explained by Mr. Cordell Hull, U.S.A. Secretary of State, in his statement of 18.11.43.

There is no doubt that the re-establishment of a democratic Austria is desired by the overwhelming majority of the Austrian people. This is confirmed by every report coming from inside the country.

All Austrian political groups abroad, without exception, have declared for a democratic Austria. In the opinion of most of them and for reasons of internal as well as of external politics which have often been explained, a democratic Austria means the restoration of a democratic Austrian Republic.

(2) As the suppression of the Austrian State by German Nazism was preceded by the destruction of the Austrian democracy at the hands of the Austrian authoritarian dictatorship of Dollfuss and Schuschnigg (which officially described Austria as a "German and Christian Corporative State"), the re-establishment of democratic rule in Austria must link up not with the unconstitutional régime of 1934-1938, but with the Austrian Republic prior to the Dollfuss coup d'état of 1933.

In this connection, it must be noted that the Austrian Labour movement which constituted a very strong force in the country, both industrially and politically, was suppressed in 1934, and that the rehabilitation of the Labour element is essential for the revival of Austrian democracy. Later, all political parties were dissolved by the authoritarian Government, including the Catholic Conservative Party (Christlich-soziale Partei) Dollfuss' and Schuschnigg's own party.

All Austrian democratic political groups united in the Austrian Representative Committee are agreed that for the period immediately following the country's liberation the re-establishment of Austrian law, Austrian authorities and institutions should be carried out on the basis of the Constitution of the Austrian Republic of 1920 (as amended by the Austrian Parliament in 1929).

(3) It is not proposed to deal here with the question when and how that provisional basis of democratic rule in Austria is to be reformed and a new Constitution introduced. The present proposals are confined to the first immediate steps to be taken for the re-instatement of democratic administration and self-government of the Austrian people in co-operation with the authorities of the United Nations whose military forces will, it is assumed, occupy the country for as long as military necessities require.

## II. COMMITTEES OF LIBERATION

(4) Even before military occupation is completed, an appeal should be made to the Austrian population by democratic Austrians abroad asking them to set up Committees of Liberation (local and provincial: Ortskomitees, Landeskomitees) wherever the German Nazi administration is collapsing. These Committees would have the task of

- (a) organising co-operation with the advancing Allied Armies;
- (b) maintaining the essential services (food; supply of water, gas, electricity; transport; sanitation; hospitals and health services);
- (c) preventing the destruction or the removal of public and private property by the Germans in their retreat (including road installations, railways, factory equipment and stocks);
- (d) dealing with Nazis so as to render them innocuous, pending judicial punishment of all Nazi crimes.

As to the composition of these Committees no hard and fast rule can be suggested but it is obvious that they will mainly consist of persons who have been active in the anti-Nazi underground movement and/or who were members of political parties and of local government bodies in pre-Fascist Austria and have maintained a reputation for democratic reliability. In industrial regions, former Trade Unionists and Social Democrats, former shop-stewards will play an important part, while in rural districts the same will apply to local representatives of the peasants.

The Committees of Liberation should be at once accepted by the Allied Army Authorities on the basis of mutual assistance.

### III. SHOP-STEWARDS AND PEASANT REPRESENTATIVES

(5) The election of shop-stewards and of peasant representatives should be encouraged, however provisional the method of their selection. Shop-stewards are an institution recognised by the Austrian law in all industrial undertakings; and the peasants, too, had their elected representatives and representative bodies (Agricultural Chambers — Landwirtschaftskammern or Bauernkammern). These have nothing to do with the Nazi institutions of a compulsory character which must be at once broken up.

In particular, the factory is a unit important not only for its economic purpose but also because it will remain when the whole system of administration and authority goes to pieces as it must when the Nazi régime breaks down. Even before Trade Unions or other Labour organisations can be reconstituted the factory will form a kind of organisational nucleus.

To this must be added the strong tradition of shop-stewards in Austria: they were the people to whom the workers looked with confidence and who were able to maintain discipline among the men even in difficult circumstances. That is why Austrian workers in every factory will at once proceed to elect their shop-stewards. The linking-up of these shop-stewards with the reconstituted Trade Unions will be a natural process which should be facilitated in every way. The shop-stewards should also be associated directly with the work of the Committees of Liberation and later of the Provisional Local Councils, especially with regard to the protection of factory equipment and stocks against damage, destruction or removal and also with a view to helping in the distribution of food and relief, in the carrying out of health and welfare measures, etc.

In general, there is no more vital provision for the maintenance of order and of essential services—essential also for the occupying Armies—than to keep the wheels in the workshops turning: to keep the workers at work. The major part of Austria's industries is now Nazi-owned and managed by Germans; it will be left without management when the Nazis and the Germans are driven out. It is not proposed to deal here with the extremely important emergency measures which this state of affairs will require. All the more, it will be essential to secure the help of the shop-stewards for maintaining the workers at work and they should be given all facilities for pursuing effectively their indispensable duties.

All this applies particularly to the railways and other transport services. On their working may depend the success of military operations still in progress in another region. It is therefore of special importance to secure, through their shop-stewards, the willing co-operation of the railwaymen and other transport workers.

A special problem which will have to be faced in connection with the uninterrupted working of Austrian industries is the presence of extremely large numbers of foreign workers. These will all want to get home as soon as possible and, on principle, their speedy return should be facilitated in every way: one of the sections of U.N.R.R.A. is to deal with this tremendous problem on a European scale. However, before their ordered repatriation can be organised—i.e. during a period of, probably, several months—it is in their interest as well as in that of the Austrian population and of the authorities of occupation that they should not simply disband in a disorderly fashion, but remain at work, whilst their conditions of work, wages, housing, food, etc. should be at once brought up to the same standards as those of the Austrian workers. It is therefore necessary to associate elected representatives of the foreign workers in each factory and locality where they are present in sufficient numbers with all emergency measures in industry (and partly in local administration). This will be done most naturally by establishing close connections between representatives of the foreign workers and the Austrian shop-stewards as well as the Austrian Committees of Liberation and later the Provisional Local Councils.

#### IV. PROVISIONAL LOCAL COUNCILS

(5) As soon as the liberation of a district is completed, a Provisional Local Council (Provisorischer Gemeinderat) should be set up in every locality. Its duties would be the same as those outlined above for the Committees of Liberation but on a larger scale. It would not only assure the maintenance of the most essential services but gradually extend its activities to other fields e.g. regulation of prices, regulation of employment (as long as no special agencies for this purpose exist), re-opening of schools etc., and thus attempt to restore to normal the entire life of the community.

The Provisional Local Council should be formed at first

- (a) by recalling those of the members of the last elected Local (Municipal) Council—prior to 1934—who did not belong to any Fascist Party and have not joined one since;
- (b) by adding to these formerly elected members:
  - (i) representatives of the underground resistance movement;
  - (ii) representatives of the factories and of the rural population (see above)
  - (iii) delegates from reconstituted Trade Unions, peasants and other professional organisations, as well as from democratic political parties as soon as these are reconstituted.

The selection of the members sub (b) will be facilitated where a Committee of Liberation has been in existence prior to the setting up of the Provisional Local Council, but not all members of such a Committee need be retained as members of the Council.

A Provisional Local Council should have not less than five members (in small localities) and need not have more than 25 (in towns, with the exception of Vienna).

As soon as the situation permits, the Provisional Local Council should be replaced by way of elections. These elections should be held on the basis of the Local Election Act (Gemeindewahlordnung) of the Austrian Republic, but temporary arrangements with regard to the Register will have to be made. Persons who have been members of the Nazi Party or who have actively collaborated with the Nazis will have no vote.

#### V. ELIMINATION OF NAZI INFLUENCE

(7) As a cast-iron principle it should be laid down that no person who has been actively connected with the Nazi Party, the S.S., The S.A., the Gestapo or the Hitler Youth, nor anyone who has held office in the D.A.F. or in any of the auxiliary organisations of the Nazi Party is eligible for office in any reconstituted body of local administration.

This may sometimes mean a loss in "expediency" i.e. foregoing the assistance of an experienced Nazi administrator who is ready to turn his coat. Against this must be set the immense moral value of the impression created by firmness: the population must see that this time democracy, supported by the victorious armies of the democratic Powers means to assert itself.

The question arises: who is to determine whether a man has been an active Nazi? This cannot always be decided merely by asking his neighbours or by accepting information against him which may be difficult to check. From the members of the Provisional Local Council two persons should be appointed to act as advisers on the political reliability of the local population and their advice should be accepted.

Former Austrian Fascists (active members of the Heimwehren, etc.) must on principle be treated like the Nazis with regard to non-eligibility unless the advisers testify that they have mended their ways and are acceptable to the local population.

(8) All Nazi organisations i.e. the Nazi Party with all its auxiliaries should be at once suppressed without exception and under no pretext should any one of them (including welfare organisations as well as all sport and tourist clubs) be allowed to continue. Special attention should be paid to all attempts of the Nazis to reform their organisations in a harmless disguise or to infiltrate into non-Nazi organisation.

As soon as possible, these preliminary measures against the Nazis should be completed by

- (a) the institution of a special judicial procedure for the punishment of Nazi criminals;

- (b) the setting up of a commission for the removal of Nazis and Fascists from public service and from executive positions in industry according to strict rules;
- (c) the appointment of a Tribunal before which a man suspected of having been a Nazi may submit evidence to the contrary and claim to be certified as a non-Nazi;
- (d) the withdrawal of all political rights from all Nazis for a certain time.

All these measures concerning the elimination of Nazi and Fascist influence (Entfaschisierung) cannot be described in detail here. In working them out account will have to be taken of various circumstances peculiar to Austria e.g. the fact that the overwhelming majority of judges are Nazis and will have to be removed so that an emergency re-organisation of the judiciary (including the calling in of a strong proportion of lay judges) must precede any judicial measures against the Nazis.

#### VI. PROVISIONAL PROVINCIAL AND NATIONAL BODIES

(9) As soon as a whole province (Bundesland) is liberated, a Provisional Provincial Council (Provisorischer Landesrat) should be set up on the same lines as the Provisional Local Councils, i.e. it should be formed

- (a) by recalling those members of the last elected Provincial Diet (Landtag) who did not belong to any Fascist Party and have not joined one since;
- (b) by adding representatives of the resistance movement, the factories, the rural population, the reconstituted Trade Unions, peasant organisations, professional organisations and democratic political parties.

The Provisional Provincial Council shall appoint a Provisional Provincial Executive (Provisorischer Landesauschuß) of at least five members which shall function as a provisional provincial government.

(10) As soon as possible a Provisional Central Government should be set up which must represent all the important political forces in the country.

It will be seen that these proposals assume a gradually progressing liberation of Austrian territory. They would equally apply in case the Nazi régime should collapse or be swept away simultaneously, or within a very short time, over the entire territory of the country.