

T R A N S L A T I O N

SUBJECT: LETTER TO THE AUSTRIAN MINISTER GUIDO ZERNATTO CONCERNING THE PROPOSED PLEBISCITE

ORIGIN : SEYSS-INQUART (as quoted in Zernatto's Book)

DOCUMENTS:

- 1. Printed Document
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

FEDERAL MINISTER Dr. SEYSS-INQUART

Vienna, 9 March 1938

Dear Minister:

You (the familiar "Du" -- 2nd pers. Sing. is used throughout --ed) have informed me today that the Chancellor (Bundeskanzler) has decided to carry out some sort of plebiscite on the 13th of this month. The Chancellor has charged you to convey his decision to me. I feel obliged, therefore, to let you know my position regarding this plan, and ask you to inform the Chancellor to this effect.

The plebiscite is based upon Art. 93 of the Constitution, with analogous application of the stipulations of Art. 65 ff. Object of the plebiscite is principally an avowal of faith to Austria on the basis of the Constitution of 1934. I would like to remark in this respect that in my opinion a vote with the character of a plebiscite can not be ordered at all in accordance with Art. 93.

An open negation of the question posed could, moreover, be construed as high treason. In addition, the plebiscite deals with principles with

which politically prominent forces and groups of this country have declared themselves in agreement for some time.

The purpose of this plebiscite is, therefore, not so much a solemn<sup>con-</sup> affirmation of this State, as a pursuit of political aims in the present situation. The apparent and prominent significance of this plebiscite can only be considered in the fact that the present government and the present situation are to have a vote of confidence. The refusal of affirmation of the question should therefore be evaluated not as subversive, but only as a dissenting opinion upon the basis of the present State. I referred to this condition already during yesterday's conversation with the Chancellor, in the course of which I was generally informed about the intentions of the plebiscite, without notification of further details or the date on which this plebiscite was to take place.

In accordance with the duties incumbent upon me by reason of point II, 3, of the Berchtesgaden Agreements I now have examined the questions arising out of this plebiscite. The situation is as follows: On the basis of my declarations of intentions, which I made public on the fifth of this month at Linz in agreement with the Leader of the Fatherland Front (Frentfuhrer) and Chancellor, the National Socialists expect their incorporation into the administrative and political organs of the State and the Front. It is inconceivable that the National Socialists will abandon their oppositional attitude not to the State, but to the present situation, before this

incorporation has been substantially carried out. Since they now are unexpectedly and prematurely called to a vote which does not admit of anything but an affirmative if the voter is not to risk ~~the~~ being suspected of intentions of high treason, I feel obliged, in conformity with the duties incumbent upon me, and with regard to the responsibilities resting upon me as Minister of the Interior and Security, to demand the observation of the following conditions for this plebiscite.

The voting is to be carried out uniformly in all Federal States (Bundeslaendern), supervised by the Minister of the Interior. The Peoples' Political Councils (Volkspolitische Referate) are to send one trustee to each of the ward commissions. The ballot is to be secret. For this purpose a booth is provided. The ballot will be returned in a sealed envelope. The surrender of an empty envelope, or of an envelope with <sup>a blank</sup> ~~an empty~~ ballot, or of a ballot with additional remarks concerning an affirmative or negative vote, are considered invalid and will be counted as such.

In the tallying of the individual as well as of the total results the number of qualified voters, of actual voters, of affirmative, negative, and invalid votes will be shown. The individual groups will be free to disseminate campaign slogans in assemblies and through leaflets. Nowhere will there be an attendance "en bloc", and on voting day any demonstration concerning the plebiscite will have to cease. The protection of the voting procedure is undertaken by the executive alone.

On the supposition that the voting will be carried out in conformity with these conditions, I am in a position to agree to it by reason of the obligations which are incumbent upon me according to Paragraph II, 3, of the Berchtesgaden Agreement. In that case I believe that I shall be able to guarantee, in my capacity as Security Minister, its peaceful progress.

As I mentioned before, it is here not a question of a fundamental identification with the State, but rather a statement of position with regard to the government and present situation. An affirmative attitude of the National Socialists can only be counted upon, if the constitution of the government offers the prerogatives for such a positive attitude on the part of the National Socialists.

I ask you to take the above into consideration, and remain with best regards

(Signed) Dr. Seyss-Inquart M.P.

I certify that the above is a true, correct and complete translation from German into English of the original document.

Ernest H. Lewis