



## June is Pride Month

15 Jun 2022

### The persecution and late recognition of homosexual victims of National Socialism in Austria

For many years, the fact that the Nazis also persecuted people due to their sexual orientation was brushed under the carpet. Although homosexuality was also illegal prior to 1938 (Sec.129 Ib of the Austrian Penal Code had criminalised homosexual acts by both men and women, or “unnatural fornication”, since 1852), in practice homosexuals were subjected to brutal persecution following the “*Anschluss*” of Austria to the German Reich. From March 1938 onwards, the number of arrests of homosexuals or people suspected of homosexuality by the Criminal Police or Secret State Police increased dramatically.<sup>[1]</sup> In addition to being arrested, humiliated, tortured and imprisoned, many homosexuals were also sent to concentration camps.<sup>[2]</sup>



Beaten to death – kept under wraps. The memorial for the homosexual victims of the Nazis at Mauthausen concentration camp. (c) Wikimedia Public Domain

For a long time, there was also a lack of empirical data on the extent to which homosexual acts were persecuted during the Nazi era in Austria. Two research projects co-funded by the National Fund have collected concrete data for the first time. The project launched in 2013 to “record the names of homosexual and transgender victims of National Socialism in Vienna”<sup>[3]</sup> examined all surviving criminal files of the Vienna Provincial Courts I and II that related to Sec. 129 Ib of the Penal Code, as well as files of the Vienna Special Court, which was established to prosecute breaches of the “Ordinance against Public Enemies”. Data was gathered from around 700 criminal files relating to approx. 1,400 males and 79 females who had been charged and/or convicted.<sup>[4]</sup> In the second project, research was undertaken on “the criminal prosecution of homosexual acts by the Nazi courts martial in Vienna from 1938 to 1945”<sup>[5]</sup> This project documented around 90 proceedings involving around 100 defendants. In total, the two projects documented the stories of around 1,400 people who had been subject to prosecution.<sup>[6]</sup>

For a long time after 1945, homosexuals were not perceived as victims of Nazism or afforded any recognition of their victimhood, especially since homosexuality continued to remain illegal in Austria until the minor criminal law reform of 1971. Discrimination with regard to the age of consent was only abolished in 2002.

In 1995, the National Fund Law made it possible – for the first time – for people who had been persecuted by the Nazi regime because of their sexual orientation to receive official recognition as victims. The grounds of persecution listed in the National Fund Law – political grounds, grounds of origin, religion, nationality, sexual orientation, physical or mental handicap, the accusation of so-called asociality or grounds that made people victims of typical Nazi injustice in some other way – expressed a broader definition of victimhood than in earlier measures. The National Fund Law thereby afforded official recognition to various victim groups that had previously been denied recognition as victims of National Socialism.

Official recognition of this injustice was an important step, but for many it came too late: in practice, the opportunity to be legally recognised as a victim of National Socialism was barely taken up by people who had been persecuted for their sexual orientation. The reasons for this not only lie in the fact that this opportunity was created so late, but probably, above all, in the many years of social stigmatisation. Nevertheless, the inclusion of this group of victims under the National Fund Law has a strong symbolic value and has an important signalling effect for society; the Victims’ Welfare Act was also amended accordingly.

### The long road to the “Homosexuals’ Monument”

In recent years, memorials have been erected to commemorate various groups of victims. The creation of a memorial for the homosexual victims of the Nazi regime was the subject of years-long debate, but its realisation was a long time coming. In the course of this debate, in the early 2000s, the National Fund supported the exhibition organised by the Homosexual Initiative Vienna (HOSI), “The Nazi Persecution of Homosexuals on the Territory of the Former Austria. From Life.”<sup>[7]</sup> Also in the early 2000s, the City of Vienna took the decision to erect a memorial to the homosexual victims of the Nazis. Morzinplatz in Vienna’s 1<sup>st</sup> District, where the Hotel Metropol once stood, was initially earmarked as a suitable site. Following the “*Anschluss*” of Austria to the German Reich in 1938, the hotel had been converted into the Gestapo’s Vienna Headquarters, making it an epicentre of terror and persecution for political opponents of the Nazi regime.

2006 saw the launch of a competition to design a memorial. However, the winning design – “Rosa Platz” by Hans Kupelwieser, a large basin filled with pink water – proved to be unfeasible in practice. Temporary memorials were then installed by the organisation Art in Public Spaces (KÖR) between 2010 and 2015:

In 2010 on Morzinplatz: the installation of a “vigil” by Ines Doujak<sup>[8]</sup>;

in 2011 also on Morzinplatz: the temporary memorial sign “Too late” by Carola Dertnig and Julia Rode<sup>[9]</sup>;

in 2013 on Morzinplatz Jakob Lena Knebl staged a temporary memorial for the homosexuals, lesbians and transgender persons persecuted and murdered during the Nazi era with an installation entitled “Faggot”<sup>[10]</sup>;

in 2015 at the Naschmarkt: the installation “raising the bar” by Simone Zaugg.<sup>[11]</sup>

Most recently, the City of Vienna designated Resselpark in Vienna’s 4<sup>th</sup> District as the site for a permanent “memorial to men and women who were victims of homosexual persecution during the Nazi era”. The design by the British artist Marc Quinn emerged as the winner from a single-stage competition, but Quinn subsequently withdrew his project. A new artistic competition was announced.

On 18 May 2022, the ten-member jury selected the design by the artistic team Sarah Ortmeyer and Karl Kolbitz, “ARCUS (Shadow of a Rainbow)”. The sculpture ARCUS (Shadow of a Rainbow) translates the bright rainbow colors, today the symbol of the LGBTIQ movement, into diverse shades of gray, thus emphasizing mourning and commemoration. The design is simple and understandable at first glance, while at the same time multilayered, expressive and readable on different levels.

Through the use of the rainbow, the dignified remembrance of the men and women who were victims of homosexual persecution during the Nazi era is brought into the present and given contemporary resonance. At the same time, the sculpture creates curiosity; creates a multiplicity of shades despite its gray tones; and is unfathomable - because a rainbow as an optical phenomenon cannot actually cast a shadow. And unfathomable is also what happened, the persecution and murder of people.

Thus the half-circle form of the sculpture, which as if by chance creates space and moments to pause and linger, acquires poetry, connects past with the present, present with future, and mourning and commemoration with a reminder to all of us – because a rainbow needs ideal circumstances to appear – to be able to be alive.<sup>[12]</sup>



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## National Fund logo in the colours of the rainbow

For 27 years, the National Fund has spearheaded the recognition and remembrance of those persecuted for their sexual orientation, also through its co-funding of numerous projects. In this spirit, in June the National Fund is presented on its website and social media channels in the colours of the rainbow, as a sign of solidarity with the LGBTIQ+ community.

### Notes

[1] Manuela Bauer, Andreas Brunner, Hannes Sulzenbacher, Christopher Treiblmayr: „*Warme*“ vor Gericht. *Zu Selbst- und Fremdbildern homosexueller Männer in der Zeit des Nationalsozialismus in Österreich*. In: *Homosexualitäten revisited*. Österreichische Zeitschrift für Geschichtswissenschaften, booklet 29/2, Innsbruck/Wien/Bozen 2018, p. 86-110, here: p. 97.

[2] According to one research paper, the total number of people imprisoned for homosexuality in concentration camps was “in the order of 10,000, but it could also have been 5,000 or even 15,000”. Cf. Rüdiger Lautmann, Winfried Grikschat, Egbert Schmidt: *Der rosa Winkel in den nationalsozialistischen Konzentrationslagern*. In: Rüdiger Lautmann (ed.), *Seminar. Gesellschaft und Homosexualität*. Frankfurt am Main 1977, p. 325-365, here: p. 333.

[3] Project: “Collection of names of homosexual and transgender victims of National Socialism in Vienna”. <https://www.nationalfonds.org/detail-view/1051>

[4] “Warme” vor Gericht (see footnote 1), p. 89.

[5] Project: “The prosecution of homosexual acts by the Nazi courts martial in Vienna 1938-1945”: <https://www.nationalfonds.org/detail-view/1275>

[6] “Warme” vor Gericht (see footnote 1), p. 90.

[7] Project: “The Nazi Persecution of Homosexuals on the Territory of the Former Austria. From Life”: <https://www.nationalfonds.org/detail-view/1422>

[8] The project "Vigil" by Ines Doujak was shown in the period July to October 2010: <https://www.koer.or.at/en/projects/mahnwache/>

[9] The project “Too Late” by Carola Dertnig was shown in the period July 2011 to October 2012: <https://www.koer.or.at/en/projects/zu-spaet/>

[10] The project “Faggot” by Jakob Lena Knebl was shown in the period May 2013 to April 2014: <https://www.koer.or.at/en/projects/schwule-sau/>

[11] The project “raising the bar” by Simone Zaugg was shown from April 2015 to August 2016: <https://www.koer.or.at/en/projects/raising-the-bar/>

[12] Cf. the statement by the jury and by Sarah Ortmeyer and Karl Kolbitz, the winners of the two-stage competition “Memorial to Men and Women who were Victims of Homosexual Persecution in the Nazi Era”: <https://www.koer.or.at/projekte/offener-wettbewerb-zum-denkmal-fuer-maenner-und-frauen-die-opfer-der-homosexuellen-verfolgung-in-der-ns-zeit-wurden/>