

Erna Putz/Franz Jägerstätter – Martyr

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Franz Jägerstätter

Martyr

A Shining Example in Dark Times

*Owner: The Diocese of Linz, Vicar-General: DDr. Severin Lederhilger Herrenstrasse 19, A-4010 Linz;
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*Translated from the German by Catherine Laura Danner
Layout: margot.haag@pixeline.at
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Foreword

The beatification of the Austrian martyr Franz Jägerstätter on 26th October 2007 in Linz Cathedral is an outstanding day, an expression of something which has grown stronger over the decades, reaching far beyond the borders of his homeland: a deep sense of the value of this farmer and father of a family who was executed in 1943, a victim of the unjust Nazi system which he rejected out of religious conscience. The Church is hereby expressly recognizing the courageous attitude of this faithful man, who still has so much to say to us today.

The commemoration of Franz Jägerstätter stands within the context of many interrelated aspects: his wife, his children and his family, the Church, through his beatification, questions of saintliness and martyrdom, social and political issues in the examination of our own wartime past, the war generation, inhumanity and the terror of the Nazis, and the ethical and educational issues of war and conscientious objection, non-violence, peace education and disarmament, of authority, conscience and obedience.

Franz Jägerstätter is a prophet with a global view and a penetrating insight which very few of his contemporaries had at that time; he is a shining example in his fidelity to the claims of his conscience, an advocate of non-violence and peace, a voice of warning against ideologies, a deep-believing person for whom God really was the core and centre of life. His prophetic witness to Christian truth is based on a clear, radical and far-sighted analysis of the barbarism of the inhuman and godless system of Nazism, its racial delusions, its ideology of war and deification of the state, as well as its declared program of annihilating Christianity and the Church. His educated, mature conscience led him to say a resolute 'No' to Nazism and he was executed due to his consistent refusal to take up arms as a soldier in Hitler's war.

Franz Jägerstätter himself venerated the Saints and saw them as guides, and he charted his own path in the footsteps of these intercessors and role models. As a witness to the Beatitudes, he gives the Gospel a human face. In this way, he can inspire people today to stay on the path of the Gospel. He looks at the Church from the perspective of the Kingdom of God, of becoming Jesus' successors and of open commitment to Jesus. "Shouldn't we Christians become true successors of Christ?"

Franz Jägerstätter also precipitates a crisis, a judgment on present-day styles of life and belief. A too-rapid familiarity with Jägerstätter would carry the risk of his being merely absorbed and neutralized, and also of kitschifying him, making him quaint, as happens in the case of quite a few Saints. Franz Jägerstätter does not allow himself to be merely looked up to, without at the same time posing a question about one's own life: and what about you? It's your situation that's being dealt with here, it's your motivation that's at issue, it's your God that's under debate! What part does sacrifice play in your own life? How seriously do you take the question of whether there's something in your life so big that you would, if necessary, be willing to die for it?

The present commemorative bringing to mind of Franz Jägerstätter confronts us all with a question that is simultaneously clarifying, encouraging and therefore salutary. This biography will enable us to get to know and to understand the path of his life and faith, his perception of responsibility and his willingness to fulfill the will of God with complete devotion – and enable us to comprehend the sign that God has given us in him.

Linz/Innsbruck, October 2007

Dr. Ludwig Schwarz SDB
Bishop of Linz

Dr. Manfred Scheuer
Bishop of Innsbruck, Vice-Postulator

The Huber – Jägerstätter family

Childhood

On 20th May 1907, the unmarried farm maidservant Rosalia Huber gave birth to a son at her parents' home at No. 22 St. Radegund. The child was baptized Franciscus (Carraciola) in the parish church on 21st May. Franz Huber's father was Franz Bachmeier from Tarsdorf in the province of Salzburg, the unmarried son of a farmer. Being servants, he and the mother of the child were too poor to marry and start a family. After the birth, the young mother had to leave the child in the care of her own mother. This shoemaker's widow, Elisabeth Huber, had 13 children to feed on the produce of her small farm. Her grandchildren describe her as a deeply religious, loving woman of wide interests, who would often kneel and pray for long periods at night in the nearby chapel.

From 1913 to 1921, Franz attended the one-roomed primary school in St. Radegund. Here, one teacher taught seven grades in a single room – about 50 to 60 children in all.

In one poem, "From my Childhood", written in Austrian dialect and dated 7th September 1932, Franz recalls the discrimination he suffered at school due to his poverty: "As I was just a poor boy, this thought came to my mind, however well and honestly I learned, they always gave me a 'three'."¹ In the corresponding period, during which there was a severe shortage of food due to the war, the parish chronicle of St. Radegund mentions a teacher who used to supply his relatives in the town with food from the village. During the 1916/1917 school year, Franz spent two semesters at the house of his paternal grandparents in Tarsdorf, in the province of Salzburg, where he received markedly better school reports. The marriage of his mother on 19th February 1917 radically improved the boy's social situation. Rosalia Huber married Heinrich Jägerstätter, the owner of the Leherbauernhof farm at No. 7 St. Radegund. Heinrich Jäger-

1 In Austria, a 'three' was the second-worst school grade on the scale of 1–4.

stätter adopted his wife's child and gave him his own name. On the farm, there was plenty to eat and to read. The young farmer's father subscribed to a newspaper, was a member of the St. Josef Book League and owned a small theological library which one might rather have expected to belong to a priest. His schoolfellows still remember Franz as an avid reader.

St. Radegund

During the first half of the 20th century, this small village on the River Salzach was famed far beyond its borders as a place where Passion Plays were performed. As late as the 90's, a Bavarian minister praised the quality of the performances here as being better than those presented in the famous Oberammergau in Germany. St. Radegund, a village of only 500 people, managed to organize a four-hour play on stage, accompanied by the music of a brass band and a children's choir, as well as the catering and transport for guests from the railway station of Tittmoning, 5 km away.

It was in connection with these plays that the village had its first encounters with Nazism. Father Wimmer wrote in the parish chronicle: "5th March 1933. The Nazi takeover of power in Germany. An unhappy time has thus begun for us. From this day forth, Austria and everything connected with her, including our play, have been boycotted by Germany. Our posters and letters to Germany have been intercepted and confiscated ... Ever since June 1st of this year, the German border to Austria has been completely closed. Officially, small border traffic is allowed, but in fact no German ever comes over here."

According to the results of the population census in 1934, the religious affiliation of the people of St. Radegund was uniformly Roman Catholic. Politically, St. Radegund was governed by the Christian Social Party (the results of the state election in 1931, the last free election before the Second World War, were: Christian Social Party 228 votes, Social Democrat Party 8 votes and no votes for the Nazi Party (NSDAP); however, in the neighboring village of Ostermiething, the Nazi Party already received 50 votes).



Rosalia Huber, Franz's mother, and his adoptive father, the farmer Heinrich Jägerstätter, were married on 19th February 1917

Franz's youth

His contemporaries remember young Franz as fun-loving and popular. At the age of twenty, he left his home village temporarily. One reason was that he wanted to earn some money, and another factor which precipitated his decision was the rivalry between several lads over a girl in his village. He worked on a farm in the Bavarian town of Teising, from which he visited the place of pilgrimage Altötting on three consecutive Sundays. After this, he found work in the Styrian iron ore industry in Eisenerz, Austria. His commencement there in the autumn of 1927 came at a time of enormous national political tensions in Austria. For the first time, he found himself living in an environment that was hostile to the church. He temporarily gave up going to church, but in 1930 returned to his home village a stronger believer than ever. A letter written a few years later to his godson Johann Huber gives a clear insight into his experiences: "... You often read in the newspaper that youngsters of 15 or 16 have killed themselves; the motive for the deed that's usually given is disappointed love or lack of success in learning. But it would be nearer the truth to say that these youngsters have been uprooted in faith – for if disappointment in love were a major cause of killing oneself, few people would reach the age of thirty ... If you ever have religious doubts (and almost everyone will have them at one time or another) as to whether our faith is the true one or not, then just think of the miracles and of our Saints, which aren't found in any other faith except the Catholic faith. Ever since the death of Christ, there have been persecutions of Christians in almost every century, and there were always heroes and martyrs who sacrificed their lives, often in cruel martyrdom, for Christ and their faith. If we want to reach our goal, we too must become heroes of faith, for as long as we fear men more than God, we'll never get anywhere."²

Franz Jägerstätter recommended reading as a help in finding the right path as, he said, one cannot always rely on one's surroundings: "Why

2 From the letter to his godson Franz Huber, written about 1935. In: Erna Putz, *Gefängnisbriefe und Aufzeichnungen* (Letters from Prison and Writings) Linz/Passau 1987, p.81

should a young person read only good books and writings? In the first place, because a person doesn't just need physical, but also spiritual food. We don't always have the chance to listen to good, fine sermons, for not every minister has the talent of being able to preach excellently well. And all this reading, as you hear many people say, doesn't it make a person more stupid than he already is? And that may frequently be the case, for there are many youngsters who often read a great deal, but mainly only romance novels and robbers' tales, which are often very exciting to read, but have no value for spiritual and religious education. If you happen to read a bad book, it can often do more damage than the benefit ten good books can bring. Therefore, young people should generally ask pastors or good teachers what they should read. Even though not everyone is equally keen on reading, it's always possible to read a bit during the long winter evenings – for a person who never reads will never be able to stand on his own two feet: he'll often become a mere football to be kicked around by other people's opinions.”³

A further quotation from the letter to his godson offers us an insight into young Jägerstätter's way of thinking: “We've already learned in school that each person has understanding and free will, and it particularly depends on our free will whether we want to be eternally happy or eternally unhappy.”⁴

As a young man, Franz had a wide variety of interests: he learned to play the zither, and also learned to write in shorthand. The other young people were very impressed by his motorbike, which was the first one in the village and which he had bought with his earnings from Erzberg. He was popular with the girls and he used to “chase after them” as some of his contemporaries put it. Sometimes the word “Raufer” (brawler) is also mentioned. Here, it is important to explain what this term meant in village life at that time. In every parish there would be two or more “Zechen” – fraternities of young, unmarried men, which were primarily concerned with organizing social events. One such group would always pay for each dance, i.e. for the music at the event. If “one of the other

3 Ibid. p. 83 f

4 Ibid. p 81



Franz Jägerstätter at the age of about 18

crowd” joined the dance, there would usually be a jostle or punch-up. Franz, too, was involved in such incidents, though he was in no way a notorious ringleader. Because of one such fight, he was once even given a prison sentence of several days to serve, after his marriage. In this particular case, Franz had had a fight with a Home Guard soldier, which gave the incident a political aspect and led to the judicial penalty.

Franz’s daughter Hildegard

On 1st August 1933, Theresia Auer, a farm maidservant in St. Radegund, gave birth to a girl. The father of the child, who was baptized Hildegard, was Franz Jägerstätter. It was no longer possible to ask Theresia Auer (later married name: Kirsch) about this event; however, her two sisters remember that Franz’s mother, Rosalia Jägerstätter, was very much against her son’s marrying the girl. Tensions existed between the Auer family and Franz Jägerstätter concerning the acknowledgement of paternity. In the village⁵ and in the family⁶ there was doubt about the child’s paternity. Theresia’s sisters remember that Franz paid much attention to the child, and, in particular, how attached the little girl was to him. The family was amazed at how deeply the ten-year-old later mourned the death of her father. Anna Auer (married name: Engelbrecht) once asked her sister Theresia how she felt about Franz Jägerstätter, and whether she was angry with him; Theresia said that he had begged her forgiveness, and that they had parted in peace.

Franz’s daughter Hildegard (married name: Stockinger), who lives in Bürmoos in the province of Salzburg, has very strong, vivid memories of her father. When she was three days old, the child was put in the care of her paternal grandmother in Bürmoos, where she received a loving upbringing. Her mother had to continue working as a maidservant, and as she had very little free time, and as Bürmoos was about 30 km away, she

5 Cf. Gordon Zahn, *Er folgte seinem Gewissen. Das einsame Zeugnis des Franz Jägerstätter.* (In *Solitary Witness. The life and death of Franz Jägerstätter*) 3rd edition 1979 (1. 1967), p.40 ff.

6 According to the account given by his godson and cousin, Franz Huber

could very rarely visit her child. Mrs Stockinger remembers that as a child she knew her father almost better than her mother, because he often visited her. The fact that her father came on his motorbike already made it a great event, and also he always brought a gift with him: food and, above all, meat – which was so rare at that time, and which the little girl liked very much. After the war began, Franz Jägerstätter paid alimony entirely in the form of food; he once sent a note with one of these packages: “The nicest apples are for Hilda.” She remembers that, at the time, she staunchly defended these apples from everyone else. Hilda Auer was invited to her father’s farmhouse home for the annual village festival at St Radegund, the largest and grandest family festival in the region.



Franz, after his return from Styria: he owned the first motorbike in the village. From left to right: Franz’s foster sister Aloisia Sommerauer, his mother Rosalia, his adoptive father Heinrich Jägerstätter, Franz and a visitor.

Before his marriage to Franziska Schwaninger, Franz Jägerstätter went with her to the Auer family and offered to adopt the child. However, understandably, neither the mother nor the grandmother wanted to part from the child. Before refusing to fight for Hitler, Franz Jägerstätter visited Theresia, the mother of his child, told her of his intention and asked her what she thought of it; she advised him to do the same as everyone else and enlist in the army, for then there would still be a chance that he might return. After being condemned to death, he wrote a farewell letter to Hildegard. This letter has not been preserved, but Hildegard remembers that it said: "... be good, do what Mummy tells you ... the mother should give the child a Christian upbringing ... We will meet again in Heaven."

After the end of the war, the Jägerstätter family and Hildegard lost touch with one another; the reason for this was, apparently, a hurtful remark made by her grandmother, Rosalia.

In 1972, Hildegard Auer and her mother received a visit from Herr Erwin Fink of Heidelberg. A letter which he wrote after the visit shows something of the attitude of the two women towards Franz Jägerstätter – a few excerpts are quoted here: "... I feel extremely fortunate to have visited you and your mother, and to have heard your sincere opinion of your father from your own lips. ... Studies must be made of your father, Father Reinisch and Ernst Volkmann⁷ in order to find out what gave them the courage, the strength and the spiritual insight to voluntarily and deliberately accept death by refusing to enter into military service for Hitler. I find your father the most interesting of the three: in particular, what you told me about his praying a great deal. You agreed with me that your birth, his heartfelt prayers and his heroic and lonely death are all closely connected. Therefore, when he said: 'the Bishop has not experienced the grace that has been granted to me', then that is his own personal experience to which he has borne witness through his death. You then said yourself: 'If there is a Heaven, then he must be there.' There is a Heaven, and he is there – he still loves you! What a joy it was for me to hear you say: 'The hours I spent with him are among the happiest memories of my life.' You agreed with me when I said that he is guiding us onwards. I have

7 Catholics who refused to do military service on religious grounds

heard many clever speeches, read many books and thought a great deal about all these things myself, but if no one led the way and carried out such heroic deeds, everything would only be hollow words. Words instruct, examples inspire us to follow. That's what I meant by 'guiding us onwards'. Yet I believe still more deeply that, as the Church teaches, the souls in Heaven can help us. That is why I said to you: 'Pray to him!'"⁸

8 Letter from Erwin Fink (in Heidelberg) to Hildegard Auer, dated 22nd Sept. 1972

Franz's marriage to Franziska Schwaninger

Two souls on a religious quest

The marriage of Franz Jägerstätter to Franziska Schwaninger is unanimously described by the people of St. Radegund as being a turning point in his life: it made “a different man” of him. This is to some extent true, yet this was a marriage of two young people who had both, independently of one another, already embarked on an intensely religious path in life. In the parish chronicle of St. Radegund, Father Josef Karobath⁹ wrote the following short description of the life of Franz Jägerstätter: “In his youth, just like other young people. In 1934 he became serious; at that time, he planned to enter a monastery as a lay brother. I advised him against it.”¹⁰ The village priest thought it would be more sensible for Franz, the only son, to take over the farm and take care of his old mother.

Franziska Schwaninger had grown up on a farm in the village of Hochburg, 12 km away, in a deeply religious family. Both her father and her grandmother were members of the Marian Congregation, and her grandmother also belonged to the Third Order of St. Francis. Born on 4th March 1913, Franziska was deeply influenced by Father Josef Lindinger, the priest of Hochburg, who was active in the pastoral care of young people, and she herself was a youth leader in her home parish. From 1934 onwards, she worked as a dairy and kitchen maid at the “zur Reib” guesthouse near her parents' home. In 1935, she considered becoming a nun and, together with the waitress at the same guesthouse, visited the Vöcklabruck School Sisters, who worked at the nearby village of Ranshofen, to ask if it was possible. These nuns ran the kindergarten in Ranshofen, gave religious instruction and played an important role in the pas-

9 Josef Karobath was the priest of St. Radegund from 1934 to 1970; in 1940, he was put into the Gestapo prison for seven weeks because of an “inflammatory” sermon, and was subsequently banished from the district of Braunau (until 1945).

10 Parish chronicle of St. Radegund p. 147



Franziska Schwaninger

toral care of the parish. Franziska Schwaninger and her friend were told to come back again in six months. Looking back, Franziska thinks that the nuns probably thought that they were too light-hearted: “We were very jolly and laughed a lot.” During the following six months, her future husband entered her life. She got to know him at a social event where, in order to earn a little extra money, Franziska was setting up the bowling pins. During her first conversations with Franz, it was she who was careful to ascertain whether he attended church on Sundays. Father Karobath describes Franziska Schwaninger as “a very good and idealistic girl.”¹¹

In 1934, independently of each other, she and Franz had both taken part in the festivities to mark the sanctification of the Capuchin monk Konrad von Parzham in nearby Altötting. It is certainly possible that Franz’s desire to enter a monastery, and perhaps also Franziska’s desire to enter a convent, may have been connected with this event.

The two young people did not have a long engagement. In 1933, Franz’s adoptive father, Heinrich Jägerstätter, had died of pulmonary tuberculosis at the age of 49. Aloisia Sommerauer, Franz’s cousin and foster sister, contracted the same disease and was buried in St. Radekund on 9th April 1936 – Franz und Franziska’s wedding day. The farm urgently needed a mistress. The newlyweds not only chose an unusual time of day for the wedding – 6 o’clock in the morning on Holy Thursday – but they also deprived the family and the village of the large wedding feast which was customary in that region. Immediately after the wedding, they set out on a pilgrimage to Rome. They were not even able to attend the funeral of Franz’s foster sister Aloisia. Such a honeymoon was something very unusual for St. Radekund, and was repeatedly mentioned in all the recollections of Franz. The pilgrimage was also relatively expensive, as the cost for one person amounted to seven months of Franziska’s wages. Rome, where the group had an audience with Pope Pius XI, and the journey to Naples and Sorrento, were a great experience. The trip had originally been Franz’s suggestion, and Franziska had enthusiastically agreed. Franz wanted to go on more pilgrimages with his wife, every 10 years. For Franziska, the fact that she was later able to go on pilgrimages to Rome to mark her 50th and 60th wedding anniversaries were signs or gifts from her husband in Heaven.

11 Ibid.

Franz's religious faith grows deeper

According to information from Franziska Jägerstätter, she was the one who was the more active in faith when she and Franz began their married life together. She often went to the Holy Communion and kept the Sacred Heart of Jesus Fridays. Her husband's interest was awakened by her attitude so that, for example, he often joined her in receiving Communion. This was noticed by his fellow-parishioners, as it was an unusual thing for a man; it was his wife's "fault" that he had become noticeably more religious, that he had become "a different Franz". Franz and Franziska read the Bible together. Extensive theological reading was considered to be more of a masculine activity; however, as the three children soon came along, Franziska was usually too tired to read much in the evenings.

Later, when they were separated from one another and Franz was being victimized for his religious attitude by his superiors in the army, his strong religious faith was a reassurance to his wife: "It's a great comfort to me that you love praying so much, and so can maybe manage to bear everything patiently during this difficult time. From your letters I gather that, despite everything, you aren't unhappy and often find time to go to church to find consolation and courage there."¹²

Looking back on the religious dimension of her married life, Franziska Jägerstätter says: "We helped one another go forward in faith."

12 Letter from Franziska to Franz dated 20th Feb. 1941 (140) The whole, largely unpublished, exchange of letters between Franziska and Franz Jägerstätter, together with his notes compiled in prison, will be published in autumn 2007 in Styria, Vienna

They remained in love

Franz Jägerstätter once said to his wife: “I could never have imagined that being married could be so wonderful.” Franziska’s most telling statements about her marriage are: “We got on very well indeed ... We were really fond of one another.” Throughout the less than seven years of married life which they shared together, Franz and Franziska always remained in love. As one sign of their being in love, Franziska described a game they used to play, whereby whenever one of them had a surprise for the other, the other one first had to search for it. Franz used to hide the little presents he brought home for her, and Franziska used to hide her husband’s favorite cakes which she had baked for him. During Franz’s first period of military service in June 1940, which lasted only a few days, his wife was in a difficult situation, with her husband conscripted into the army, her mother-in-law in hospital, and she herself, a few weeks after the birth of her third child, left weak and without any help on the farm. At first, Franz could only try to console her in a letter: “It’s hard to see someone suffering when you aren’t able to help, especially when it’s your wife whom you love with all your heart.”¹³ He told her that she should at least try to unburden her soul by pouring her heart out to him in her letters, for no one except God would understand her more. Franz also made it clear that the children should take priority over the chores on the farm. He advised his wife: “Don’t get too caught up in work and worldly cares. Just leave whatever you can’t easily do, for your first concern must be for our children, and after all, in the long run you could never cope with both the children and the farm. That’s why I put the children and their mother first, because they should mean much more to us than the farm.”¹⁴

At the beginning of his second period of military service, which lasted from October 1940 to April 1941, Franz mentioned that the military exercises were not as hard to bear as his separation from Franziska.¹⁵ At the time, he could have postponed this separation somewhat if he had only

13 Letter from Franz to Franziska, dated 23rd June 1940 (5)

14 Ibid.

15 Cf. Franz to Franziska, dated 13th October 1940 (8).

“got into the good books” of the local leaders of the Nazi Party, because (as Franziska wrote). The recruits who arrived carrying requests for a deferment of their military service, signed by these Party leaders, were always sent home again.¹⁶ Franz answered that he was lucky to be stationed in the nearby town of Enns, that the others didn’t know how long their deferment would last either, and stated what was important for him: at the moment, he would no longer perceive any trace of the physical well-being of a whole lifetime, “but the fact that we’ve enjoyed such happy, peaceful years in our marriage – this happiness will be unforgettable for both of us, and it will stay with me for all time and eternity. You know how much joy the children gave me. And that’s why, even here, such a feeling of happiness still sometimes comes over me, that tears of joy often come to my eyes whenever I think of seeing you all again.”¹⁷

Franziska’s often displayed a great deal of humor in her letters – as, for example, when she reminded Franz to send her three pence (by return of post), to pay for the picture of a bishop which she had enclosed in her letter,¹⁸ or to return the kiss which she had sent him.¹⁹

The children miss their father

Franz must have given the children a great deal of attention even when they were still very small, as the three-year-old and the two-year-old missed him very much during his first period of military service. His wife wrote: “Rosi always asks for you when we go to bed: ‘Don’t lock Daddy out’, at mealtimes: ‘Save some for Daddy’, and when I pick her up at night: ‘Daddy not home yet.’ Sometimes she starts crying because Daddy doesn’t come. Then little Maria says: ‘Bring sausage!’”²⁰

Father Josef Karobath, the priest of St. Radegund, was arrested in the summer of 1940, and while he was in prison, Franz Jägerstätter wrote him

16 Cf. Franziska to Franz, dated 9th October 1940 (103)

17 Franz to Franziska, dated 19th October 1940 (10)

18 Cf. Franziska to Franz, dated 20th October 1940 (107)

19 Cf. Franziska to Franz, dated 31st March 1941 (150)

20 Franziska to Franz, dated 9th October 1940 (103)



Franz as a recruit in the German Armed Forces, at Enns, November 1940

a letter. At the end of the letter, he said: “Hardly had I finished writing this letter when we had an accident here at home: little Maria, our second child, walked over the hot stove and burned the soles of both feet very badly. You easily can imagine the pain she felt. You don’t realize how much you really love your children until you have to watch them suffering without being able to help them.”²¹

One of the most powerful testimonies to Franz and Franziska Jägerstätter and their relationship is a letter of Franziska’s to the prison chaplain, Father Heinrich Kreutzberg, dated 5th September 1943. She had not yet received the official announcement of the execution of her husband on 9th August, together with his last letter. The chaplains, Albert Jochmann from Brandenburg and Kreutzberg from Berlin, informed Franziska of the death of her husband; Kreutzberg described his visits to Franz in the prison. Franziska answered: “Have received your kind letter with the words of comfort, many thanks. I particularly thank you from the bottom of my heart for visiting my dear husband so often in prison. It must have made him very happy, to receive words of comfort from representatives of Christ even in his cell, and to even be able to receive the dear Lord Jesus in the Holy Communion, as he always did his best to follow the Commandments. So it will not have been too great a sin that he did not obey the state, and I hope that, with God’s help, he will surely have safely reached his eternal goal after all. I feel very sorry he’s gone, because I’ve lost a dear husband and a good father to my children, and I can also assure you that our marriage was one of the happiest in our parish – many people envied us. But the good Lord intended otherwise, and has loosed that loving bond. I already look forward to meeting again in Heaven, where no war can ever divide us again. I want to say again, with all my heart: may God reward you for all the good you have done my dear husband. With deepest respect and gratitude, Franziska Jägerstätter.”²²

21 Franz to Father Josef Karobath, dated 19th July 1940

22 Franziska J. to Father Heinrich Kreutzberg, dated 5th Sept. 1943, Diocesan archive of Berlin, Bequest of Father Kreutzberg, V/35-1

A father-in-law's friendship

An unusually good relationship also developed between Franz and his father-in-law, Lorenz Schwaninger. They both shared a deeply religious outlook. Franziska's father signed a letter to Franz, dated 29th October 1940: "Your friend, L. Sch." During Franz's absence, his father-in-law helped out on the farm. He had already handed his own farm over to his son – however, tensions between himself and his daughter-in-law caused him to feel redundant there. He asked Franz for his opinion concerning this conflict, and Franz gave it straightforwardly in a letter: "... according to our human way of thinking and feeling, we'd naturally always prefer to get back at others a bit in some things, but according to Christian thinking, we're not allowed to do that – we must return good for evil." Christ himself, wrote Franz, had led the way with his example. "And only love is able to restore peace time and again ... but don't be cross with me for writing these lines."²³

23 Franz to his father-in-law, dated 27th Nov. 1940 (24 a)

The conflict between the Church and Nazism

Two competing worldviews

Right up to the end, the leaders of the Third Reich held fast to not only the political, but also the virtually religious objectives of Nazism. As late as January 1945, the notorious Roland Freisler expressed this to Count Moltke: “Christianity and we are alike in only one respect: we lay claim to the whole individual. ... ‘From which do you take your orders? From the hereafter or from Adolf Hitler? To whom do you pledge your loyalty and your faith?’”²⁴

Prelate Johann Neuhäusler, who was himself imprisoned in Dachau concentration camp for more than four years, related: “On 26th May 1941, on arrival at the camp, a man from the political department of the Sachsenhausen-Oranienburg concentration camp said to the author: ‘We will annihilate the Catholic Church and the whole of Christianity in Germany. This swindle has got to stop.’ When I responded, calmly and firmly: ‘That aim has often been announced and attempted over the past 1900 years, but no one has ever succeeded in achieving it,’ the SS man stated resolutely: ‘Yes, but we will accomplish it. We have a plan, a clearly thought-out plan which has been worked out down to the smallest detail. We shall destroy the churches.’”²⁵

A secret directive, sent by Reich Leader Bormann to Nazi district heads and Reich governors and dated autumn 1941, clearly shows that the Nazi Party gave priority to gaining influence over young people: “The National Socialist (The Nazis’ official name was the National Socialists, as they preferred to call themselves) and the Christian viewpoints are irreconcilable ... No one would know anything about Christianity if it had not been

24 Helmut James von Moltke, *Briefe an Freya (Letters to Freya) 1939–1945*, Munich 1988, p.608

25 Johannes Neuhäusler, *Kreuz und Hakenkreuz (Cross and Swastika)*, Munich 1946, p.17

drummed into them since childhood by the church ministers ... Therefore, if in the future our youth no longer hear anything about this Christianity, whose teachings are far inferior to our own, Christianity will disappear by itself ... All influences which might compromise or even damage the leadership of the German people exercised by our Führer, with the help of the National Socialist (Nazi) Party, must be eliminated. The German people must, step by step, be freed from the grip of the churches and their instruments, the ministers. Naturally, from their point of view, the churches will and must defend themselves against this loss of power. However, the churches must never be allowed to regain any influence over the leadership of the German people. This influence must be broken, completely and finally.”²⁶

Unrecognized resistance

For years after 1945, Franz Jägerstätter's surviving family had no claim to financial support. In the letter from the Office of the Upper Austrian State Government notifying the family that support had been refused, dated 10th August 1948, this decision was justified as follows: “Victims of the struggle for a free, democratic Austria as defined by the Victims' Assistance Act are persons who fought for an independent, democratic and historically-aware Austria, in particular against the aims and ideas of Nazism, either with weapons in hand or through their wholehearted, outspoken opposition in word and deed. The report submitted by the Ostermiething Police Command, dated 21st March 1948, states that the husband Franz Jägerstätter had certainly been an opponent of Nazism, but that his actions could not be evaluated as an attempt to establish a free, democratic Austria as defined in Section 1 of the Victims' Assistance Act of 1947. He was known to be melancholy and stated that he would not fight for Hitler before his conscription into the German Armed Forces. This conviction did not arise from a will to oppose Nazism for a free Austria, but from his religious views.”

26 Ibid. p.358 ff

For the authorities in post-war Austria who had to make decisions on the claims to financial support submitted by the victims of Nazism, the only thing which counted was the “fight with weapons in hand”, as stated in the official letter to Franziska Jägerstätter refusing financial support. The Gestapo in “Upper Danube” (as the Nazis called Upper Austria in order to eradicate the name “Austria”) were somewhat alarmed by the influence of the Catholic Church on people’s worldview. In the upper Innviertel, the region extending from Braunau to the borders of the province of Salzburg (Franz Jägerstätter’s other home province), Nazi organizations tended to be less successful. This may largely have been due to the skeptical attitude towards anything foreign or new of the people living there – and going to church frequently was also a chance to demonstrate one’s distance from those in power.²⁷ One priest recalls this period: “I’ve never seen my church as full as it was when some village big shots of the time tried to ban church-going. Because, in the Innviertel, pressure always produces resistance.”²⁸

Bishop Gföllner’s outspoken opposition

In the Diocese of Linz in Upper Austria, the Church engaged in an ongoing critical examination of Nazism as it gradually took hold of Germany during the thirties. Johannes Maria Gföllner was Bishop of the diocese from 1915 to 1941. He is regarded as the first Bishop to recognize the dangers of Nazism. In 1932, the diocesan gazette contained lengthy bibliographical references on this topic; the reason given for this was that “every pastor must have accurate knowledge of the rapidly-growing Nazi movement.” As the consultant on politics at the Bishop’s Conference, Gföllner composed a pastoral letter on “true and false nationalism”. Since the newly-appointed Archbishop of Vienna, Innitzer, wanted to enter into further negotiations with the Nazi Party about the points in their program which were not compatible with the teachings of the Church,

27 Cf. Wolfgang Katzböck, *Fromm – aber nicht klerikal. Glaube und Kirche im Innviertel* (Pious but not clerical. Faith and the Church in the Innviertel) Yearbook of the Diocese of Linz 1979, p.53

28 *Ibid.*

no joint statement was released by the bishops.²⁹ The Bishop of Linz directed that his pastoral letter should be read out throughout his diocese on 22nd January 1933. In summary, his verdict on Nazism was: “Nazism is spiritually sick with materialistic racial delusions, un-Christian nationalism, a nationalistic view of religion, with what is quite simply sham Christianity; we therefore reject its religious program. All convinced Catholics must reject and condemn it; for, if as Pope Pius XI has declared, ‘it is impossible to be both a good Catholic and a true Socialist’, then it is also impossible to be both a good Catholic and a true Nazi.”³⁰

Gföllner regarded the myth of racial purity propagated by Nazism as “a backsliding into an abhorrent heathenism”.

“The Nazi standpoint on race is completely incompatible with Christianity and must therefore be resolutely rejected. This also applies to the radical anti-Semitic racism preached by Nazism. To despise, hate and persecute the Jewish people just because of their ancestry is inhuman and against Christian principles ... however, the international Jewish worldview does differ from the Jewish folk traditions and the Jewish religion. There is no doubt that many Jews who are alienated from God do have a harmful influence on almost every area of modern cultural life.”

Many fierce discussions flared up over the pastoral letter, and Bishop Gföllner responded by sending out another one on 26th March 1933. He described the first text as “a probe which reveals the thoughts of the heart”, no mere “private viewpoint of the Bishop, but an obligatory enunciation of church doctrine”. This was, he said, in no way a “view held only by the Diocese of Linz”. The Bishop’s statements on the issue of anti-Semitism were twisted to mean the opposite: the Nazi propaganda machine used portions of them for its own purposes. On the other hand, on Holy Thursday in 1933, members of the Linz Nazi Party put up a poster saying “Jew-Christ drop dead” on the door of the Linz Catholic Press Association.³¹

29 Cf. Erika Weinzierl-Fischer, *Österreichs Katholiken und der Nationalsozialismus. Erster Teil 1918–1933* (Austria’s Catholics and Nazism. Part One 1918–1933) in: *Wort und Wahrheit* 18 (1963), p.436

30 This and the quotations which follow are from Jakob Fried, *Nationalsozialismus und katholische Kirche in Österreich* (Nazism and the Catholic Church in Austria), Vienna 1947, Document 2

31 Cf. Richard Kutschera, *Johannes Maria Gföllner. Bischof dreier Zeitenwenden* (Johannes Maria Gföllner. Bishop of three historical turning points), Linz 1972, p.92ff.

The pastoral letter was followed by a dispute with Abbot Alban Schachleitner, a Nazi sympathizer. In 1918, the Abbot had had to leave the Emmaus Monastery in Prague due to the fighting over nationality between the Czechs and Germans there. His nationalist convictions led to his becoming a follower of Hitler from 1926 onwards. The Abbot tried to refute Gföllner's pastoral letter in an article published in the Nazi newspaper "People's Observer", dated 1st February 1933. Schachleitner's statements brought him into conflict with the entire episcopacy; on 20th February, he was suspended by the competent Roman Congregation "for severe and persistent disobedience".³² Following this, the Nazi Party of Feilnbach, Bavaria, organized a torchlight procession in honor of the Abbot, in which several hundred Nazi storm troopers took part.³³

Gföllner continues to confront the issue

Within his diocese, Bishop Gföllner did not give up his outspoken opposition to Nazism. In 1936, he printed a statement issued by the Dutch Episcopacy in the diocesan gazette.³⁴ In the same year, he issued a further statement on Nazism and an endorsement of his pastoral letter of 1933.³⁵ Immediately after the publication of the Papal Encyclical entitled "With Burning Concern" in April 1937, Gföllner compiled a condensed version of it and directed it to be read out from every single pulpit in the diocese. The Bishop of Linz gave his reasons for directing that only the Encyclical against Nazism, and not the Encyclical against Bolshevism which was published at the same time, should be read out: "For the Church in Germany is closer to us – not only geographically and historically, but also because the Germanic character of the Austrian people, in particular, causes us to feel that we share its troubles; in the end, the dangers to which the Church in Germany is exposed are also the dangers we our-

32 Cf. Official Journal of the Archdiocese of Munich and Freising, 1933, 48 and 86 f. Quotation from Helmut Witetschek, *Die kirchliche Lage in Bayern* (The situation of the Church in Bavaria), Mainz 1966, 1 Note 1

33 Cf. *ibid.*

34 Linz diocesan gazette 1936, p.85f

35 *Ibid.* p.163

selves face, and to which we would most certainly be exposed likewise if the ideology of Nazism, which has been condemned by the Pope, were to further spread in Austria or were even to take over here, due to political circumstances.” The Bishop again emphasized the core message of his pastoral letter of January 1933: “It is impossible to be both a good Catholic and a true Nazi.”³⁶

After the Nazis took over power in Austria and the rapid unfolding of their reign of terror, this became one of Franz Jägerstätter’s chief mottos.

The upheaval of 1938 Taken aback by the methods of the Nazis

The Austrian bishops and priests were unprepared for the sudden takeover of power by the Nazis and the methods used by their secret police, the Gestapo. They learned through painful experience that telegrams, letters and phone calls were all kept under surveillance. The new Nazi district head of Vienna, Bürckel, had already drawn attention to himself as an active opponent of the Church while in his previous post on the Saar in Germany. In Vienna, he managed to contrive the Austrian bishops’ fatal recommendation that the popular vote on the annexation of Austria by Germany should be held on 10th April 1938.

In the spring of 1938, Bishop Gföllner displayed a markedly more distant attitude to the new rulers than, for example, the Archbishop of Vienna, Cardinal Innitzer. The Cardinal visited Hitler in the Hotel Imperial, whereas Gföllner refused to meet or to greet the Führer when he came to visit Linz Cathedral. Concerning the “Solemn Declaration” (the Austrian bishops’ recommendation that the popular vote should be held), Gföllner, with tears in his eyes, told a priest that he had not been able to persuade the other bishops to act otherwise.³⁷

After the new rulers banned Catholic associations, the Diocese of Linz immediately began an intensive program of pastoral care for young peo-

36 Linz diocesan gazette 1937, p.50

37 Cf. Zinnhobler, Gföllner, in : Zinnhobler, Diocese of Linz p.67.

ple. The success of the Church's youth work surprised not only the state security departments but also, as in the case of the youth pilgrimage to Maria Scharthen, the organizers as well.³⁸

How Franz Jägerstätter experienced the Church's struggle

When she was asked why her husband was not drawn into the war, Franziska Jägerstätter answered spontaneously: "Because they (the Nazis) persecuted the Church and the priests so much." If one takes the imprisonment of priests as an indicator, the Church carried on its fight with unrivalled fierceness in both the Diocese of Linz and, in particular, the district of Braunau.

On the occasion of a visit made by the German Foreign Minister Ribbentrop to Pope Pius XII on 10th March 1940, the Pope lodged a complaint in a note "concerning the sufferings of the Catholic Church in Germany"; this note already referred to the systematic suppression of charitable works and organizations "particularly in Austria", and a complaint was made concerning the frequent "imprisonment of pastors, particularly in Austria."³⁹

A relatively large number of priests from the Diocese of Linz were given prison sentences for offenses such as "malice" or "radio crimes". The number of priests who were imprisoned in concentration camps without a trial was particularly high. Nine priests from the Archdiocese of Vienna were sent to concentration camps, and of this number, one died.⁴⁰ From the Diocese of Linz, which was only half the size of Vienna, forty were sent to concentration camps and eleven died.⁴¹ For comparison, here are the corresponding figures from several Bavarian dioceses, which do confirm the exceptional situation in Linz – particularly when one considers

38 Cf. Klostermann in: Zinnhobler, Diocese of Linz, p.196.

39 Alberto Giovanetti, *Der Vatikan und der Krieg* (The Vatican and the War), Cologne 1961, 184 ff

40 Cf. Jakob Fried, *Nationalsozialismus und katholische Kirche in Österreich* (Nazism and the Catholic Church in Austria), Vienna 1947, p.90 f.

41 Cf. *Widerstand und Verfolgung in Oberösterreich* (Resistance and Persecution in Upper Austria), II, 15–24.

that the Nazis had come to power five years earlier in Bavaria: three priests from the Diocese of Augsburg, thirteen from the Archdiocese of Bamberg, nine from the Archdiocese of Munich, eleven from the Diocese of Passau and eight from the Diocese of Regensburg were sent to concentration camps.⁴²

The approach taken by the Gestapo within the Diocese of Linz still varied widely from one district to another. Whereas it was relatively safe to actively conduct church youth work in the district of Wels, a successful religious revival event for girls, organized by a Bavarian priest in Hochburg in the district of Braunau in 1942, was reason enough to arrest the village priest.

The number of priests arrested in the Deanship of Ostermiething, to which St. Radegund belongs, beggars all comparison: of the ten to eleven priests conducting pastoral care within the Deanship, eight were arrested. Particularly severe methods must have been applied in the district of Braunau, as many priests from neighboring deanships were also imprisoned.

Throughout the Diocese of Linz as a whole, 11 per cent of the priests were given prison sentences;⁴³ however, systematic research would probably reveal a considerably higher figure.

Active Nazis in the Upper Innviertel

According to the results of the election, from 1930 to 1931, the Nazis gained a foothold in the Jurisdiction of Wildshut, which covers exactly the same area as the Deanship of Ostermiething. In 1933, the Dean of Ostermiething already observed the following: “Our people living on the border are entirely consumed by the ideas of Nazism, and enthusiasm for Austria is now at zero level.”⁴⁴ The following year, he noted: “And peo-

42 Cf. *Widerstand in Bayern (Resistance in Bavaria)*, in: *zur debatte, Themen der Katholischen Akademie in Bayern (Publisher) (Open to Debate; Issues of the Catholic Academy in Bavaria)*, Munich, Vol. 13 1983, Nos. 2, 7-12.

43 Cf. *Widerstand und Verfolgung in Oberösterreich 1934-1945 (Resistance and Persecution in Upper Austria 1934 - 1945)*, II, 14-24.

44 Unless otherwise stated, the relevant information comes from the parish chronicles of the parishes concerned.

ple's stupidity is so great that although they can see the devastating effects of the Nazi government in the Third Reich, they can hardly wait to be swallowed up by it. The German People's Gymnastic Association is in fact none other than a Nazi organization. On Sunday 27th January, another vituperative poster was put up. This insurgency of Austrian traitors is being generously funded by the German government, with money and materials, by newspaper and radio." In February 1934, after this same dean and pastor had forbidden the local schoolchildren to join the Gymnastic Association, three swastikas were daubed on the walls of the rectory at night. In Ostermiething, the Nazis conducted weapon drills involving up to 30 men. Weapons, explosives and propaganda material were smuggled over the border into Austria.

The border sentries of the Austrian army were powerless to stop this happening. From 1933 onwards, acts of vandalism were repeatedly committed against rectories or chapels in several parishes. After the invasion of Austria by Germany, the pressure put on the priests by local Nazis increased enormously. In Hochburg, Father Josef Lindinger was literally hunted through his parish; the farmer who gave him shelter was locked up in "protective custody". Due to pressure by the Nazi authorities, Lindinger had to give up his parish. On 9th November 1945, he wrote to his Bishop: "He (Lindinger) would always be very grateful to Divine Providence for bringing him to Franking. If he had been able to remain in Hochburg, he would certainly have been deported to Dachau – for some people from Hochburg had even followed him to Franking and threatened him with Dachau, and he would certainly never have returned from there."⁴⁵

Severe pressure was also put on the priest in the parish of Geretsberg. In 1939, on the occasion of the first celebration of the Holy Mass by a newly-ordained priest, the mayor and local Nazi leader issued the following decree:

- 1) Any written invitation to take part in the church procession or any such request made outside the church is forbidden. Should these occur, the church procession will be forbidden.
- 2) No triumphal arch may be erected.
- 3) Schoolchildren are not permitted to take part in the church procession.

45 Diocesan archives of Linz, personnel records on Josef Lindinger

- 4) The garlanding may take place. Any request that others should join in is likewise forbidden.”

In Geretsberg, the rectory garden and large portions of the rectory were seized by the government, and two pastors were forced to leave the village, one after the other.

The priests in St. Pantaleon suffered a great deal. The village mayor, Kaltenegger, was an outspoken hater of the Church. This former pupil of the Jesuits always spoke of the Church as the “black brood”, which he intended to annihilate as soon as possible. It was his doing that no church services could be held in St. Pantaleon on important Christian feast days. In 1940, 1941 and 1942 no Christmas mass was held in the parish as, each time, the current priest was either arrested or, at the very least, driven away just before Christmas: instead, the Mayor organized “Yule celebrations”. In 1941 and 1942, the Holy Week Liturgy could not be held in the parish church. From May 1942 onwards, no pastoral care could be given in St. Pantaleon by a resident priest, due to the seizure of the rectory by the District Administration of Braunau.

The priest of Tarsdorf was arrested as early as 15th June 1938.

Despite, or perhaps because of, the activities of illegal Nazis before 1938, their organizations met with little success in the Upper Innviertel region. One Gestapo officer told the then town priest of Braunau: “In the Innviertel, all our efforts count for nothing; and that is your fault.” Some of the resistance was probably also due to the mindset of the people of the Innviertel region, who always respond to pressure with resistance.

St. Radegund was different

Even at the time of the Nazi takeover of power in March 1938, St. Radegund stood out as being different. As there had been no illegal Nazis in the village, no one could be found who was willing to take over the post of Mayor; it was not until the district authorities threatened to appoint an outside commissioner to the post, that a farmer allowed himself to be persuaded to take on the job – the argument being that “someone has to do it”.



Josef Wengler and Franz Jägerstätter (with bicycle)

Amongst those asked if they wanted to take on the post of Mayor was Franz Jägerstätter. In telling his wife about it, he expressed astonishment that his fellow citizens saw the post as being completely unconnected to the exercise of religion. For him, acceptance of a Nazi post was completely opposed to his faith. The minutes of Nazi meetings over the following years show that the neighboring villages found the political leadership in St. Radegund too unreliable; Nazi party members from Hochburg arrived to put things to rights. Following Jägerstätter's criminal conviction in the summer of 1943, the village lost its independence and was incorporated into the municipality of Ostermiething. In the 1980's, former Nazi activists from Ostermiething were still saying that Franz Jägerstätter had made things very difficult for his home village through his refusal, as the village had, after all, hauled him out of the army twice before.

In the summer of 1940, the people of St. Radegund demonstrated that they were unanimously and solidly behind their pastor. On 10th July 1940, Father Josef Karobath was arrested for preaching a sermon against

the Nazi regime. The farmer Josef Wengler was suspected of having denounced the pastor. He fell under suspicion because he had been heard to praise the Nazis; thanks to the child benefit introduced by the Nazis, the financial situation in his family of nine children had markedly improved. The farmer was discriminated against and ignored by the whole village, on the assumption that he had betrayed the pastor. Everyone left him, for example, standing alone in the church square, and no one spoke to him except Franz Jägerstätter, who was convinced of his innocence. It subsequently came to light that head teacher and Nazi "Cell Leader" Bandzauer had been the informer. Karobath's successor, Father Fürthauer, would also have problems with this teacher. In that same year, Franziska Jägerstätter wrote to her husband, while he was doing military service: "There's been another row over our pastor up, at the school. On Sunday, he announced that parents were welcome to send their children to mass. Apparently, the Mittermeier girl told the midwife and she told the teacher, and of course then the pastor got told off by him, because those at the top either don't want or can't bear to see the children still going to church – after all, the youth belong to them. The teacher must now try his hardest to move with the times and drive home the new spirit, so that he can keep well in with those at the top, and also because of the conscription. It would certainly have been a terrible shame for the kind man – I would have been so sorry, and you too, and most people here in St. Radegund, he could have had our pastor removed, a man who's done only good to his parishioners."⁴⁶

The parish of St. Radegund, with its almost unanimous support of the pastor, was however the one exception throughout the region. In Hochburg, St. Pantaleon, Geretsberg, Eggelsberg and Ostermiething, the local Nazi party leaders repeatedly intimidated not only priests, but also church organists and inconvenient private individuals.

46 Franziska to Franz, dated 3rd Dec. 1940 (131)

Mistrustful right from the start

In the years before the German invasion, Franz Jägerstätter held no political office in his home village. He must have known about the activities of the illegal Nazis in neighboring villages, which were mainly directed against the pastors. People were also concerned about incidents like the one in Maria Ach, near his wife's parents' home, when the Hitler Youth came from Burghausen in Germany, to loudly disrupt the Corpus Christi procession on the Austrian side of the River Salzach. The pastoral words of the Bishop of Linz on the subject of Nazism and the Papal Encyclical "With Burning Concern" increased Franz's mistrust of the Nazis.

In January 1938, he had a very personal experience with this issue. In what Franz called a 'dream', the irreconcilability of the Catholic and the Nazi worldviews became clear to him. In answer to the question as to whether one could be both a Christian and a Nazi, he described his experience: "At first, I lay in bed without sleeping until it was nearly midnight, though I wasn't ill, and then I must have slept a little after all; suddenly, I was shown a fine railway train, which was driving round a mountain; not only the adults, but even the children were flocking towards this train and the crowd could hardly be held back; how few adults there were who did not get into the train in that place, I would rather not say or write. Then suddenly a voice said to me: 'This train is going to hell.' At that moment, it seemed to me that someone took me by the hand. 'Now we are going into purgatory,' the same voice said to me, and the suffering I saw and felt there was so terrible that, if the voice had not told me that we were going into purgatory, I would certainly have believed that I was in hell. Probably only a few seconds passed while I looked at all this. Then I heard a swishing sound, saw a light, and everything was gone. I then immediately woke my wife and told her all that had happened. Of course, until that night, I could not really believe that the suffering in purgatory could be so great." Some years later, Franz set this dream down on paper and interpreted it: "At first, that moving train was quite a riddle to me, but the more that time passes, the more the moving train is unveiled to me. And today, it seems to me that this image represented none other than Nazism, as it was closing in or creeping up on us at that time, with all its different organizations attached – for example, the N.S.D.A.P., the

N.S.W., the N.S.F. and the H. J.⁴⁷ etc. In other words, the whole Nazi movement and every organization which sacrifices and fights for it.”⁴⁸

This dream led Franz Jägerstätter to make an extensive examination of Nazism, and also of the position of the priests and bishops. He wrote further: “Recently, it said in the newspaper that the Nazi party has gained 150,000 new members, and that in fact this is because of youngsters joining the Hitler Youth. If we just look at the adults, particularly those who have property or who are officials or who run a business, and even unskilled workers or qualified craftsmen – how many are there who don’t either belong to some Nazi organization or who haven’t put a offering into the Nazis’ red collecting tins? There are only two possibilities: is membership of the Nazi movement, and also putting money in their red collecting tins, a help or a hindrance for us Catholics in achieving blessedness? If the Nazis are a help for us in achieving blessedness, then it’s a blessing for the whole people that Nazism, with all its organizations, is spreading so rapidly – for, I believe the German people have never been so keenly involved in charitable Christian associations and have never been so willing to make sacrifices, as they are now for the Nazis. Even though anyone can readily see that money doesn’t matter much to the German state, for it can make as much money as it needs for the home country, and anyway the money has no value for countries which haven’t yet been conquered. In any case, they actually write very clearly what the W.H.W.⁴⁹ really is. In Mautern, I saw a poster on a wall which said: ‘May your sacrifice in the W.H.W. be your public avowal of the Führer.’ So the Führer wants to constantly test his people to see who’s for or against him. In Germany, before Hitler took over, they used to say that Nazis were not allowed to take Communion. And how do things look now in this great German Reich? Some people go, so it seems, quite placidly up to the altar rail, even though they’re members of the Nazi Party, and have let their children join the Party, or are even training to become Nazi educators themselves. Has the Nazi Party, which has been murdering people in the most atrocious way for more than two years now, really changed its pro-

47 NSDAP – the Nazi Workers’ Party of Germany, NSW – (probably) the Nazi People’s Welfare Organization, NSF – the Nazi Women’s Association and HJ – the Hitler Youth

48 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.124 f

49 Short for: Winterhilfswerk (Winter Relief Organization), a Nazi welfare organization

gram, making it permissible or a matter of indifference for its members to take Communion? Or have the church leaders already given their decision or approval, so that it's now allowed for Catholics to join a party which is hostile to the Church? Yes, sometimes it makes you want to just shout out. If you think it over a little, could it come as a surprise if even the most fair-minded were to go crazy in such a country? The way things look, we're not going to see any bloody persecution of Christians here after all, as the Church now does almost everything the Nazi Party wants or orders. Of course, it's true that there certainly wouldn't be many good priests left at liberty and able to carry out their work in Austria if the Catholic clergy of this country had put up some serious opposition to the Nazis at the time of the popular vote on 10th April, instead of even praising that Party for many a good deed, thus handing them a landslide victory with almost a hundred per cent of the votes. I believe that it would hardly have been worse for real Christian faith in our country if not one Catholic church were left open and if, perhaps, thousands had already sacrificed their blood and their lives for Christ and their faith, rather than silently watching this falsehood as it takes an ever greater hold on everything around it! True, many are already waiting impatiently to be liberated from this unhappy situation. In fact, it would be a good idea to remember the words of the Führer when he says: 'Man, help yourself, then God will help you too.' So I want to call out to each person who's sitting in the train: 'Jump out before this train reaches the end of the line, even if it costs you your life!' Therefore, I believe that what God has shown me in this dream or vision, and what He has put into my heart, is clear enough for me to decide whether I'm a Nazi or a Catholic!"⁵⁰

Statements issued by the Church and an inner experience which he ascribed to God's guidance both aroused Franz Jägerstätter's mistrust of the new rulers and their worldview. He tried to show some understanding for the way church officials had later given in to the Nazis. The fate of Jesus Christ, His Apostles and of the early Christians helped him to accept that persecution and suffering might be the possible consequences of dissent. Following on the above, Franz Jägerstätter wrote: "However, let's not throw stones at our bishops and priests because of this; after all, they are human

50 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.126 f

beings of flesh and blood like us, and can therefore become weak. They are, perhaps, tempted by the evil one far more than we are. Maybe they were too little prepared to take on this fight and to make that decision: live or die. Wouldn't it make our hearts tremble too, if we suddenly found out that we had to appear before God's judgment seat this very day, even though we would normally only be held accountable for a few of our fellow men? That's why it's easy to imagine what a difficult decision our bishops and priests were faced with in March 1938. Also, our bishops may have believed that it would only be a short time before everything would collapse again, and that through their compliancy they'd be able to spare the faithful much martyrdom and torment – but unfortunately, things turned out differently: years have passed, and every year thousands of people are having to die still believing this falsehood. We can therefore easily imagine what a heroic decision it would be to admit, in front of the people, everything that has been done wrong over the past years. Let's not make it even harder than it already is for them by accusing them. Rather, let us pray for them, that God may lighten the great task that lies ahead of them. If we look seriously at the time we live in now, we have to admit that the situation for us Christians in Germany is far more comfortless and confused than it was for the early Christians under the bloodiest persecutions. Many people would perhaps think, 'Why did God have to let us live in a time like this?' We can't blame God for this, nor perhaps put the blame at other people's door, for as the saying goes: 'As one makes his bed, so must he lie.' And even today, if we have the will to seriously strive and to invest all our strength, it's possible, with God's help, for us to work our way out of the swamp in which we're stuck, and to attain eternal bliss. Of course, one should not regard the suffering of this world as the worst thing possible: even the great Saints often had to suffer terrible things, until God took them up into His heavenly mansions; the Lord, too, did not spare his Apostles great suffering, and most of them died as martyrs, but did so much work for Christ despite all. And maybe, for our sinful life, we'd like to have a life free from pain and struggle and a peaceful death, and to enjoy eternal bliss into the bargain. Christ himself, the Most Blameless, suffered more terribly than all other men, and bought us Heaven by His suffering and His death, and are we not willing to suffer for Him?"⁵¹

51 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.127 ff

Franz votes “No” in the popular vote

In the spring of 1938, the people of St. Radegund had no leanings towards Nazism. At the first public rally following the German invasion, the village teacher gave a speech in the open air. According to Franziska Jägerstätter's account, many people came to this rally. Franz, who watched the proceedings from some distance away, was disappointed. Originally, he had not intended to take part in the popular vote, fixed for 10th April, on the annexation of Austria by Germany. He argued that it was not a real vote if the Germans had already arrived with their tanks. There was great alarm in St. Radegund as to what might happen if a person from the village did not turn up to vote. Franz's godson Franz Huber recalls how the blacksmith, who was a highly-regarded Christian in the village, tried to persuade Franz to go to vote. Franziska Jägerstätter was feeling the pressure too – the Nazi reign of terror had immediately begun: “People had already been arrested in many places”, is how she describes the fear she felt. She tried to persuade Franz to vote after all, and even threatened (this was the only occasion that she ever did so, as she emphasizes) to stop loving him if he would not listen to her. Naturally, this upset her husband, and they were able to talk the whole thing over together. Franziska was sorry that she had put him under such pressure, and this incident helped her to understand that there was a certain sphere of life within which she had to respect her husband's conscientious stance. The words “If you do that, I won't love you any more” never once passed her lips again, not even when she felt the deepest anxiety about him. Franz went to the vote, but voted “No” – however, the fact was suppressed by the electoral authorities in St. Radegund, who instead reported a one hundred per cent “Yes” vote.

Such initial, symbolic actions, seemingly unimportant in themselves, which people carry out under political pressure, are of great significance with regard to sundry deeds which may be demanded of them later.

Jägerstätter refused to vote “Yes” and thus preserved his freedom of action. In 1940, in the French village of Le Chambon, the Evangelical pastors there refused to take the first oath of allegiance demanded by the Vichy regime: they did not organize the mandatory Fascist flag salute at their school. This example showed people that it was possible to disobey

police regulations. They had a sense of solidarity and independence which made it possible for them to save the lives of hundreds of Jewish refugees a short time later.⁵²

That “Yes” vote must be taken back

Franz Jägerstätter constantly asked himself where the cause of all the injustice and suffering lay, and he concluded that it was the fault of human beings: “But ever since people have existed on this earth, experience teaches us that God gives people free will and has only very seldom noticeably interfered in the fate of individuals and peoples, and that therefore it will be no different in the future either, except at the end of the world. Adam and Eva already completely ruined their destiny through their disobedience towards God; God gave them free will and they would never have had to suffer if they had listened more to God than to the tempter. Even His beloved Son would then have been spared infinite suffering. And so it will remain until the end of the world: that every sin has consequences. But woe to us if we always try to avoid shouldering those consequences and aren’t willing to do penance for our sins and errors.”⁵³

The argument that nothing much would happen to Austrians and Bavarians in the event of defeat also seemed implausible to Jägerstätter: “Let’s just ask ourselves: are Austria and Bavaria blameless that we now have a Nazi government instead of a Christian one? Did Nazism just simply drop on us from the sky? I believe we needn’t waste many words about it, for anyone who hasn’t slept through the past decade knows well enough how and why everything has come about in the way it has. I believe that what happened in the spring of 1938 was not so very different from what happened on Holy Thursday, more than 1900 years ago, when the Jewish people were given the freedom to choose between the innocent Redeemer and the criminal Barabbas: then, too, the Pharisees distributed money amongst the people to get them to shout loudly, in order

52 Cf. Philip Hallie, *Die Geschichte des Dorfes Le Chambon (Lest Innocent Blood Be Shed)*, Neukirchen-Vluyn 1983, p.97 f.

53 *Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings)*, p.130

to mislead and intimidate those who still stood by Christ. In March 1938, what horror stories weren't spread and invented here in Austria against Chancellor Schuschnigg, a still Christian-minded man, and against the clergy? Those few who didn't catch the madness and who couldn't be persuaded to cast that misguided 'Yes' vote were simply labeled fools or Communists, yet today the Nazis still haven't given up the struggle to maybe win those fools over to the Nazi movement after all, or at least to sacrifice them to their ideology!"⁵⁴

Here, too, Franz Jägerstätter was speaking from experience. When there was no way of avoiding it, the village community of St. Radegund did come to terms with the new regime, and were therefore always trying to make Franz toe the line as well. According to Franziska Jägerstätter's account, the village officials asked the local Nazi party leader, a man called Sauer from the village of Hochburg, for his support in this matter. But he too was unable to persuade Franz to (for example) donate anything to the party or to accept any money from the state, such as child support. As, following Germany's annexation of Austria, the young farmer often got caught up in political discussions in guesthouse saloons, he tried to avoid such places.

After the "betrayal on Holy Thursday" Franz Jägerstätter expected the situation to change only through a Good Friday event. "If Christ is once more to reign in our beautiful Austria, Good Friday must follow Holy Thursday, for Christ first had to die before He could resurrect from the dead. And for us, too, there can be no joyful resurrection until we are willing to suffer and, if need be, even to die for Christ and our faith. Holy Thursday for us Austrians was that darkest of days, 10th April 1938. On that day, the Austrian Church let itself be taken prisoner and has been lying in chains ever since, and until that "Yes", which was at that time given in a very cowardly and frightened way by many Catholics, has been answered by a resounding "No", there'll be no Good Friday for us; we will indeed have to die because of this, though not for Christ – many may perhaps die fighting for a Nazi victory."⁵⁵

54 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.130 f

55 Ibid. 133

The local authorities in St. Radegund help Franz

After Franz's first conscription into the German Armed Forces in June 1940, a letter written by Franz to his wife reveals his strained relations with the local authorities.

He had obeyed his conscription into the army without seeking support from the village party leaders to obtain a possible deferment of his military service, "for we shouldn't stoop to becoming a mere football for the political leaders to kick around; I believe we're going to need a staunch will very often from now on."⁵⁶ However, for Franziska the situation reached a crisis just a short time later; a few weeks after the birth of her third child and at a time when her mother-in-law was in hospital, she fell ill herself. The Mayor, who had heard the news from a neighbor, who had happened to stop by at the farm, took the initiative himself and within a very short time brought Franz home from the barracks at Braunau. At the beginning of October 1940, Franz was conscripted again, and again made no effort to apply for exemption. Later, during his military service, he did ask his wife to obtain exemption, but he said that no one need expect him to make any political concessions: "Greet the village authorities most warmly for me – I'll certainly quarrel with them if I'm allowed to come home."⁵⁷ In March 1941, the authorities at St. Radegund again pushed through Franz Jägerstätter's exemption on the grounds of his "reserved civilian occupation" as a farmer. At the beginning of April 1941, he was demobilized and did not have to undergo conscription again for almost two years.

In the letters exchanged by the Jägerstätters during the winter of 1940 to 1941, the couple already began to discuss the Nazi program of murder. On 27th February 1941, Franz wrote cautiously from the Wachau in Lower Austria: "Ybbs is a very beautiful town on the Danube; there's quite a large mental asylum here, which used to be full of patients, but now probably even the mad have become sane, because there are no longer very many of them in the asylum. My dear wife, there must be some truth in what you told me once, about what's happening to these people. As one farmer

56 Franz to Franziska, dated 23rd June 1940 (5)

57 Franz to Franziska, dated 7th November 1940 (17)

here where we're quartered, told us, it seems that some very sad things have already happened here."

The Nazi program of "euthanasia" affected St. Radegund too. On 16th May 1943, Franziska wrote to her husband of the sudden death of a child who had shortly before been put in a home for the disabled.

Service in the German Armed Forces

A choice between the army and the party

Events around St. Radegund had made Franz Jägerstätter mistrustful of the Nazi Party long before the invasion of Austria. Statements issued by the Church, as well as a deep intuition or sense of being guided, which manifested itself in his dream, all served to strengthen his rejection of Nazism. Immediately after the opening of the border in March 1938, he drove to Bavaria with his godson Franz Huber and asked people in guest-house saloons about their political experiences.

Franz's stance on serving in the German Armed Forces developed slowly. On this issue, he had no help from anyone else. Six months of military service had the effect of making him feel he could no longer be part of it. As the letters exchanged by Franz and his wife show, he initially even chose military service rather than having to go to the village officials, whom he regarded as representatives of the Party, to ask for their support in gaining exemption. When his wife later requested such support from them, she was repeatedly told that it would all have been easier if they had applied before.

The pressure of army drill

The pressure designed to reduce a self-reliant, independent person to a cogwheel in the military machine exacted a great deal from Franz. During his training period, which began in October 1940 in Enns, he wrote a short poem in his notebook: "Each night I lay my head down on my pillow with a clear conscience, for our barrack-room senior, Private Cai, has taught me the lovely virtue of humility." Franz wanted to get basic training over with as quickly as possible and therefore did not follow the suggestion made by his mother, in a letter dated 19th October 1940, that he should break off his training by applying to have it deferred, so that he would later have to undergo a second period of basic training, thus delaying having to serve on the front line.



Franz Jägerstätter (third from the left) during his training as a military driver in Enns, in November 1940

Other reports also confirm that the training of recruits at this time pushed the young men to the very limit. In December 1940, in a barracks in Silesia, bullying drove three young men to commit suicide.⁵⁸

Franz was glad of anything which shortened the exercises, whether a driving course or long marches.

The total lack of information about the meaning and aim of military transactions annoyed Franz, particularly when he noticed that something had been planned a long time in advance. After his unit was moved from Enns to Obernberg am Inn, he wrote to his wife: “Here, they’ve already known for the past 3 weeks that the army was coming, yet we didn’t find out we were coming here till we reached the last railway station at Antiesenhofen ...”⁵⁹

58 Account by Josef Putz, Vol. 1922, Basic training in Ratibor

59 Franz to Franziska, dated 12th December 1940 (31)

Victimization fails to break Franz's spirit

The ideological and human atmosphere varied widely in the different units of the German army. At the time of his basic training at Enns, Franz wrote, concerning his fellow soldiers' interest in religion: "... many of our soldiers are starved of it; they would maybe still go to church, if not for this terrible fear of men."⁶⁰

After basic training, Franz's army responsibilities had changed, as he wrote to Franziska: "... yesterday, I had to take over a couple of horses and a cart – the topkick probably shoved the job onto me out of sheer affection – after all I'm a recruit again now, so I have to put up with the odd sweet remark, I can be quite proud of myself anyway, when I'm expected to be able to do in a couple of days what others who've already been at this job for four to five months can do, it's hard to keep silent! But these days will pass too – the main thing here on earth is that time passes, and as it does you can lay up many merits for eternity, particularly if you can bear everything with great patience."⁶¹

However, Jägerstätter did not take all his duties equally seriously. He was not the best shot in the sharp-shooting exercises, which he did not consider necessary. However, the care of his two horses was something he took seriously. The food they were getting must have been inadequate, so he asked his wife to send him a sack of oats for them⁶² (though this Franziska did not do).

Franz spent the last part of his period of military service traveling the route from the Innviertel region to the Waldviertel region with a convoy of horses. This undertaking was a real endurance test for both men and animals. Some of the horses were not equal to the strain and were sick by the time they reached their destination. On the first day they already had to travel forty kilometers, and in addition: "... we also had to perform an exercise during the march, presumably to stop us arriving at our destination too early." He described the second day as follows: "Today, we already had to have the horses yoked up by 5 a.m. – actually, it didn't

60 Franz to his mother, dated 9th December 1940 (29a)

61 Franz to Franziska, dated 11th February 1941 (42)

62 Cf. *ibid.*

bother me as I'd had to keep watch over the horses in a barn all night. At first we were told that we would halt in Steyr, which would have been enough for us anyway, as it was already a thirty kilometer journey to Steyr; but there was only a short stop for feeding the horses, and then we had to travel more than twenty kilometers more, all the way to St. Johann in Lower Austria. Except for the area around Steyr, it became very mountainous too, then we had to load up a good many oats in Steyr as well, so we couldn't unyoke the horses until about eleven at night; of course, we have to take care of the horses first, sleeping and eating are already becoming secondary matters." The fourth day also tested Franz's patience: "Today, we continued as usual in the early morning, all the way to Ulmerfeld. It wasn't particularly far – hardly thirty kilometers. The main problem is that we have to get up so early and then drive in the dark; and in Ulmerfeld we had to stand and wait for about four hours until we were allowed to unyoke the horses. Only bear everything with patience, with God's help and a good will you can achieve a lot." Lack of comradeship imposed an additional strain on Franz: "Today was a day of rest, but only for the horses – of course, it isn't necessary for us. It would be easier to bear everything if there was more comradeship. You'd certainly be very unfortunate if you always had to rely on other people: today, someone lodged a complaint about me to the group leader for something trifling. It's a good thing that hitting is so strictly punished here, or I might sometimes fail to keep command of myself. At times it really does seem as if you just can't get by with honesty and goodness any more, but somehow you always manage to get by; the devil uses every trick to make man fall."⁶³

From the moment Franz's immediate superior found out that Franz would like to go to mass, he assigned him to the guard the horses on Sunday mornings. Filled with joy, Franz told his wife whenever he managed to get to a church service on the way. "God must know how much strength I need to withstand the storms of these times," as he wrote, in connection with one of these visits to church.⁶⁴

63 Franz to Franziska, dated 21st–27th Feb. 1941 (45)

64 Franz to Franziska, dated 15th Feb. 1941 (43)

In letters from soldiers on the front, Franz Jägerstätter learned how little interest in church-going there was amongst the soldiers in the various units. Rudolf Mayer wrote that only three soldiers attended the Christmas service in 1941. His cousin and stepson, Franz Huber, reported that before his deployment in Stalingrad, of the three hundred men in his company only twenty-five attended the camp service;⁶⁵ after being wounded, he had a similar experience in the Austrian military hospital.

A soldier joins a religious order

One day before Jägerstätter's regiment was moved from Enns, he was ceremoniously vested as a novice of the Third Order of St. Francis, together with the soldier Rudolf Mayer. After the event, he told his wife: "... yesterday, on the Feast of the Immaculate Conception, I was able to experience a Sunday of special grace: in the wonderful, festively-decorated Franciscan church, two soldiers were solemnly vested as novices of the Third Order. Dearest wife, one of these two soldiers was your own husband; I hope you aren't cross with him because of this, for – as I hope – you take the same view as I do. Also, it must be a great comfort for you to know that, as a soldier, my faith has become no weaker."⁶⁶

In the "Records of the Community of the Third Order in Enns", we find the entry under Franz Jägerstätter: "Year of birth 1907 in St. Radegund, vested on 8th December 1940, by P. Konrad", and under "Remarks", the words: "Membership transferred to St. Radegund". According to the note in his prayer book of the Third Order, Franz Jägerstätter took his vows at his home parish one year later. Later, his wife Franziska likewise became a member of this Franciscan lay community.

65 Franz Huber to Franz, dated 29th July 1942 (326)

66 Franz to Franziska, dated 9th Dec. 1940 (29)

1941–1943

A decision becomes clearer

An oath without meaning

According to his wife's testimony, in April 1941 Franz Jägerstätter returned from military service with the firm resolve never to serve in the army again. He subsequently went into the reasons for this decision in his writings. However, he never mentioned the fact that, as a soldier of the German Armed Forces, he was under an oath of allegiance to Hitler. Since the spring of 1990, the records of the former Reich Court-Martial in the Military Historical Archive in Prague have been accessible to the public. Among them is the copy of the court-martial verdict against Franz Jägerstätter. In the reasons given for the judgment, we find the following statement concerning Franz's swearing-in ceremony,: "On 17th June 1940, he was conscripted to active military service in Braunau am Inn, sworn in to serve the Führer and Commander of the Armed Forces, but was after a few days again classified as being in a reserved occupation and demobilized."

Farmer and sacristan

After returning from military service in April 1941, Franz Jägerstätter attended mass daily at his parish church. This was not at all usual for a man of his age and profession. Later, it would be said that he had neglected the work on the farm because of it. However, Franziska Jägerstätter, who, had this been true, would have been the main person affected, says that her husband always coped with his work very well. The good harvests on the farm also confirm this: he was, on the one hand, able to fulfill the official delivery quotas, while many letters of thanks also bear witness to the fact that he was able to help many people by giving them food, which was in such short supply at that time.

In the summer of 1941, the sacristan of the parish of St. Radegund died. Vicar Ferdinand Fürthauer, (who was standing in for Father Karobath,

who had at first returned and then been banned from the district), invited Franz Jägerstätter to accept the post. The reason for this was a practical one, as he attended church daily in any case. Father Karobath was also very happy about the decision, and told Franz that other parishioners had also said some very positive things about it: “The people of Radegund are very happy that you have been given this post. Some people have written to me saying that the church is now extremely clean. The financial rewards are, admittedly, very small.”⁶⁷ Karobath’s predecessor, Father Franz Krenn from Enns, responded similarly: “I am particularly glad that St. Radegund has found a deeply religious sacristan, and that that lovely little church has such a caring custodian. May God reward you for your idealism, so precious nowadays, and above all may He protect you from being conscripted.”⁶⁸ Father Karobath, too, drew a connection between conscription and Franz’s service as a sacristan: he feared that Jägerstätter’s commitment to the Church could speed up his being conscripted again.

Before entering on his new duties, Franz asked the daughter of his late predecessor, who had filled in as sacristan over the summer, whether she felt that she had been passed over and whether she consented to his accepting the post. As the sacristan, Franz’s concern was to maintain quiet and respectful behavior in church – anyone who gossiped was sent out.

In the exchange of letters with his Third Order brother, Franz’s decision begins to take shape

In the years 1941 to 1942, Franz Jägerstätter and Rudolf Mayer, who had both been vested into the Third Order on the same day, kept up a lively exchange of letters on religious subjects. The main themes of their correspondence were their experiences in daily bearing witness to their faith, and in their personal religious development. A further shared interest was the reading and exchange of religious literature; they both concentrated mainly on the lives of the Saints (St. Francis, Brother Konrad, Klaus von

67 Karobath to Franz, dated 8th Nov. 1941 (403)

68 Krenn to Franz, dated 7th Nov. 1941 (420)



Franz Jägerstätter as sacristan in a funeral cortege; the right-hand pole of the banner is covering his face.

Flüe, Theresia of Lisieux and, not least, Sir Thomas More). The two men were linked by an apostolic spirit. On 28th May 1941, Rudolf Mayer wrote to Franz: “Dear Brother, I know you will be zealous in winning souls for Jesus ... Our father Francis truly wore himself out in his zeal to serve his neighbors ... As his sons, we too should take every opportunity of ensuring that the faith does not perish in Europe ...”

At first, Mayer did not display any fundamental doubts concerning his deployment at the front. He judged it primarily according to the possibilities it offered for practicing religion. From this viewpoint, he described the four months during which he saw active service in Holland, Belgium and France as “a period of grace, when I again became conscious of the greatness of Jesus in the most Holy Sacrament.”⁶⁹ He did not mention anything about his activities as a soldier, but gave a detailed description of the unfolding of his religious life and the magnificent interiors of the churches in Belgium; after being transferred to Russia, he longed to return there.

Rudolf Mayer felt the pressure being brought to bear on religious believers: “A time will come when we will have to support one another if we do not want religion to perish: we live in a great, certainly very meritorious, time and sometimes it’s brought home to us that the Kingdom of Heaven requires force ...”

In a letter dated 1st June 1941, Rudolf Mayer sent his thanks for a package containing “food for body and soul”. He gave a detailed account of a conversation with a fellow-soldier about religion, in which the other soldier had told Rudolf that he should have become a priest. Mayer said he wanted to lead other soldiers to faith and thereby “go fishing (for men) with writings and books”. Franz must have responded with a remark about the lack of religious interest in his home village, for on 14th June 1941, Rudolf answered: “You’re quite right, people think they know everything already, that’s just the problem – it’s difficult to reach our comrades because they have an aversion to religion from the outset.” Rudolf, who was isolated “from priests and churches”, was extremely grateful for the New Testament which Franz sent him. In conversations with his fellow-soldiers, Mayer was often the only person to speak up for religious

69 Rudolf Mayer to Franz, dated 29th May 1941 (202)



Rudolf Mayer and Franz Jägerstätter first got to know one another at the barracks at Enns. They were vested into the Holy Order of St. Francis together. They both considered refusing military service

faith; in such situations, he held to the words of the Bible: “He that confesses me before men, him will I confess before my Father.”⁷⁰

In April 1942, this Third Order brother at last saw his efforts bear fruit. He wrote to Franz: “I want to tell you something about a man from Vienna, which even amazes me. A couple of months ago, he mentioned suicide and said that a few others would have to die first, he was really very torn, he really likes me and when, in the evenings or when we’re alone together, I tell him about Jesus, how He loved us and what He suffered to console the poorest of the poor, he suddenly starts to listen like a child. I tell him about the Saints, and he gets enthusiastic; it amazes me – I’ve given him the life of St. Francis and also Brother Klaus and a lot more, which he likes to read; he even asked me whether a pastor can receive people into the Third Order. I’ve been praying for many years for the salvation of souls ...” Rudolf Mayer found sustenance in reading the New Testament every day as, he said, the “spiritual battle” was often worse than the other kind. He judged his deployment at the front primarily according to whether it left him enough time to pray. During the first months in Russia, he complained that he was hardly ever alone and was therefore able to pray so little. However, he did manage to say the twelve Lord’s Prayers required by the Third Order. He very much missed the period when he was stationed in France, because of the opportunity of attending church there. Mayer evidently did not take into consideration the fact that, as a sentry, he might have a direct encounter with the enemy, for he wrote to Franz: “ ... I’m no longer in the kitchen, but am now on sentry duty; it’s a duty which allows you to be alone with God, certainly better than the distractions of kitchen duty.”⁷¹ On 24th December 1941, Rudolf wrote a desperate letter. He did not mention a word about Christmas; it was a matter of sheer survival: “... at the moment I look terrible, I have enough food but it’s taking part in battle ... if I’m honest, I have to tell you, my body was already twitching on the ground, being shot full of holes over and over again, I’ve already prayed; Jesus help us, Maria ... bombs, cannon, machine guns – I’ve already been through it all.” He hoped that the horror would end soon: “Long live Christ the

70 Rudolf Mayer to Franz, dated 1st Dec. 1941 (213)

71 Rudolf Mayer to Franz, dated 1st Dec. 1941 (213)

King, maybe I'll be permitted to see the end ... One day the great power will be no more, it's already decaying."

Rudolf showed interest in the wide variety of prophecies which, although such activities were strictly punished by the Nazi rulers, circulated even among the soldiers. He told Franz about visions of the Cross and about apparitions of the Blessed Virgin on the Dutch border. In the case of the apparition of Mary, it was said that, as well as being exhorted to pray for an end to the war, the children who witnessed it were entrusted with a secret which they had passed on to the Pope. In the same letter, dated 24th August 1941, Mayer wrote of a message given to a Sister Benigna: "... if you only knew how much I love the world, yet the world is rushing towards the abyss, but I desire to save it through a small band who are fighting at my side." The same letter contained a further miraculous sign: "I still remember the sign in the sky: a cross appeared in the sky, it was photographed, and the swastika underneath it became paler and paler until it disappeared." Rudolf Mayer expected the situation to be changed by an intervention from God: "I also think of Konnersreuth, there are certainly graces in great times, but when God loves someone, He chastises him. The (First) World War did not make people better – on the contrary, we're moving closer to the Antichrist. This time, the Antichrist will believe his time has come. He is mistaken, for his kingdom will not go on spreading forever. First must come Mercy, the promised King ..."

Franz, who hardly ever expressed thoughts of this kind in his writings, must have somewhat dampened his friend's optimism in his letter of reply, for one month later Mayer wrote: "You write that it isn't necessary for us to know the future. We don't know the future anyway, but some signs are given to us in difficult times – for example, the many apparitions of the Blessed Virgin ..."

Franz Jägerstätter must also have asked Father Karobath what he thought of the various accounts as, in his letter dated 28th August 1941, the pastor remarked: "The prophecies which currently abound are certainly not from God."

However, Rudolf Mayer continued to place his hope in such, and on 10th May 1942 he wrote to Franz: "I've received a letter: apparently in a private audience the Holy Father said that we should have patience and trust in God, the time of testing will not continue for much longer. God

will soon bring an end to this stormy hurricane, in some way that our human understanding cannot fathom. One comrade received a letter which said that at Lourdes the Holy Spring has dried up. The same thing happened three months before the end of the (First) World War.”

As well as the New Testament, Franz also sent pastoral letters from the Bishop to his friend at the front. Rudolf asked Franz to be careful when sending such things in future: “... without a sender’s address, and write in a disguised hand, so I can hear some news from home again.”⁷² In the second half of 1941, two pastoral letters were issued which were significant for relations between the Church and the Nazi state. In summer, in a joint pastoral letter, the Bishops of Germany lodged a complaint concerning the interference of the State in “matters of faith”. On the 7th December 1941, The Bishop of Linz directed that a letter entitled “Message from the Austrian Episcopacy on the Issue of War and Bolshevism” should be read from every pulpit in the diocese. Its key statement was: “The pernicious nature of Bolshevism lies in the godlessness which it seeks to force on the whole of humanity.” In reference to writings expressing the Church’s view of this issue, the reality of an autocratic, religion-hating, totalitarian system was presented: the parallels with the situation under Nazi rule must have been obvious even to the least educated listener. The war against Russia was not supported by the Austrian bishops – in fact, the letter stated: “The monstrous evil of Communism springs from a source of *spiritual errors* and can therefore be combated finally and at the root *only by means of spiritual weapons*.”⁷³

In December, Rudolf, who had always kept Franz’s letters up to that time, wrote that he had immediately burned the last two in the stove.

Rudolf Mayer’s letters in the spring of 1942 contain the first indications that Franz intended to put his life on the line: “I shall often reread your letter; it can’t easily get me in trouble if you give no sender’s address. Things certainly look bad for you; but may you live for a long time yet and do a great deal of good ...” In the summer of 1942, Rudolf ordered a book about Sir Thomas More for Franz Jägerstätter. On 12th May 1942, Mayer wrote to

72 Rudolf Mayer to Franz, dated 21st Nov. 1941 (212)

73 Hectographic copy in the parish archive of Ostermiething; the emphases in italics are taken from in that text.

Franz, without adding a signature or sender's address: "Got your letter on the 11th. Thanks very much indeed. Of course, you're right. I once had the same desire you have, I don't know whether I had the necessary strength, I can't yet come to terms with accomplishing it, but perhaps this is the right way for you. Greater love has no man than he who lays down his life, and the most holy thing is perfect love, even Christ could do no more than to die for us. I have still achieved too little. I know that you stick strictly to what's right and that one shouldn't deliberately lie. You know, I try to avoid deliberately lying as well, but I could do it willfully to save a human life ... I admit you're also right when you say, isn't it better, once we've swum over the river quickly, to then be able to pray to God from Heaven that others should stay the course too, than to labor to help others here, when we ourselves don't know how much longer we can keep swimming ..."

When Rudolf Mayer came home on leave from the army in September 1942, the Mayers and Jägerstätters visited one another. According to Franziska's account, the two men considered going into hiding in order to avoid military service. However, they abandoned this idea because it would have endangered their families.

Further exchanges with soldiers at the front

Franz Jägerstätter carried on a lively exchange of letters with relatives and friends at the front. It is possible to draw some conclusions about Franz's thoughts through examining their letters, although a few of Franz's letters have been preserved as well. On 30th November 1941, Franz reminded his cousin, the young recruit Hans Rambichler, not to give up praying and going to church: "You usually have to steal time to go to church in that organization: you'll find out later just how hard it will become. If it wasn't for the fear of men, then I believe there'd be a great many saints in this world! ... Be sure not to give up prayer, so as not to be overwhelmed by the weakness of the fear of men ... I believe that it's almost always been the case that, when hundreds of people moved to foreign lands, there were always only a few who still openly professed their faith in the new country too." This letter led to furious arguments in the cousin's regiment, as he related in his next letter.

Franz had already had many discussions with his cousin Hans Huber and with his cousin's mother, who were both members of the Jehovah's Witnesses, and in one letter he evidently exhorted his cousin to return to the Catholic Church. On 17th May 1942, Hans replied: "I believe that God will certainly not judge a person according to his membership of a religious community, but solely according to what he has done in his life – whether he tried to discover the laws of Almighty God and to act accordingly ... It is my conviction that it's of no use to a man just to be entered on some church register, but that only his deeds will be contemplated by the Lord." At the end of this letter, he says: "Now don't be cross with me for not conforming to your wish, and for acting solely in accordance with my conscience."

In St. Radegund, the Jehovah's Witnesses' rejection of military service was well known. According to Franziska, some people held it against Franz that his cousin Hans, whose religious beliefs should in fact have obliged him to reject military service, was nonetheless doing it.

The letters from Franz Huber to Franz, his cousin and godfather, reveal a warm, close relationship. In July 1942, Huber was on the military transport to Stalingrad and wrote: "... I've already taken a good look at Russia ... Here in Russia, you see no churches, though there are plenty of military cemeteries." Huber was one of the very few in his company to attend a camp service: "... No bullet can take me by surprise, for I'm happy because I've received Holy Communion right here in the enemy's country." Jägerstätter must have replied with an explosive letter, for on 16th August 1942 his cousin replied: "Dear Godfather, I read your letter 3 or 4 times until I grasped its meaning, and I must tell you that it certainly is exactly as you say. I already know from my own experience. In our group there's a man, about 30 years old, a real Nazi bandit. We often argue with each other, and I told him, 'One day, Austria's going to be just like it is here in Russia.' 'Your ideas are all wrong,' he said angrily, 'After the war, we'll show you exactly what we've planned. 'You won't manage it in the countryside,' I said. 'Oh yes,' he said, 'We'll manage it all right – if not with goodwill, then with fire and the sword. Right now, while the war's on, we can't do it, because we need the people.' It certainly makes the outlook for the future appear promising – I could write a great deal more, if I was allowed. And we're supposed to go into battle side by side with people like that! Now, in the next few days, we're going to be seeing some fighting."

Franz Jägerstätter was evidently pleased by his godson's attitude, for on 30. 8. 1942 he wrote: "Above all, many thanks for your two letters, which I was extremely glad to receive – I received the one dated 13th August the day before yesterday, and the one dated 16th August yesterday, and as you can imagine I felt much relieved when I read your letter yesterday, and of course my dear wife was still more fearful." The reason for Franziska Jägerstätter's "fearfulness" is not too difficult to understand; phrases like "Nazi bandit" or "and we're supposed to go into battle side by side with people like that" could, in fact, be very dangerous. The Upper Austrian Carmelite Father August Wörndl was condemned to death and executed in Brandenburg for writing similar "defeatist letters".⁷⁴

Franz Huber was lucky. In September 1942, he received a minor shot wound outside Stalingrad and was sent back to a military hospital in Austria, thus escaping the fate of the many who died at Stalingrad. Like Rudolf Mayer, he gave realistic descriptions of his experience at the front: "... but maybe I'll manage to remain in Austria during the worst months of the winter, for I've had it up to here with the hellish gunfire. In only two days, our company had been annihilated – all dead and wounded. I can't thank God enough (for his own escape) ... It tore them away left and right, it was sickening to see."⁷⁵

When asked what effect his godfather's admonitions and letters had on him at the front, Franz Huber recalls that they put him in a dilemma. On the one hand, influenced by Jägerstätter, he strongly rejected the system, but on the other hand he was a comrade among comrades who did not find it easy not to completely belong to the group.

The letters which Franz Jägerstätter received from neighbors and friends at the front reveal much about the mood there, even in the light of the victories of the initial period. In not one letter, on not one postcard, does one find any patriotic or "heroic" utterances, nor are any positive aspects of military service mentioned. Homesickness and hope that the war will end soon are the most frequently expressed emotions.

74 Cf. *Widerstand und Verfolgung in Oberösterreich (Resistance and Persecution in Upper Austria) II*, p.68.

75 Franz Huber to Franz, dated 24th October 1942 (333)

The solidarity of the village community in St. Radegund and its relatively distant relations with the Nazi rulers were also of decisive significance in connection with Jägerstätter's letter-writing. The Gestapo's most trusted representative in the village was the midwife, a person whose profession put her in a position to hear a great deal. This woman composed a letter in which she gave the names of ten opponents of the system. This letter caught the attention of the girl whose job it was to take letters to the post office in Ostermiething, and she gave it to the then mayor of the village – who opened and burned the letter. The list of opponents included Franz Jägerstätter. Postal surveillance was one of the Gestapo's reactions to people whom they suspected. In the neighboring villages, Franz Jägerstätter would never even have got as far as stating his refusal to serve in the army: he would probably have already been charged with “undermining military morale” just based on his verbal and written comments.

Franz debates the issues in his writings

It was not until he was in detention, awaiting trial in Linz, that Franz Jägerstätter would discover that there was resistance to the regime and its war in other places too. In St. Radegund, he had neither the support of a group nor discussions with others. From 1941 to 1943, he wrote down his thoughts concerning his political and religious responsibility in several notebooks and on loose pieces of paper. These writings must have helped him to clarify the individual issues, and were also intended to explain the reasons for his intended decision to his family. During this time, Franz Jägerstätter also compiled a catechism on questions of faith, as he feared that his children would receive no religious instruction. He gave this to the village pastor, Father Ferdinand Fürthauer; but the priest burned the text before leaving the parish in June 1945. On 29th August 1989, Fürthauer wrote to Franziska Jägerstätter about this text: “He once gave me an excerpt taken from the small religious instruction book and the catechism. Unfortunately, I burned this together with other things when I left St. Radegund. How glad I would be if it had only been preserved.”

In his thoughts on politics, Franz Jägerstätter closely examines the Nazi

ideology. His point of reference is the individual person, the individual Christ, amidst the tangled complexities of politics. He finds guidance in statements issued by church leaders before the invasion by Hitler,⁷⁶ in the Bible and in the lives of the Saints and Martyrs. Neither propaganda nor fear are able to influence the clarity of his thoughts. He regards the Nazi Party and the Church as two communities whose worldviews are in total contradiction; it is therefore impermissible for an individual to belong to them both. He does not grant individual Germans (and Austrians) the right to rejoice over the spoils of war, while at the same time pushing the responsibility onto other people. For Jägerstätter, prayers for peace are worthless if the person offering them up is still taking part in the injustices of Nazism and helping to fight for its victory.

In an essay entitled “A Righteous or an Unrighteous War?” written on 24th May 1942, Franz examines some fundamental questions: “Is it already a matter of indifference today, whether one wages a righteous or an unrighteous war? If I had not read so many Catholic books and journals, perhaps I too would think differently today. In the past, how was it possible to canonize so many Christians, who risked their lives so willingly – needless to say, because of their faith? – And most of them did not have to carry out such terrible orders as are now demanded of us. Could there be anything worse than having to murder and rob people who are only defending their homeland, just to help an antireligious power to triumph, so that it can found a pseudo-religious or rather, a godless worldwide Reich? Nowadays, everyone talks only about the wicked Russians – there probably won’t even be any question about the other countries to which the same thing is being done, or will perhaps be done.”⁷⁷

The propaganda surrounding the alleged crusade against Bolshevism does not wash with Jägerstätter. Under the heading “Bolshevism – or Nazism?” he writes: “It really is very sad to constantly hear Christians saying that the war which Germany is now waging is, perhaps, not so unrighteous after all – as, through it, Bolshevism will be eradicated. It is true

76 In connection with the war against Russia, Jägerstätter recalls the Bishop of Linz’s introduction to the Papal Encyclical “With Burning Concern”, in which the dangers of German Nazism are described as posing a greater threat than Bolshevism. Cf. Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Notes), p.168

77 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.160 f

that, at the moment, most of our soldiers are bogged down in the worst Bolshevist country, and that they want to disarm or render defenseless all those who live in that country and who put up a fight. And now, a brief question: what is really being fought in that country – Bolshevism, or the Russian people? When our Catholic missionaries went to live in a heathen land in order to make Christians of them, did they too go with machine guns and bombs in order to convert and improve them by those means? ... If we're fighting the Russian people, then we'll take things from that country which we ourselves can find good use for – but if we were simply fighting against Bolshevism, then these other things, such as ore, oil wells or fertile soil for growing grain would, after all, never be as important an issue as they are.”⁷⁸

Franz Jägerstätter diagnoses the point on which his people could be misled, and slid into guilt and war, as their bedazzlement through delusions of grandeur, for otherwise they would have had to think about the consequences of Hitler's program: “Oh, we poor German people, bedazzled by delusions of grandeur, will we ever return to reason again? As the saying goes: ‘Nothing comes about by chance, everything comes from above.’ Then did this war, which we Germans are already waging against almost all the peoples of the world, break over us as suddenly as, perhaps, a terrible hailstorm, which one is forced to watch powerlessly, only praying that it will soon stop without causing too much damage? For, thanks to the radio, newspapers, rallies, etc., nearly all of us knew what program Hitler was planning to carry out, and that the shrugging off of the debts and the demonetization of the Reich mark would bring about the very consequences which have now occurred in plenty ...”⁷⁹

Franz Jägerstätter brings his thoughts on the subject of “Bolshevism – or Nazism?” to a close as follows: “Other peoples do, at the very least, have a right to ask God to bring peace and to strike the weapons from the hands of us Germans. Isn't it a real mockery if we ask God for peace when we do not want Him at all, for otherwise we would have to finally lay down our weapons – unless perhaps the guilt we've already heaped on ourselves is still too small? At most, we can ask God to allow us to come to reason, so

78 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.137 f

79 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.139

that we can at last realize that other human beings and peoples also have a right to live in this world. Otherwise, God must certainly thwart our plans by His might, or else we Catholics of Germany will force all the peoples of the earth to bow under the yoke of Nazism. Almost everyone wants to gloat over the stolen booty, yet we want to lay the blame for everything that has happened at the door of only one individual!”⁸⁰

Under the heading “Can anything still be done?”, Franz Jägerstätter draws conclusions from his thoughts: “Today, one very frequently hears it said that nothing more can be done, because if anyone were to say anything it would only bring him prison and death; well, of course, all that has happened throughout the world can no longer be changed very much. I believe that to do that, one would already have had to begin a hundred or even more years ago. But I believe it’s never too late for us human beings to save ourselves, and to perhaps also win a few other souls for Christ, as long as we live in this world. It really need not come as a surprise that nowadays there are so many people who can no longer find their way in this huge mess. People on whom you believe you can rely, who are supposed to lead the way with a good example, are simply running with the crowd. No one offers any clarification, either spoken or written, or rather – it’s forbidden to offer any. And so this unthinking running with the crowd goes on, ever closer to eternity ... I do understand that today many words really would achieve nothing more than, at the most, imprisonment. Yet despite everything, it isn’t good if our spiritual leaders remain silent for years. Indeed, it’s said that words instruct, but examples inspire us to follow. Do we not want to see Christians who, in the midst of all the darkness, are still able to stand above it all in clarity, calmness and confidence, who, in the midst of all the lack of peace and joy, the egoism and hate, still stand there in the purest peace and cheerfulness, who aren’t like a swaying reed, blown this way and that by every light breeze, who don’t simply watch the things their comrades or friends are doing, but who ask themselves only ‘What does our faith teach about all that?’ or ‘Can my conscience bear all this peacefully, that I may never have to regret any of this?’”⁸¹

80 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), p.140

81 Gefängnisbriefe und Aufzeichnungen (Letters from Prison and Writings), 146 f

Franz Jägerstätter seeks advice

Franz Jägerstätter's decision not to obey a fresh conscription into the army led to arguments within the family, particularly with his mother. He talked over his intention with his friends in the priesthood. But no one could remove his objection to active participation in the war. Father Karobath recalls: "We met in the Bavarian town of Tittmoning. I wanted to talk him out of it; but he defeated me again and again with the words of the Scriptures." Jägerstätter told Vicar Fürthauer of his intention during confession; the Vicar called him a potential suicide and refused to give him absolution. Franziska Jägerstätter felt her husband's sadness about the priest's words and was able to help Franz find his inner sense of balance again. Decades after the event, Fürthauer wrote to Franziska: "... I wanted to save his life, but he did not want any pretence and rejected all falsehood. I too often pray that Franz Jägerstätter may forgive me."⁸²

As the words of Bishop Gföllner's pastoral letters had significantly influenced Franz Jägerstätter's evaluation of Nazism, he expected to receive some advice and a way out of the dilemma he was in from Gföllner's successor, Bishop Joseph Calasanz Fliesser. Among Franz Jägerstätter's writings, there is a separate sheet with eleven questions on it; this clearly suggests that Franz Jägerstätter prepared himself for his talk with the Bishop in this way.

"Who can and wants to answer me these ten questions?"

1. Who can give us a guarantee that it is not the slightest bit sinful to join a party whose ambition it is to eradicate Christianity?
2. When did church leaders reach the decision and give their sanction that we should now be permitted to do and obey anything which the Nazi Party or government orders or wishes us to do?
3. If it is now regarded as right and good to be a member of the German People's Community, and to assemble and sacrifice for it, then shouldn't each person who does not take part be declared bad or unrighteous – for, after all, both things can't be good?

82 Ferdinand Fürthauer to Franziska Jägerstätter, dated 29th August 1989

4. What Catholic dares to declare that the predatory raids which Germany has already made, and is still carrying on in several countries, are a righteous and holy war?
5. Who dares to claim that only one of the German people bears the responsibility for this war – for why, then, did so many millions of Germans still have to vote “Yes” or “No”?
6. Since when can the deluded ones – those who die without any remorse or amendment in the sins and mistakes they have committed due to their delusion – since when can they, too, go to Heaven?
7. Why do we celebrate fighters for Nazism as heroes even in the churches of Austria? Didn't we still d... such people to hell only five years ago?
8. If the German soldiers who have lost their lives fighting for the victory of Nazism can be declared heroes and saints, then how much more blessed must the soldiers in the other countries be, who've been attacked by the Germans and who set out to defend their fatherland? Can we still regard this war as a punishment from God, or wouldn't it be better to pray that the war should go on till the end of all time, rather than praying for it to end soon, since it's bringing forth so many heroes and saints?
9. How is it possible to raise one's children to be true Catholics nowadays, when one is supposed to explain that what used to be very sinful is now good or, at least, not a sin?
10. Why should whatever the crowd is shouting and doing now be regarded as righteous and good? Can one reach the other shore safely if one constantly lets oneself be unresistingly swept along by the current?
11. Who can manage to be both a soldier of Christ and a soldier for Nazism, and to fight for the victory of Christ and His Church and, at the same time, for the victory of Nazism?”⁸³

Franziska Jägerstätter accompanied her husband to Linz, though she did not take part in the talk with the Bishop, which by her reckoning lasted

83 In the heading, Jägerstätter mentions ten questions, but then lists eleven questions in the text (Gefängnisbriefe, Letters from Prison, p.177f)

for about half an hour. She remembers the moment when her husband came out of the Bishop's consulting room: "He was very sad, and said to me: 'They don't dare themselves, or it'll be their turn next.' Franz's main impression was that the Bishop did not dare to speak openly, because he did not know him – after all, Franz could have been a spy." The Bishop's attitude is not surprising, as the sudden search of all the rectories in his diocese in 1940 had shown him how suspiciously the Gestapo kept an eye on relations between soldiers at the front and the clergy.

Bishop Fliesser talked about his meeting with Franz Jägerstätter in connection with the non-publication of an article about him in the Linz church newspaper; the editor, Franz Vieböck gives an account of Fliesser's words: "I saw that the man was thirsty for martyrdom and for suffering in atonement, and I told him he could only walk that path if he was sure that he was being called to do so by an extraordinary summons from above, not just from within himself. He affirmed this."⁸⁴ Franziska Jägerstätter finds the Bishop's choice of words inappropriate: if the most important thing for her husband had been to suffer in atonement, he would not have needed to go to the Bishop. Vieböck's letter reveals Fliesser's approach: "In vain, I explained to him the basic principles of morality concerning the degree of responsibility which a private person and citizen bears for the actions of those in authority, and reminded him of his far higher responsibility for those within his private circle, particularly his family." The Bishop judged in accordance with the prevailing moral outlook of that time.⁸⁵ However, he was unable to dispel Franz Jägerstätter's fundamental misgivings about participating in the Nazi war of conquest. For Franz Jägerstätter thinking, even when receiving orders, was indispensable: "We may just as well strike out the gifts of wisdom and understanding from the Seven Gifts for which we pray to the Holy Spirit. For if we're supposed to obey the Führer blindly anyway, why should we need wisdom and understanding? Shouldn't we Christians become true suc-

84 Franz Vieböck to Leopold Arthofer, dated 27th February 1946

85 Cf. Waldemar Molinski, Franz Jägerstätter's Wehrdienstverweigerung im "Dritten Reich" (Franz Jägerstätter's conscientious objection in the "Third Reich"), Booklet accompanying the video *The Jägerstätter Case*. Berlin 1996, Published by Landesbildstelle Berlin, particularly p.35 ff.

86 Gefängnisbriefe (Letters from Prison), p.161



Franziska Jägerstätter with her daughter Maria on her lap, and Rosalia Jägerstätter with her granddaughter of the same name

Responsibility towards authority

In his writings, Franz Jägerstätter repeatedly examines the issues of “obedience” and “responsibility”. For him, obedience also includes responsibility for one’s superior: “However, we should also not forget that we must obey the secular authorities; even if it’s sometimes difficult for us to offer loyal obedience to the worldly princes and superiors, as we often take the view that we are being unjustly treated, and that may often be so. But we shouldn’t be constantly complaining and grumbling because of it ... One honest word, spoken at the right moment, or a serious request, can often be of far more use to us than ranting or bellyaching for hours behind our superior’s back. And, again, it is Christ Himself who teaches us great obedience here, even towards the secular authorities. He was obedient until death, yes even until His death on the cross.”⁸⁷ In the same connection, Jägerstätter again examines the limits of obedience: “However, we must also ask God that He may grant, or help us to keep, enough good common sense to know when, whom and where we should obey. We should still, always and everywhere, be able to distinguish between the party and the state.”

For Jägerstätter, Germany’s military expeditions and the virtually religious avowal which Adolf Hitler demands, reach the limits of one’s duty to obey: “Yet Christ also demands that we should make a public avowal of our faith, just as the Führer Adolf Hitler demands a public avowal from his fellow countrymen. God’s Commandments do indeed teach us that we should obey the secular authorities, even if they aren’t Christian, but only as long as they don’t order us to do anything wrong. For we must obey God even more than men.”⁸⁸

Franz Jägerstätter entitles one section of his writings: “On Irresponsibility!” “Nowadays, one very often hears people saying that it’s fine to go ahead and do such and such, other people bear the responsibility for it anyway, and so the responsibility is pushed higher, from one to the next, no one wants to be responsible for anything, and so therefore – according to human judgment – should only one person, or at most two, have to

87 Gefängnisbriefe (Letters from Prison), p.92

88 Gefängnisbriefe (Letters from Prison), p.135

atone for all the crimes and atrocities that are being carried out in plenty at the present time? Is it an expression of Christian love for my neighbor if I carry out a deed which I think is wicked and very unjust, but do it nonetheless because otherwise I might suffer physically or financially? Someone else, we say, bears the responsibility for it anyway? It may well be true that some leading figures, whether religious or secular, do have to bear very great responsibility. But instead of making their responsibility lighter, we try to load them up with our own bundle as well, which we could easily carry ourselves, so that it will drag them very deep down one day! Do such leading figures really bear such great responsibility as we sometimes believe, or are we always so un-responsible (free of responsibility) as we are sometimes told, or as we ourselves perhaps imagine?”⁸⁹

Franz’s resolve grows stronger

The large numbers who had died in the war in Franz’s neighborhood made it clear that the life of a young man in the winter of 1942 to 1943 was not all that safe. In Franz’s view, if one has to risk one’s neck anyway, then it should at least be for something worthwhile: “I believe that the Lord is now making it not too difficult for us to risk our life for our faith anyway, for when one considers that in these difficult times of war, thousands of young men have already been asked to risk their lives for Nazism, and how many have already had to sacrifice their fresh young lives in this struggle, in order for others back in the homeland to be able to prolong their own lives for a while by means of the stolen loot, thereby murdering thousands more children’s souls? For with every new victory that Germany gains, the consciousness of guilt becomes greater for us Germans; so why should it be harder to risk one’s life for a King who does not merely impose obligations on us but who also gives us rights, whose final victory we know is assured, and whose Kingdom, which we win through our struggle, will abide forever?”⁹⁰

89 Gefängnisbriefe (Letters from Prison), p.144 f

90 Gefängnisbriefe (Letters from Prison) , p.134

Immediately after the war, Father Karobath described the period in Jägerstätter's life: when he reached his decision. "The situation is becoming critical for Hitler's Reich, and the danger of being conscripted is increasing ... He does penance, he fasts, he redoubles his prayers." Particularly important for Jägerstätter is the receiving of Holy Communion. Those who do not take advantage of this Sacrament offered by the Church, he compares to people who forfeit an inheritance because they find it too much trouble to regularly collect a fixed sum in person.⁹¹

However, receiving the Sacraments must also go hand in hand with one's personal Endeavour to achieve saintliness: "One sometimes also hears: 'D'you think I want to be a saint, or what?' However, it is very doubtful that such people could ever reach blessedness anyway. Sometimes it seems that such words are intended merely to mock the Saints in Heaven for their lovely virtues ... If we could ask our Saints what we must do to attain eternal bliss, I believe they could not tell us anything other than what the Catholic Church teaches us."⁹²

Franz Jägerstätter is also at pains to include his everyday life on the farm in his spiritual strivings. Under the heading "How can I give all my daily tasks and all my work eternal value?" he writes. "... And now a small example: early in the morning, a farmer or farmer's wife start the day with a good attitude, saying, 'May everything be in honor of God' and then they go to work, and hard-working people like these have far to walk and much to do on one long summer's day; in the evening, when they're already very tired, the Lord puts them to the test to see how serious they were with their good attitude, and sends them a heavy storm, which causes great damage to field and meadow. If they have truly worked in honor of God, this shouldn't trouble them – on the contrary, they'll even thank the Lord for this misfortune. But if they've carried out their work for the sake of worldly profit, then they'll certainly lose their peace of mind. And I needn't say more, for we all know well enough what kind of thing blurts out of such mouths at times like those."⁹³

91 Cf. Gefängnisbriefe (Letters from Prison), p.108 f

92 Gefängnisbriefe (Letters from Prison), p.110 f

93 Gefängnisbriefe (Letters from Prison), p.105 f

But Franz Jägerstätter also felt great concern for his immediate neighbors. During the great social hardships of the 1930's, he had already given help to many in need. Mrs Holzner, for example, lost her husband due to an accident at work in 1935. There was no financial support of any kind available to her and the three small children, and it was impossible to keep the children fed only on the milk of her one cow. Many a time, she would find a large loaf of bread outside her door and sometimes 20 shillings, which was the equivalent of about half a month's wages; she noticed that Franz Jägerstätter was the secret giver. Right up to her death in 1989, she always asserted that she and her children would have starved without this help.

Parting and imprisonment

During the two years between Franz's exemption (due to his "reserved civilian occupation" as a farmer) and his reconscription into the army, Franz and Franziska lived in the daily anxiety that the post woman might be bringing his conscription papers. In February 1943, as he was signing the postal receipt slip for those papers, he remarked: "Now I've signed my death sentence." The arguments within the family grew more fierce. In her fear, Franz's mother Rosalia Jägerstätter mobilized relatives and neighbors to remonstrate with her son. Franziska describes this period. "In the beginning, I really begged him not to put his life at stake, but then when everyone was quarrelling with him and scolding him (the relatives came), I didn't do it any more." She explains why: "If you really love someone, and he has no one at all who understands him ...". In another conversation, she expresses her attitude at that time as follows: "If I hadn't stood by him, he wouldn't have had anyone at all." In an interview on national Austrian television, which was filmed and broadcast on 9th August 1983, she answered the question as to whether she had agreed with her husband's actions: "As far as I could." The children never forgot their parents' deep mutual understanding during this period. Once, when the eldest daughter was wondering whether she would ever marry, her mother warned her that many married couples fight, to which the child answered: "You and Daddy didn't fight."

Franz's mother Rosalia not only mobilized the kinfolk, but also spoke to the village mayor about her son's intention. He consulted with the local police constable, who offered to apply to the military authorities for permission for Franz Jägerstätter to do military service without weapons. It appears that Franz did not respond to this offer at that time.

After receiving his conscription papers on 23rd February 1943, Franz Jägerstätter wrote to his friend Father Josef Karobath: "I have to tell you that you may soon be losing one of your parishioners once again. Today I received my conscription orders and am already supposed to be in Enns on the 25th of this month. As no one can give me a dispensation for the danger to the salvation of my soul which joining this movement would

bring, I just can't alter my resolve, as you know ... It's always said that one shouldn't do what I am doing because of the risk to one's life, but I take the view that those others who are joining in the fighting aren't exactly out of life-threatening danger themselves. Among those fighting in Stalingrad, so I've heard, are also four or five people from St. Radegund ... My family won't forsake God and the Blessed Virgin Mary, for in my situation, I couldn't protect them any longer anyway, of course it will be hard for my loved ones. That parting will surely be a hard one."

The time that passed between Franz's conscription and his death

Franz Jägerstätter received his conscription papers for the German Armed Forces on 23rd February 1943: he was already supposed to be in Enns on 25th February. According to Franziska Jägerstätter, her husband set off by train from Tittmoning on Saturday, 27th February. On Sunday 28th at about 6.15 a.m., Franz Jägerstätter arrived in Enns; on Monday, 1st March at about 11.45 a.m. he went to the barracks. Early on the morning of the 2nd March, he was allowed to leave the barracks again. On the morning of the same day, he reported there again and stated his refusal to serve. On the same day, Franz was taken from Enns to the military remand prison in Linz. On 4th May, he was transferred from there to Berlin-Tegel. On 6th July, Franz Jägerstätter was sentenced to death by the Second Senate of the Reich Court-Martial in Berlin-Charlottenburg. The sentence was confirmed on 14th July. On 9th August 1943, Franz Jägerstätter was taken to Brandenburg/Havel and there, at about 4 p.m., he was beheaded.

Parting

The parting between Franz Jägerstätter and his wife was to be very, very hard. Franziska accompanied her husband to the railway station at Tittmoning. Her husband could not part from her, he could not let go of her hand. Both were torn apart by force as the train moved off. The train conductor was furious. The fear of being torn apart again, and of a repe-

tition of this moment, led Franziska to refrain from immediately visiting her husband at the prison in Linz.

In Enns, Franz spent Sunday morning at church services, and stayed with Father Krenn ⁹⁴ and his mother until Monday; he did not tell them of his intention.

On 1st March, before going to the barracks, Franz Jägerstätter wrote to his wife:.. “Dearest wife, I want to thank you again with all my heart for all the love and loyalty and sacrifice which you have given, for me and the whole family. And for all the sacrifices which you’ll still have to make for me. The hardest sacrifice will be that you can’t be angry with anyone ... At least you know to Whom you can entrust your pain, those who understand it and who can help you: Christ, too, prayed to His Heavenly Father on the Mount of Olives that God might let the cup of sorrow pass, but we should never forget when we pray for such things: Lord, not my will but Thy will be done. Help the poor for as long as you can. And you must take the place of their father for the children too now. Also, don’t be angry with my mother if she doesn’t understand us.”⁹⁵ This last sentence shows how strongly Franziska had supported her husband’s decision; Rosalia Jägerstätter would never forgive her daughter-in-law for not doing everything she could to change her son’s mind.

Franz could hardly find a bed on the first evening, and next morning left the barracks once more to attend mass. He gave an account of what happened next:

“In the morning, I then reported to the barracks again, and then soon afterwards the interrogation began. The company commander was not very critical at all – a second lieutenant colonel who was writing the minutes was somewhat more so. I imagined that the whole thing would be more hostile, but there was no question of being screamed at. Now I’m to be taken to Linz.”⁹⁶

In a letter from Linz dated 3rd March, Franz wrote that he would have to be there for a while “under investigation” and asked for items of every-

94 Father Franz Krenn, who was driven out of his parish at Geinberg and imprisoned for six months by the Nazis was only allowed to work as a church organist in Enns.

95 Franz to Franziska, dated 1st March 1943 (63)

96 Franz to Franziska, dated 2nd March 1943 (64)

day use, such as washing and toilet articles. He had evidently never reckoned on imprisonment or a trial.

Franz Jägerstätter managed to smuggle a letter, dated 5th March, past the censors, in which he gave a more detailed account of the first interrogations: "In Enns, too, they tried to ensnare me with every kind of trick, and to make a soldier out of me again despite all. It wasn't so easy to stick to my resolve. It may continue to be difficult, but I trust in God that if it would be better to go a different way, He will still give me a clear directive. Of course, I was also asked what the pastor said about it; if I'd had to keep quiet about what he said, he'd hardly remain free for much longer."⁹⁷ In the same letter, Franz related some encouraging facts: "I can also tell you that there's a farmer's wife in Enns who hasn't yet allowed her children to attend the Hitler Youth, which is also a rare thing. So, you hear all sorts of things about people elsewhere who aren't letting themselves be swept along by the crowd either ... There are already some SS men, as I've heard too, who've converted to Christianity before their deaths."

In the reason given for the judgment of the Reich Court-Martial against Franz Jägerstätter, we find the following: "In February 1943, the accused again received a written order conscripting him into active military service in Drivers' Reserve Detachment 17 at Enns, commencing on 25th February 1943. Initially, he did not obey the conscription order, because he rejects National Socialism (Nazism) and therefore does not wish to perform military service. At the urging of his relatives, and in response to the persuasion of his village pastor, he did subsequently report to his regular company, Drivers' Reserve Detachment 17 at Enns, on 1st March 1943, but immediately declared that owing to his religious views, he refuses to perform armed military service. Under questioning by the Court-Martial Officer, he adhered to his refusal, despite being instructed and informed in detail of the consequences of his behavior in adopting this stance. He stated that he would be acting against his religious conscience were he to fight for the National Socialist (Nazi) State. He likewise adopted this stance of refusal under questioning by the Head of Investigation of the Court of Division No. 487 in Linz and by the Representative of the Military Attorneys of the Third Reich."⁹⁸

97 Franz to Franziska, dated 5th March 1943 (66)

98 A facsimile of the court's verdict can be found in the Appendix

Franziska Jägerstätter's first letter to her husband in prison, dated 7th March, betrays her sadness, for she could hardly expect ever to meet him again. Right up to the end, she had hoped he might act differently: "I still had a small hope left that you might perhaps still change your mind on the journey, because I feel such terrible pity for you, and I can't help you at all, I'll beseech the dear Mother of God that she'll bring you home to us again, if it's God's will." The children are constantly asking about their father. Franziska finds sustenance in her faith. She is worried about her husband: "How do you feel in your heart? Do you still feel consolation?"

Medical service offers a ray of hope

During the war, post was delivered in St. Radegund even on Sundays, after the church service. On Sunday 14th March, Franziska received a letter from her husband. "That was a lovely Sunday," she recalls. Franz writes: "I can also tell you that I'm declaring myself willing to serve as a paramedic, as actually one can do some good there, and exercise Christian brotherly love in a practical sense, and my conscience doesn't rebel against that. But of course I shall be punished for this."⁹⁹

The new idea of medical service probably came from the prison chaplain at Linz, Franz Baldinger, who later recalled Jägerstätter: "At the time, I made every effort to save this brave, idealistic young man. I tried to make it clear to him that, with all due respect for his personal idealistic principles, he should keep in mind the welfare of his family and himself. On my last visit, he seemed to have understood this and promised to act in accordance with the ideas I had put forward, and to take the oath. I was appalled when I later heard that he ... had been executed."¹⁰⁰

Franz Jägerstätter's willingness to perform medical service is also recorded in the verdict of the Court-Martial of the Third Reich: "However, he stated that he was willing to do service as a military paramedic, out of Christian brotherly love." Even though Franz again declared his willingness to do this at the main trial in Berlin, it did not alter the sentence of death for "undermining military morale".

99 Franz to Franziska, dated 11th March 1943, (67)

100 Baldinger to Zahn, dated 6th July 1961 (504)

Franz's fellow-prisoners

In his letters to his family, Franz Jägerstätter said very little about the conditions of his imprisonment in Linz, in the building of the former Ursuline convent, situated on the rural highway. "Otherwise, you've no need to worry about me – the catering and treatment here are good."¹⁰¹ On 4th April, he reassured them again: "... we can eat till we're full every day, and everything's well cooked, the cooks here are nuns, for in fact this is the Ursuline convent. Though as you can well imagine, one doesn't get fat on the food here ..."¹⁰²

Franz's fellow-prisoners from Lorraine, Lucien Weyland, Gregor Breit, Albert Boul and Emil Bour have given a detailed account of their period of imprisonment in Linz. These four German-speaking men from Lorraine regarded themselves as French; they were conscripted into the German Military Forces on 15th January 1943, and were supposed to take the oath of allegiance to Hitler on 23rd January 1943 in Braunau am Inn. During the address before the swearing-in ceremony, a high-ranking officer praised the role played by the men of Alsace and Lorraine and concluded: "Should any man who is to take the oath here today not be here of his own free will, let him step forward." Without having prearranged anything, these four men walked slowly forward. All those assembled were shocked and seemingly paralyzed. After a short period during which no one knew what to do next, they were arrested and transferred to Linz prison. The legal proceedings took some time: they were sentenced to death, but were then asked a second time. They then had to take the oath immediately, before the judge and, in a very short time, were sent to a parole unit stationed at the front.

In 1944, Weyland and Breit managed to desert; following the end of the war, they tried to get in touch with Franz Jägerstätter and have been in touch with Franz's widow Franziska ever since. Both men came from deeply religious Catholic farming families and shared common concerns with Franz. These men from Lorraine, who were only 18 years old, were sometimes in despair and as the eldest, Franz was able to comfort them;

101 Franz to Franziska, dated 11th March 1943 (67)

102 Franz to Franziska, dated 4th April 1943 (71)

Breit later wrote to Franziska: "I can only assure you that we found a good friend in Franz, who always had a word of comfort even at the most difficult times and who, during the scant morning and evening meals which we ate in our cells, would give us his last piece of bread, making do with only a little black coffee himself."¹⁰³ Weyland and Breit recall the terrible prison conditions: the only warm meal of the day, always a hotchpotch, had to be slurped down in just two to three minutes, while standing in the corridor. Each prisoner was faced only with the choice of either scalding himself with the hot soup or continuing to starve. On 19th May 1943, Franz Kehrer from Aigen in the Mühlviertel region of Upper Austria, was interned at the military remand prison in Linz; he too made friends with the men from Lorraine and later kept in touch with them. In his written comments on the TV film "The Jägerstätter Case", Kehrer summed up the conditions in the prison as follows:

- “3. In reality, the treatment of the prisoners was brutal and rough – not in the least like the description given in the television program. Whenever a prisoner was brought to a cell, this was likewise accompanied by yelling and whistle-blowing and shouts of: ‘Lie down and crawl under the beds!’ On Sundays or official holidays, the beds were thrown into disorder, just to give us something to do – i.e., recreation.
4. A single four-man cell was not occupied by two to three prisoners, as stated in your program: in fact, six to seven prisoners were crammed together in there.
5. The food was not served nicely – instead, anyone who did not get to the door quickly enough had his food poured on the floor. Even the chamber pot was used when there were no plates available, in order to somewhat assuage one’s bitter hunger.
6. Those who had already been sentenced to death, and those waiting for confirmation of their execution from the Division Command, had to walk around the prison wearing Dutch-style clogs in the early morning, as a deterrent for the other prisoners. Inside the cell itself, we were chained to the wall by heavy chains on our feet.
7. At ‘letting-out time’, a guard led us to the toilet on the chain while a second guard kept watch on us, holding a rifle with the safety catch

103 Breit to Franziska Jägerstätter, dated 16th March 1962 (483)

open and the bayonet mounted. Inside the prison itself, there was whistling and yelling and chains were rattled whenever a condemned man was being led to the execution chamber, in order to wear down the spirits of the other prisoners too.”¹⁰⁴

Breit and Weyland also described how terrible being chained was for the prisoners. Once one leg had become used to the heavy iron manacle, it was moved onto the other leg, which was rubbed raw by the chain again. Gregor Breit forged such a chain himself and, 50 years after the experience, brought it to the Jägerstätter farm. However, from the very beginning, the aspect that stands out most vividly in all the other prisoners' memories of Franz Jägerstätter is his deeply religious outlook. While trying to get in touch with Franz after the end of the war, Weyland wrote: “Mr. Jägerstätter, do you still remember us being in the cell together? I still have a lovely memento from you – a rosary you gave me. Do you still remember us three Frenchmen? We prayed many a rosary too ... hopefully it helped you too, for you never let a day go by without saying the rosary and your prayer from the book.¹⁰⁵ You never took the oath either, but you went away from Linz all of sudden, and I've never heard anything from you since then.”¹⁰⁶

104 Franz Kehrer to Axel Corti , dated 15th June 1971, copy in the possession of L. Weyland

105 Prayer book of the Third Order

106 Weyland to Franz, dated 28th Dec. 1947 (480)

Parted from home and hearth

Franziska Jägerstätter describes a feature of her husband's character in which he differed from most of the people around him, and this was his great love of nature. The beauty of flowers, for example, used to give him great pleasure. In the brutal, grey world of the prison, the sparse signs of spring were precious: "Nature doesn't notice all the misery which has covered humanity; even though I can't see much of it here, it seems to me as if everything is budding and blooming even more prettily than in past years. Hardly does dawn begin to break than you can already hear the blackbird singing loud in front of our window – the birds too, it seems, have more peace and joy than ever ..." ¹⁰⁷ Franz found the first signs of spring worth mentioning: "Yesterday, we already saw some apricot trees in flower in our garden here, they'd be something for our children, right enough ..." ¹⁰⁸

Franz's lively interest in his still small children was another thing which made him different from his fellow-farmers of that time. The children missed him enormously. Franziska wrote: "Your little ones are thinking of you almost all day long, when they have some pretty flowers, they always say 'We'll send these to Daddy, and he'll laugh, these would please him, if he had these.'" ¹⁰⁹ The youngest child, who was three years old, cried whenever her mother went to lock the door of the house in the evenings, because then her father couldn't get in; she also asked her mother to write that her father should come home soon, to "joke around" with her. ¹¹⁰ Franz was in some ways still able to take part in the life of the family from his cell in Linz: although the mail was censored, no limit was imposed on the number of letters.

107 Franz to Franziska, dated 2nd May 1943 (76)

108 Franz to Franziska, dated 25th March 1943 (70)

109 Franziska to Franz, dated 28th March 1943 (157)

110 Franziska to Franz, dated 21st March, and 4th April 1943 (155, 160)



Loisi, Rosi and Maria Jägerstätter, Easter 1943; this picture brought Franz Jägerstätter joy and "moist eyes" in the prison in Berlin.

In 1943, for the first time, Franziska Jägerstätter had to carry out both the tilling of the ground in spring and the harvest without any help from a man. Some heavy work, such as sowing oats by hand, training a young cow as a draft animal, and sharpening scythes, was not usually done by women. In addition, the dryness of the spring of 1943 also made it necessary to carry the water for the animals and household to the farm in a cow-drawn cart. Franz was kept informed by his wife on the progress of the work. He made suggestions about procuring new tools, such as scythes and reversible plough blades. Right up to the end, one of the prisoner's greatest worries was that his wife and his mother were overburdened with work.

Despite her extremely heavy workload, Franziska Jägerstätter sought strength in the same manner as her husband. During an exhausting week

of harvest, she also made a pilgrimage on foot to Altötting on the Feast of Corpus Christi: “We had already left home by twelve o’clock (midnight), and at six in the morning we reached the top, already pretty tired; coming home, we drove as far as Burghausen by car, I almost couldn’t get up to do the mowing the next day, but it simply had to be done.”¹¹¹

In the loneliness and monotony of the cell, Franz’s thoughts and feelings were very strongly with his loved ones. Besides the work on the farm, he thought a lot about the joys which the different seasons brought the children and, in particular, the cycle of events in the Christian year as well. His wife carried on serving as sacristan and was therefore particularly strongly connected to the Liturgy. In thought and spirit, Franz Jägerstätter wholeheartedly joined in celebrating Palm Sunday, Holy Week, Easter, the May devotions to the Virgin and Corpus Christi. Especially in the solitary cell in Berlin, liturgical practices and prayer times took on an important role for Franz: “As you may well imagine, I was very sorry to miss the lovely May devotions, but to make up for it, I held a May devotion every evening here in my cell; to decorate the picture of the Blessed Virgin, I had the little violets from Rosi that you sent me once, though of course it would have been nicer for a family man to be able to attend the prayer with his whole family.”¹¹²

Challenges to Franz’s faith

Because of the censorship, and out of consideration for his family, Franz Jägerstätter took pains to avoid mentioning any negative or disturbing facts in his letters. He took this so far that, in a letter he wrote from Berlin two days after the main trial, he mentioned nothing at all about the trial or the verdict.¹¹³ He wished to spare his family the pain until the confirmation of the death sentence brought absolute certainty. Nevertheless, we can still infer something about his state of mind through these letters.

111 Franziska to Franz, dated 27th June 1943 (176)

112 Franz to Franziska, dated 6th June 1943 (80)

113 Cf. Franz to Franziska, dated 8th July 1943 (81)

The first weeks in prison at the military remand prison in Linz, with all their indignities, were very difficult. Faced with the brutal treatment, Franz asked himself whether he really was the person for whom the guards took him: "So long as you can have a clear conscience that you're not a vicious criminal, you can live peacefully even in prison."¹¹⁴ The humiliations and cruelties provoked reactions in the defenseless prisoner. Franz Jägerstätter endeavored to keep these reactions under control by reflecting on the suffering Christ: "... could we still call ourselves Christians if, out of pride, we miserable folk couldn't even manage to forgive our fellow human beings?"¹¹⁵ Thanks to the same attitude, he overcame his anxiety in the face of an uncertain, still harder future: "Even if yet more difficult things should come, all shall some day work out for the best for him that abides in love."¹¹⁶ The fact that Franz Jägerstätter was put into the degrading situation of a prisoner was, finally, a consequence of his faith. Right at the outset, that faith was called into question. His former certainty seemed to desert him. At the beginning of April, he wrote that the only misfortune which could befall him would be the loss of his faith.¹¹⁷ In the following letter it becomes clear what sustained him in facing this challenge to his faith: he found his trust in God again in his memories of the happiness and the experiences of his marriage: "When I look back and consider all this happiness and the many gracious blessings which we have been granted during these seven years, which have sometimes even bordered on miracles, and if someone were to say to me, there is no God or God doesn't love us, and if I were to believe it – well, I just don't know how far gone I'd have to be to think that."¹¹⁸

During the time of reaching his decision, after his death and right up to the present day, Franz Jägerstätter has been repeatedly charged with the reproach that he should have acted differently, out of consideration for his wife and children. Parting from them was terribly difficult for him, but the love of his family radically eased his situation in prison. His wife's descriptions of his six-year-old daughter Rosi's prayers and offerings

114 Franz to Franziska, dated 12th March 1943 ((68)

115 Franz to Franziska, dated 25th March 1943 (70)

116 Ibid.

117 Franz to Franziska, dated 4th April 1943 (71)

118 Franz to Franziska, dated 9th April 1943 (72)

meant a great deal to her father: “I was also amazed that little Rosi can already make such big offerings, they certainly won’t be in vain. How could I ever feel forsaken here, when so many are praying for me at home?”¹¹⁹ The Evangelical pastor Dietrich Bonhoeffer, who was engaged to be married at the time of his imprisonment, had a similar experience: “What wealth one possesses in such oppressed times, in a large, close-knit family in which everyone trusts and stands by one another. I sometimes used to think that when pastors were imprisoned, those who were unmarried must find it the easiest to bear. In those days, I did not know how much the warmth which emanates from the love of a woman and a family means to one in the cold air of imprisonment, and that it’s precisely during such times of being parted that that sense of absolutely belonging together grows still stronger ...”¹²⁰

Hardly had Franz Jägerstätter withstood the struggle to retain his faith, than it becomes apparent that he was tempted to escape the tormenting uncertainty and the strain through suicide. In his writings, he thought through the issue and showed understanding for any person who commits such a deed – concluding however that, for a Christian, this is no way to escape affliction: “Even when the cross that God or that we ourselves lay on our shoulders may sometimes press on us a little, it will never be as hard and heavy as the one that Satan sometimes lays on his followers – for how many have already broken down under that burden and thrown away their lives? We should condemn only the deed of suicide, but never the suicide himself.”¹²¹ The Tyrolean Pallottine priest Franz Reinisch, who arrived at a similar decision to Franz’s out of conscience, and was likewise executed for “undermining military morale”, likewise bore witness to the temptation to escape prison through suicide. Like Franz, in the second month of his imprisonment, the priest encountered “the temptation” and “dangerous thoughts”: “Don’t allow this brutal treatment by the guards to continue indefinitely. After all, you don’t have to follow orders. You’re only here voluntarily, after all. Force a guard

119 Franz to Franziska, dated 12th March 1943 (68)

120 Dietrich Bonhoeffer, *Widerstand und Ergebung* (Resistance and Submission), Gütersloh 121983, p.41

121 Franz to Franziska, dated 18th April 1943 (74)

to shoot by feigning an attack. Then everything will be over.”¹²² The theologian Bonhoeffer, too, wrote from prison of the temptation to put an end to life itself: “Yet, from the very beginning, I said to myself that I would do neither men nor the devil that favor; they will have to do the business themselves, if they want to, and I hope to always be able to stand by my resolve.”¹²³

122 Franz Reinisch, *Märtyrer der Gewissenstreue. Tagebuch aus dem Wehrmachtsgefängnis Berlin-Tegel* (Martyr of Conscience. Diary from Berlin-Tegel Military Prison), Vallendar-Schönstatt 1978, I, p.65

123 Bonhoeffer, *Widerstand und Ergebung* (Resistance and Submission), p.70

In front of the Reich Court-Martial in Berlin

A sudden move

On 4th May 1943, Franz Jägerstätter sent a short note to his wife from Linz railway station, telling her that he was just about to be taken to Berlin; he gave his new address as: “Berlin-Tegel Military Remand Prison, Seidelstrasse 39”. During a stay at Regensburg, he was able to write at greater length, and the obligingness of his guard enabled him to write an uncensored letter: “I’m taking the train for Berlin at half past two with a man from Berlin as my escort, a very kind man.” Franz Jägerstätter regretted that his departure from Linz came so suddenly that he was not even able to say goodbye to his fellow-prisoners. His stance on Nazism had only been strengthened by his two months’ imprisonment. He did not expect any improvement in his situation. However, inwardly he felt forearmed – the crises of his initial period in prison had evidently been overcome: “You’ve no need to worry about my spiritual state. If it maybe goes even worse for me in Berlin, don’t fret yourselves because of it ... I’m still ready to meet everything calmly.”¹²⁴ Both Franz and Franziska deeply regretted that they had never managed to meet while he was imprisoned in nearby Linz; on 7th May, he wrote: “If I’d had any idea that I would have to leave Linz without a trial, I’d certainly have invited you for a short visit beforehand, for it would be too grim for you to come all the way to Berlin.”¹²⁵ On 11th May, Franziska wrote: “I do feel very sorry that I wasn’t able to visit you while you were still in Linz.”

124 Franz to Franziska, dated 4th May 1943 (78)

125 Franz to Franziska, dated 7th May 1943 (79)

Changed prison conditions in Berlin

On 4th May at eleven at night, Franz Jägerstätter arrived in Berlin. The train journey there would have been a pleasant experience, “if it had simply been a pleasure trip.” His reception at the military remand prison at Berlin-Tegel was probably brutal. Pastor Dietrich Bonhoeffer, who had been sent there one month before, described the treatment of newcomers: “On the first night, I was locked in a cell for newly-interned prisoners; the blankets on the cot had such a beastly smell that, despite the cold, it was impossible to cover oneself with them. The next morning, a piece of bread was thrown into my cell, so that I had to pick it up from the floor. A quarter of the coffee consisted of coffee grounds. For the first time, the prison guards’ abusive name-calling of remand prisoners reached my cell, a sound that I have heard from morning to night ever since. When I had to line up with the other new prisoners, we were called vagabonds, etc. etc. by a turnkey ...”¹²⁶ Franz’s letter indicates that he was treated similarly: “As long as you have no revengeful thoughts against anyone and can forgive all men, even though sometimes you may have a hard word thrown at you, your heart remains peaceful and what lovelier thing is there in this world than peace? ...”¹²⁷ In the same letter, he also described the positive side of his new prison quarters: “... it’s true that some things are a bit different than in Linz, but from what I’ve seen up to now, you don’t have to go hungry here either, and I find some things are better here. I also have a very nice little room all to myself.” However, in Tegel correspondence is drastically restricted: in the same letter, Franz remarks: “Dearest wife, you’ll certainly find one thing harder in future, as here we’re only allowed to write one very short letter once every four weeks. We can receive as much mail as comes.” The letters from his family were, however, delivered to him only after some delay.¹²⁸ Prison was already affecting Franz Jägerstätter’s health. On 6th June, he wrote of stomach ache: “... my stomach is playing me up, the little rascal, otherwise, thank God, I still feel pretty healthy, these little disorders of the stomach are

126 Bonhoeffer, *Widerstand und Ergebung* (Resistance and Submission), p.64

127 Franz to Franziska, dated 7th May 1943 (79)

128 Cf. Franz to Franziska, dated 6th June 1943 (80)

easy to take, for it could easily be worse by now. Otherwise, I almost prefer it here to Linz in nearly every way. I'm still alone in my cell. Almost every day, we have half an hour's exercise out in the open; you can work as much as you want in the cell, making envelopes. Though of course, I'd far rather be taking the heavy work off your hands instead." In both this letter and in the one written in July, Franz says that it is a grace of God to be permitted to suffer for one's faith.

Dietrich Bonhoeffer writes about this period in Tegel: "Overall treatment: the turnkeys who set the tone are the ones who strike the most abusive and brutal note in speaking to the prisoners. The whole building echoes with abusive swearwords of the most foul kind, so that even the more even-tempered and fair-minded jailers feel nauseated by it; but they can hardly stand up to the others ... Food: a prisoner cannot avoid getting the impression that he's not receiving all the rations to which he is entitled ... Air raids: There is no air raid shelter for the prisoners. For the workforce at hand here, it would have been a small matter to ensure that this was done in good time ... Whenever there's a major bomb attack, no one who has heard the screaming and uproar of the prisoners locked in their cells, some of whom are in here for the most minor offenses or else completely innocent, will ever forget it."¹²⁹ Franz Jägerstätter would not live to experience the heavy air raids on Berlin of 23rd August and 3rd September 1943; however, he was one of those who experienced the terrible heat wave at the end of July and beginning of August, during which it was unbearably hot in the cells.

The religious order priest Franz Reinisch, who was to share Franz's fate at the hands of the Nazis, described the effects of the treatment in Tegel. In the isolation of the solitary cell, the smallest day-to-day harassments began to impose great strain on a man. He described them as "a foretaste of purgatory and hell: the thoughts and experiences: never a friendly face, never to feel any love, always only hard words – if this were to go on forever! And then the screaming of some prisoners who can't bear the loneliness and the wrongful loss of their freedom, the constantly keeping silent, the small cell, etc. and also, in the case of certain men, the spiritual

129 Bonhoeffer, *Widerstand und Ergebung* (Resistance and Submission), p.66

distress that weighs heavily on their hearts, the enchainment of those condemned to death.”¹³⁰

130 Reinisch, I, 29

The trial before the Reich Court-Martial

Judicial competence

Franz Jägerstätter was to be proved right in his surmise that, after being transferred to Berlin, he would still have to reckon with the maximum charge.

In accordance with the Wartime Code of Criminal Procedure of 17th August 1938, court-martial proceedings were always conducted only at one level of jurisdiction. The Reich Court-Martial in Berlin was not, therefore, a court of appeal – rather, cases involving a special group of people (higher-ranking officers), as well as special cases, were reserved for it. According to Section 14, Paragraph 9 of the Wartime Code of Criminal Procedure, the charge of “undermining military morale” was also one of the criminal offenses reserved for the Reich Court-Martial, although it was also permissible for “less serious cases” of this offense to be dealt with by another court. Through being relegated to Berlin, Jägerstätter’s case had therefore already been indirectly classified as serious.

Even before the records of the former Reich Court-Martial at the Military Historical Archive in Prague were made accessible to the public, it was evident that the way that the courts viewed refusal to do military service on religious grounds was different from the way they viewed refusal on political grounds. The men from Lorraine, who for a time refused to take the oath for patriotic reasons, were tried in Linz. Jehovah’s Witnesses, however, as well as the few Christians from the larger churches, were brought before the Reich Court-Martial in Berlin. Even then, it was generally assumed that the authorities strongly feared that such cases might set a powerful example to other Christians.

The available records in Prague confirm this assumption. They also offer an insight into relations and discussions within the decisive military judicial authority. Looking at the records, it is surprising how much space is taken up by refusal on religious grounds. This is already apparent from

the sheer number of death sentences: in an “Overview of persons condemned to death by German court-martials, registered during the period from 26th August 1939 to 31st January 1941”, a total of 896 are registered under “sentence carried out”; 149 of these death sentences were imposed by the Reich Court-Martial, and of these, 103 were death sentences given by the Reich Court Martial to soldiers “for undermining military morale (Jehovah’s Witnesses)”.¹³¹ However, the note “Jehovah’s Witnesses” or, simply, “Bible”¹³² is also found next to the names of Catholics, so evidently any refusal on religious grounds was classified under these codes. Thus, we find that the two members of the (Catholic) Christ the King Community, Michael Lerscher, sentenced to death on 2nd August 1940 and Josef Ruf, sentenced to death on 14th September 1940, were classified as Jehovah’s Witnesses, as was later, too, Franz Jägerstätter.¹³³

This focus of the proceedings at the Reich Court-Martial in Berlin presumably arose from an Endeavour to as far as possible isolate any ideas which linked the war to religious belief. Judgments against those who refused military service on religious grounds repeatedly address this point. In the verdict of death pronounced on P. Franz Reinisch by the Reich Court Martial on 7th July 1942, the court stated that his action was capable of “exercising a dangerous persuasive power”. In the verdict against the Jehovah’s Witness Franz Oswald from Vienna, pronounced on 6th April 1943, the court stated: “Moreover, due to its inherent persuasive power, his behavior is particularly capable of undermining the morale of others. It was therefore necessary to impose the death penalty.” A similar statement was made concerning Oswald’s fellow Jehovah’s Witness, Walter Möller, on 13th July 1943: “... due to their inherent persuasive power, such persistent refusals to perform military service are particularly capable of undermining the will of others to fight. It was therefore necessary to impose the death penalty.” In the reasons given for the death sentences imposed on four Jehovah’s Witnesses from Alsace, Alfred Benedick, Ray-

131 Military Historical Archive in Prague, Reich Court Martial, Box 53/IV/ Sheet 295

132 Expl. note: In German, Jehovah’s Witnesses are also called “Bible Researchers”: hence “Bible” for short.

133 Cf. MHA/Prague, RCM, Register 1940, No. 65 and No. 116; and Register 1943, No. 53.

mund Gentes, Karl and Heinrich Merling on 18th May 1943, another point is mentioned: "In view of their persistence in refusing to perform military service and the dangerousness of their conduct, it appears necessary to impose the severest possible sentence. This penalty is also intended to act as a deterrent."¹³⁴

In a letter to the President of the Reich Court-Martial, Admiral Max Bastian, dated 14th April 1940, the Senior Attorney at the War Office, Reh-dans, stated his basic principles concerning legal proceedings: "Re: Criminal cases brought against those who refuse to do military service, particularly the International Jehovah's Witnesses ... The German people and the German Military Forces have now entered upon the final decisive battle, which has been forced upon them. The struggle for the life or death of the German people which has now begun is such a tremendous event, that it must also have a cataclysmic effect upon us at the Reich Court-Martial, upon the realizations gained in earlier phases of the struggle, and upon our hitherto-cherished views, guiding principles and the measures implemented in accordance with these. This particularly applies to all the viewpoints which have up to now – partly in accordance with agreements with the Military Judicial Administration – governed the treatment of those who refuse to do military service, particularly those belonging to the dangerous, international sect (nurtured and influenced by our opponents) of the Jehovah's Witnesses. Anyone who even now, when his people are entering upon their final decisive struggle for survival, still refuses to participate in this struggle in any manner and for any reason whatsoever, must be combated and annihilated by means of the severest methods possible."¹³⁵

In a letter to the Head of the Army Judiciary, dated 26th September 1942, the "Head of the Supreme Command of the German Armed Forces", Wilhelm Keitel, expressed himself as being "generally satisfied with the work of the Army Judiciary. It has recognized its task and done its part in nipping in the bud all occurrences of the undermining of military morale, which are unavoidable when any war continues for long."

134 Collections of verdicts of the RCM, MHA/Prague, copies in the author's possession

135 MHA/Prague, RCM, Files of the Senior Attorney at the War Office, Sheet 87 (No. of the file folder has been lost), copy in the author's possession

With regard to the character of judges, Keitel stated: “Not least, it goes without saying that it is a prerequisite that each judge, of whatever rank, should be firmly rooted in the National Socialist (Nazi) worldview, and should orient his work according to its principles.”¹³⁶

Norbert Haase has based his important work on the Reich Court-Martial on the accessible records on file in Prague.¹³⁷ He characterizes that institution as follows: “During the war, the Reich Court-Martial had jurisdiction over a whole series of criminal offenses of outstanding military and national political significance. Over 1400 death sentences are on record for the years 1939 to 1945. The Reich Court-Martial, which was moved to Torgau at the end of 1943, was no Freisler-style tribunal like the notorious People’s Court. However, the apparent legality upheld by its jurists was merely a sham. Their jurisdiction served to safeguard the rule of the Nazi state. After 1945, the history of this court was suppressed. This also had consequences for the victims, and influenced the law in action in the Federal Republic of Germany.”¹³⁸

Condemned for undermining military morale

In a letter from the Senior Attorney at the War Office, dated 9th September 1943, Franziska Jägerstätter was informed: “In the criminal case against your husband, the driver Franz Jägerstätter, for undermining military morale, he was condemned to death by the Reich Court-Martial on 6th July 1943, as well as being stripped of his worthiness to serve in the army and of his civil rights.”

The transcript of the verdict against Jägerstätter states that he was “sworn in to serve the Führer and Supreme Commander of the German Armed Forces” in Braunau am Inn in June 1940. It clearly states that “due to his religious attitude, he refuses to perform armed military service ...

136 MHA/Prague, RCM, Box 64; Document reproduced in Norbert Haase, Reichskriegsgericht (Reich Court-Martial), p.55 f

137 Norbert Haase, Das Reichskriegsgericht und der Widerstand gegen die national-sozialistische Herrschaft. (The Reich Court-Martial and the resistance against Nazi rule) Gedenkstätte Deutscher Widerstand (Publ.), Berlin 1993

138 Haase, Reichskriegsgericht (Reich Court-Martial), p.31

He stated that he would be acting against his religious conscience were he to fight for the National Socialist (Nazi) State.” Jägerstätter said that he “could not be both a Nazi and a Catholic; it was impossible”. It was twice mentioned that Jägerstätter was ready “to serve as a military paramedic out, of Christian brotherly love” ... “he said there are some things in which one must obey God more than men; due to the commandment ‘Thou shalt love thy neighbor as thyself’, he said he could not fight with a weapon.” The court-martial verdict against Franz Jägerstätter makes it clear that the judges understood his reasons; conscience and religious conviction were cited, but not recognized as a valid basis for his conduct.

A facsimile of the court-martial verdict against Franz Jägerstätter can be found in the Appendix.

Due to the court-martial verdict, we now know the names of the members of the Reich Court-Martial Senate who tried Franz Jägerstätter. Of particular interest is the jurist in charge of the trial, Reich Court-Martial Counsel Werner Lueben. Lueben, who shared the responsibility for over a hundred death sentences pronounced by the Reich Court Martial, escaped being involved in another obviously unjust verdict by committing suicide on 28th July 1944. On that day, under pressure from Himmler, he was to have pronounced a sentence of death on three Catholic priests from Stettin, including the Pro-Vicar of Innsbruck, Dr. Carl Lampert. In the course of the proceedings, he had already attempted to cast doubt on the authenticity of the Gestapo records and to at least conduct the trial in accordance with the legal provisions of that time. In Dr. Lampert’s case, Lueben was, through his own death, only able to delay the priest’s execution by a couple of months.¹³⁹

139 Cf. Haase, Reichskriegsgericht (Reich Court-Martial), p.74–76 and 144–149, and also Benedicta Maria Kempner, *Priester vor Hitlers Tribunalen* (Priests Before Hitler’s Tribunals), Gütersloh o. J.(about 1966), p.218 f.

Attempts to change Franz's mind

As a prisoner under sentence of death, from 6th July onwards Franz Jägerstätter was bound in tight handcuffs day and night. However, the isolation of the two first months in Berlin was lifted. Franz's court-appointed lawyer Feldmann arranged for the Berlin pastor and responsible prison chaplain Heinrich Kreutzberg to be contacted, and also informed the priest in Franz's home village St. Radegund. His intention was clear: the pastors were supposed to persuade his client to change his mind.

In the case of an indictment or a conviction for refusal to do military service on religious grounds, the court staff had strict instructions "to preserve the life of a serviceable fighting man for the armed forces even up to the very last moment, in the gravest times of war."¹⁴⁰ Heads of inquiries, such as judges, were supposed to persuade a conscientious objector to abandon his stance of refusal. In the event that he took back his refusal, the accused was given a prison sentence to be served after the end of the war. The men concerned were sent straight "to the front, on parole". Next to many names in the Penal Executory Register of the Reich Court-Martial, there is a note simply saying "Killed in combat on ... in ...". Six months was regarded as the maximum period that anyone could survive in the penal i.e. parole units of the German Armed Forces. A prisoner's refusal had to be retracted unconditionally.

In the letter to his family dated 8th July 1943, Franz Jägerstätter mentioned nothing about the main trial which had taken place two days previously, or about the verdict; however, he did prepare them for a worsening of the situation. He wrote to his mother: "... don't fear and fret about my safety, whether something still worse may befall me, but that doesn't matter, for the good Lord won't send me more than I can bear." Jägerstätter reassured his wife by referring to his spiritual state: "Dearest wife, as long as I'm not unhappy, you've no need to have a heavy heart on my account ... I can tell you something joyful too, that I had a visit yesterday – namely from a priest, and next Tuesday he'll be bringing me the Most Holy, so God doesn't forsake one even here."¹⁴¹

140 Statement by the President of the Reich Court-Martial Admiral Bastian to his Senate Presidents in August 1942, quoted by Garbe, "You should not kill", p.98.

141 Franz to Franziska, dated 8th July 1943 (81)

Pastor Kreuzberg did not, however, influence the prisoner in the direction intended by the court – on the contrary, he strongly supported him in his resolve.

The letter written to the priest of St. Radegund by the lawyer also proved to be very important for Franz and Franziska Jägerstätter. Already on the day of the trial, Feldmann had written to the priest of St. Radegund to say that in the event that one of Jägerstätter's relatives should come to Berlin, he wanted "to request the Reich Court-Martial to suspend the confirmation and execution of the sentence for a time."¹⁴² Father Fürthauer received this message on Saturday, 11th July and immediately informed Franziska Jägerstätter. In order that Franz's wife should not have to make the long journey to Berlin alone, the priest accompanied her. At midday on Sunday, they both took the train from Tittmoning railway station, and arrived in Berlin on Monday at 10 a.m. The telegraphed message arranged by the lawyer must have arrived in time, for they were able to talk with Franz and also the lawyer in the building of the Reich Court-Martial, which was located in Witzlebenstrasse. After their arrival, Franziska Jägerstätter and Father Fürthauer waited for about half an hour in the courthouse for Franz to arrive. Franziska stood at a window opening onto the courtyard. She saw a locked truck drive into the yard and armed soldiers jump out. When the rear door was opened, Franziska caught sight of her husband, whose hands were bound. He was brutally pushed off the cargo area onto the ground, so that he fell heavily. In her horror, his wife cried out "Franz"; he heard the call, and later told her that it had seemed to him like an angel.

During the roughly 20 minutes of the meeting, the couple had little opportunity to talk together. Most of the time was taken up by Father Fürthauer's attempts to persuade Franz. That evening, Franziska Jägerstätter wrote from Berlin railway station: "... I meant to tell you so much about things at home, I forgot lots of things, you probably felt quite annoyed yourself, but the Reverend Father did mean well." One month later, Jägerstätter summed it up: "Seeing you again did bring me joy, although not the purpose for which you both made such a big sacrifice. I do feel sorry that I could speak so little with you. I'm not angry with the

142 Feldmann to the priest of St. Radegund, dated 6th July 1943 (601)

Reverend Father because of it, please ask him to forgive me for all my vain words, which maybe hurt his feelings very much and only brought me remorse afterwards anyway. For I achieved just as little through my words as our Reverend Father did with his.”¹⁴³

In a letter dated 11th December 1991, Father Ferdinand Fürthauer described the meeting in Berlin: “I tried to persuade him, Jägerstätter, to enlist in the army after all, for his family’s sake. He said to me: ‘Can you promise me that if I join that movement I shall not fall into mortal sin?’ ‘That I cannot do’, I answered. ‘Then I won’t enlist,’ was his reply.” Almost 50 years later, Fürthauer saw the case differently: “Today, I would not try to persuade him to change his resolve, but would just give him my blessing at the close.” At that time, the pastor also pointed out that Franz would be exempted from all penalties if he enlisted, but Franz said to him: “Father, believe me, if I enlist, I’ll be sent to the penal company and I’ll be killed. They also asked me ‘Did the pastor advise you against enlisting?’ I was glad to be able to say that the pastor hadn’t advised me against it. Otherwise, you’d surely have been executed. I’m sticking to my decision not to fight for Hitler.”¹⁴⁴ In the same letter, Fürthauer recalled: “The military chaplain also told Jägerstätter about a priest who had refused military service too, and was executed: that comforted him.”

Franziska must have talked to her husband very differently, for as the priest remembers: “Then Frau Jägerstätter spoke with her husband. She was convinced that he should not change his resolve.” She tried to give Franz some of the food she had brought with her, but was stopped by the guards. In a note, her husband referred to this incident: “I know that it certainly wasn’t easy for you, when you were on the visit here and weren’t allowed to hand me a little of your food. That soldier was only doing his duty and he didn’t have to harm anyone doing it, and yet you maybe wondered to yourself how someone could be so hard-hearted.”¹⁴⁵ Franz used this example to show that, as a soldier, he would have been obliged to do far worse things.

143 Franz to Franziska, dated 8th August 1943 (82)

144 Ferdinand Fürthauer to Erna Putz, dated 11th December 1991

145 (87) Gefängnisbriefe (Letters from Prison) p.71

Despite the shortness and the difficult circumstances of the meeting, it was very precious for both of them: they were able to hug each other for one last time and knelt down together for the priest's blessing. Franziska's letter to her husband, written the same day, is also remarkable with regard to what it does not say. Not a single time does she say anything like "Think of me and the children!" Her only concern is for him: "... I hope that, with God's help, everything will turn out all right again after all ... I will surely pray for you a great deal; and please don't give up hope in your difficult situation ... Your loving wife, who is anxious about you, Fanny."¹⁴⁶

After the talk with her husband, Franziska Jägerstätter had a conversation with his court-appointed lawyer, Friedrich Leo Feldmann. Her last hope was medical service, which she had heard nothing more about since her husband's first letters from Linz. She asked the lawyer whether her husband could not have been sent to do medical service. Franziska remembers his cynical reply very clearly indeed: "We could certainly have done that, but we didn't." After the end of the war, the case of Franz Jägerstätter was to become important again, with respect to whether or not the same lawyer would be allowed to continue practicing his profession: the chaplain at Berlin prison, Kreuzberg, testified that Feldmann had spoken up in defense of an Austrian farmer who was accused of undermining military morale, and this was decisive in the proceedings to denazify the lawyer. In 1961, Feldmann incorrectly described the case of Franz Jägerstätter to the American sociologist Gordon C. Zahn. He said: "They literally begged him to abandon his standpoint, to at least declare that he was willing to compromise and to accept service without weapons."¹⁴⁷ In the letter written on the day of the trial, however, the same lawyer wrote that Jägerstätter "did not want to fight bearing weapons."¹⁴⁸ The written verdict against Jägerstätter in the Military Historical Archive in Prague, which records that the accused twice submitted a plea for permission to do medical service, casts further doubt on the statements made by the lawyer.

146 Franziska to Franz, dated 13th July 1943 (178)

147 Gordon C. Zahn, *Er folgte seinem Gewissen* (In Solitary Witness. The life and death of Franz Jägerstätter), Graz Vienna Cologne 1979, p.104

148 Cf. Feldmann to the Pastor of St. Radegund, dated 6th July 1943.

Consolation: what Jägerstätter could hold on to

Father Franz Reinisch, whose fate under the military jurisdiction followed a similar course in 1942, described his state of mind during the weeks between receiving the death sentence and his execution as “Total capitulation: mortal fear! It’s setting in now, in the final phase of my struggle. It is quite simply here, whether I want or no – now with more acute, now with less intensity. It is a fire of the soul, a writhing and turning, trepidation, constriction, a feeling of being compressed in brain and heart (physiological). Moreover, the struggle for spiritual grace begins. The recognition and experience of the whole transience of earthly values, of one’s own meanness and helplessness, of one’s piteousness. From the religious point of view, it is indeed an overwhelming experience of being driven into the arms of God. The longing for help forces me to the realization that there is no earthly prop left to lean upon – unless I were to be untrue to myself in my resolve thus far.”¹⁴⁹

Franz Jägerstätter was to experience a second period of struggle to preserve his faith. In his letter of July, he wrote: “If we can only abide in the love of God, for hard tests of our faith may still come to us, for we don’t know whether we may not be falling into the time when it’s said that even the most righteous will hardly be saved.”¹⁵⁰ In Franz’s last but one letter in August, he once more spoke of “struggles”: “What our last hour will be like, we don’t know, nor what struggles we must still go through at that time, but believe me when I say that I have such great faith in God’s loving mercy, that my beloved Savior, who’s never forsaken me till now, won’t forsake me in the final hour, nor our beloved Mother in Heaven, for as you may well imagine, the prayer of ‘Hail Mary’ rolls from my lips time and again. Dearest wife, just think what Jesus has promised to those who keep the nine Sacred Heart of Jesus Fridays. If not before, then on Judgment Day, everything that so many people argue about today will become clear. I forgive you all and everyone else too with my whole heart, even if many a word that comes to one’s ear isn’t exactly pleasant to hear, for what names wasn’t our Savior called? Then why

149 Reinisch I,86

150 Franz to Franziska, dated 8th July 1943 (81)

should we be spared such words? After all, my merits for eternity will be no fewer even if I'm taunted by many people: the most important thing is only that the Lord may not let me go to ruin for eternity. The Lord God – may He succor us all in the final hour, and be not our judge but our Redeemer.”¹⁵¹

In the last days of his life, the suffering which his family was going through caused increasing pain to Franz Jägerstätter. On the day before the execution, he wrote: “I wanted, I would have been able, to spare you all this suffering that you now have to bear on my account. However, you know what Christ said: ‘He that loves father, mother, wife and children more than Me is not worthy of Me.’”¹⁵² In his letter of farewell, Franz expressed the same thoughts in a manner less painful for his family: “Dearest wife and mother. It wasn't possible for me to spare you the pain that you're all having to suffer now because of me. How hard it must have been for our beloved Savior, that he had to cause his dear Mother so much pain through his suffering and death, and they suffered all this out of love for us sinners. I do thank our Savior that I was allowed to suffer for Him, and that I may also die for Him.”¹⁵³

In the solitary cell in Berlin-Tegel, the feasts of the Christian year were particularly important for Franz Jägerstätter. He made himself a calendar of these, and always asked his wife to send him the monthly “Communion requests”, the prayer requests issued by the Holy Father, in her letters. The Christian year offered Franz some comfort and support regarding the date of his death: “Over the past week, I've often prayed to our Mother in Heaven that I may die soon, if it's God's will, so that I may already join in celebrating the Feast of the Assumption in Heaven.”¹⁵⁴

In his two last letters, Franz Jägerstätter asked his wife to thank his Third Order brother Rudolf Mayer for his “comforting” letter. Rudolf Mayer's letter reached his friend at a time when he very much needed this endorsement of his decision. The endorsement is cautious, expressed in

151 Franz to Franziska, dated 8th August 1943 (82)

152 Ibid.

153 Franz to Franziska, dated 9th Aug. 1943 (83), Gefängnisbriefe (Letters from Prison), p.59

154 Ibid. p.60

Biblical images, but nonetheless clear. Mayer describes his situation at the front: “You’ll be surprised to hear I’m not a driver any more, but with the infantry now ... you know, the way it used to be with us – that you’d stand sentry for two hours and then have a rest: well, it’s not like that any more. Here, you go into the trench in the evenings, and then it’s into the bunker for a couple of hours in the mornings, on the morning of every third day you also have sentry duty for the whole morning, and in between there’s work duty as well, digging out bunkers or making trenches deeper. My feet often hurt, you get so tired, but the general opinion is that the war’s going to end this year, and it’s a comfort if you can hope for something better ... At home, too, there’s nothing but work in our life, but you’re content if you can sleep at night and not have to see any more of this horror ...”¹⁵⁵ In the following, it seems as though Rudolf Mayer almost envies Franz his situation in prison: “You have time, there’s so much to do ... to pray for the salvation of the world, the souls ... You know that in the Gospel Christ said, ‘Mary has chosen the better part, and it cannot be taken from her.’ For just as it’s surely pleasing to God to help one’s neighbors in this life, so Maria Magdalena was more pleasing to God in her devotions.”¹⁵⁶

For Rudolf Mayer, compared to his own atrocious situation in the dug-out, Franz Jägerstätter was at Jesus’ feet. Mayer’s phrase “chosen the better part” reveals a trace of regret: for a time, he had considered taking the same step as his friend. For Franz, this Biblical image was certainly very comforting, for this endorsement came from someone in whose powers of judgment he could have confidence – no one else in his circle of acquaintances had ever gone so far in agreeing with him. From 12th August 1943, Rudolf Mayer was reported missing in action.

The prison chaplain Kreutzberg also gave Franz support and consolation. In his letter of farewell, Jägerstätter wrote that he was able to receive Holy Communion four times in Tegel. After the end of the war, the priest described his meeting with Franz to Franziska Jägerstätter: “You know that in the first meeting with your husband, he and I discussed the arguments for and against his decision for two and a half hours. When I vis-

155 Rudolf Mayer to Franz, dated 12th July 1943 (179)

156 Ibid.

ited him again after eight days, he still stood by the same fixed and unalterable resolve to go to his death. I then told him of the death of his fellow-Austrian (!) Franz Reinisch. You cannot imagine what a sigh of relief he breathed and how hugely encouraged he felt, and he said to me: 'I've always said so – I can't be on the wrong path after all, if even a priest has decided the same and has gone to his death for it, then it's all right for me to do it too.' When he died on 9th August 1943, it was clear to me then that the death of the priest Franz Reinisch had found its mirror image in a simple man of the people, and that God's power and grace are revealed no less to humble folk, when they walk God's paths and take His Word seriously and reverently. Be assured that there have not been many in Germany who died as your husband died. He died a hero, as one professing his faith, a martyr and saint! At that time, I also told your husband: 'That priest was called Franz, like you! And he comes from Austria, like you! And now, if you really wish to meet death, then cross over into eternity with the same courage and greatness as he!' I have hardly ever seen anyone happier in prison than your husband after these few words about Franz Reinisch. I couldn't tell you all this before, but now, after that criminal regime has been swept away, we can speak openly ... 'Franz II' is what I like to call your husband, when I speak of him in private. He will hold his protecting hand over us, as he promised."¹⁵⁷

As an Austrian living in Germany, the Pallottine priest Franz Reinisch refused to take the oath of allegiance after his conscription into the army. He gave as his reasons the unlawful annexation of Austria in 1938 and his opposition to the Nazi worldview, which he said resulted in "unnatural laws, such as murder, elimination of the mentally disabled, sterilization, school legislation, etc."¹⁵⁸ Death as a consequence of refusing to take the oath was offered up to God by the priest as a "sacrifice of life", whereby, despite all his fears, he said he hoped it would be "accepted".¹⁵⁹ Reinisch said that the "aim of his struggle" was to be "a living protest against the

157 Heinrich Kreutzberg, Pastor at St. Elisabeth, Wuppertal-Barmen, to Franziska Jägerstätter, dated 18th February 1946 (449)

158 Cf. Reinisch I, p.47f.

159 Cf. Reinisch I, p.100

160 Cf. Reinisch I, p. 83

anti-Christian power of Nazi Bolshevism".¹⁶⁰ While the priest saw his own death more as a sign of protest against Nazism, Jägerstätter laid down his life because he feared contracting personal guilt, both through taking part in the war and through being forced to commit acts as an individual, thus risking something more precious than life. Whereas, during the trial, Franz Jägerstätter several times petitioned for permission to do medical service, this would not have relieved the conscience of Father Reinisch, who had from the outset been conscripted into a medical unit. As it was for Jägerstätter, reading the Bible was enormously important to Father Reinisch during the final period of his imprisonment.

The Bible as a guiding precept and firm foothold

Franziska Jägerstätter says that her husband read the Holy Scriptures every day at home. In the solitary cell at Berlin-Tegel, Bible-reading became more important than ever for Franz, in view of the inner and outer torments he suffered while waiting, in fetters, for his execution. Franz filled 52 pages of an A5-size exercise book with the thoughts which arose from his study of the Holy Scriptures. Jägerstätter himself numbered the 208 points of his extensive writings, under the heading "What every Christian should know". He devotes special attention to passages containing ethical or political statements. Here are a few, though typical, examples of the way in which Franz Jägerstätter applies the Bible to his own situation: "16) To follow Christ calls for a sense of heroism. Weak and wavering characters aren't suited to it ... 19) Belonging to Christ calls for the courage to stand up and be counted ... 21) Great graces increase responsibility! ... 24) He who sacrifices everything for God's cause has made the best exchange ... 76) No earthly power has the right to enslave one's conscience. God's law shatters man's laws ... 119) The whole Christ does not only contain the 'broken, downtrodden figure' of Good Friday, but also the vanquisher of death of Easter morning."¹⁶¹

In his study of the Letters of John, Franz Jägerstätter gives up formulating and interpreting the text. Instead, he simply transcribes these

161 Gefängnisbriefe (Letters from Prison), p.184 – 220

hymn-like texts, which speak of love for God and for human beings: they must have been in keeping with his state of mind at that time. Under the last point, we find a lengthy passage from Matthew (10, 26–42) – here is an excerpt: ... “And do not fear those who kill the body, but are not able to kill the soul ... Are not two sparrows sold for a farthing? And yet not one of them shall fall to the ground without your Father ... Whoever therefore shall confess me before men, him will I confess also before my Father who is in heaven ... Think not that I am come to send peace on earth, but a sword! ... He that loves father or mother more than me is not worthy of me ... And he that takes not his cross and follows after me, is not worthy of me ... He that finds his life shall lose it: and he that loses his life for my sake shall find it ...”

Franz’s cell-mates in the prison at Linz remember that Franz read in his prayer book a great deal. He had been given a new edition of the prayer book of the Third Order in 1940, and one can still see where he most often opened the book during those months in prison: at the pages of the “Devotions for Mass”.

Franz's death in Brandenburg

Prepared for death

After being sentenced Franz Jägerstätter was handcuffed day and night, like the other condemned men. On 12th July, he told his wife that he was “extremely happy”. His writings in the last weeks of his life describe this happiness. They reveal strength and inner freedom: “Now I will write down a few words here, just as they come from my heart. Even though I’m writing them with bound hands – but that’s still better than if my will was bound. Sometimes God openly shows His power which He can give to man, to those who love Him and don’t put earthly above eternal things. Neither prison, nor bonds, nor even death are able to divide a person from the love of God, to rob him of his faith and free will. God’s power is invincible ... Again and again, people try to burden one’s conscience concerning wife and children. Is the deed you commit maybe supposed to be better, just because you’re married and have children? Or is the deed better or worse just because thousands of other Catholics are doing it too? ... Didn’t Christ himself say ‘He that loves wife, mother and children more than me is not worthy of me’? Then for what reason do we ask God to give us the Seven Gifts of the Holy Spirit if we have to offer blind obedience anyway? For what purpose has God given all people understanding and free will if, as some say, we have no right at all to decide whether this war being waged by Germany is righteous or unrighteous? Then what use is our ability to distinguish between what is good or evil? I believe it’s fine to offer blind obedience, but only if you don’t have to harm anyone else by doing it. If people were a bit more honest nowadays, I believe that many a Catholic who’s taking part would still have to say: ‘Yes, I realize the deed we’re doing here isn’t good, but I’m simply not ready to die yet.’ And if God had not granted me the grace and strength to die for my faith when called upon to do it, then maybe I’d simply do the same as the majority do. For God can give each person as much grace as He wishes. If others had received the many graces that I’ve already received, they might perhaps already have done far more good than I.”

After expressing further thoughts on sin, the sinner, hell and purgatory; Franz makes the following note near the end, in joyful anticipation of everlasting blessedness: “It really does make you dizzy when you think of the eternal joys of Heaven. How happy we feel right away when we experience some small joy here in this world – but what are the brief joys of this world compared to those that Jesus has promised us in His Kingdom? Eye has not seen, nor ear heard, neither have entered into the heart of man the things that God has prepared for those that love Him.”¹⁶²

In another passage written at this time, he encourages the family to give the children a religious education, as faith is the most precious possession: “If a person possessed all the wisdom in the world and could call the whole earth his own, he nevertheless could and would not be as happy as a poor person with almost nothing to call his own in this world except a deep Catholic faith. I wouldn’t exchange my small cell, which isn’t even clean, for the largest king’s palace, if I had to give up even a tiny portion of my faith in return – for everything earthly, however plentiful or fine it may be, comes to an end, but God’s Word remains forever.”¹⁶³

Brandenburg, 9th August 1943

As his writings show, Franz Jägerstätter was calm and assured after being sentenced; nevertheless, he was under enormous mental strain for the 34 days and nights between the pronouncement of the sentence and his execution. Uncertainty about the date of the execution, the screams of despair of the other prisoners and the degrading treatment make it easy to understand the wish for the torment to come to an end. In talks with the priests and in his letter of farewell he said that if death was inevitable anyway, his dearest wish was to join in celebrating the Feast of the Assumption (15th August) in Heaven.

162 Prison note written by Franz Jägerstätter, loose sheet (88), July/August 1943. The original sheet, handwritten by Franz Jägerstätter, was presented to the memorial to Martyrs of our time in the Basilica of San Bartolomeo, Rome (Tiber Island), by Austrian Cardinal Christoph Schönborn in the presence of all Austrian bishops, on 4th November 2005.

163 Prison note by Franz Jägerstätters, Box (85), July/August 1943

In his letter of farewell, he describes the last day of his life: “Early today, at about half past five, they said ‘Get dressed immediately, the car’s already waiting’, and I was then driven here to Brandenburg with several other condemned men,¹⁶⁴ we didn’t know what was going to happen to us. It wasn’t till midday that I was told that the sentence was confirmed on the 14th and will be carried out today at four in the afternoon.”¹⁶⁵

Franz’s words of farewell are sad but composed: “Now I want to write a few brief words of farewell to you all. Dearest wife and mother. I sincerely thank you again for everything you have done for me in my life, for all the love and sacrifice you have given for my sake, and ask you again to forgive me for everything, whenever I may have offended and hurt you, just as I forgive you everything. I also ask anyone else whom I have ever offended or hurt to forgive me for everything, particularly the Reverend Father, if I perhaps hurt him very much with my words when he visited me with you. I forgive everyone from the bottom of my heart. May God accept my life as a sacrifice of atonement, not just for my sins, but also for those of others.”¹⁶⁶

On 9th August 1943, at 4 p.m., Franz Jägerstätter was beheaded at Brandenburg an der Havel. His wife Franziska felt very strongly connected to her husband at that moment: she made a note of the time.

She was informed of what had happened by the pastor of Brandenburg, Albert Jochmann, who had ministered to the condemned man on that last afternoon: “It is with much pain that I must inform you that this afternoon, at 4 o’clock, your husband’s sentence was carried out. I visited your husband for the first time this afternoon, in place of the absent prison chaplain; your husband was brought here only today, if I remember rightly. Before his death, he made his confession and received Communion with great devotion. He told me that you yourself and your pas-

164 According to a text in the “Ehrenbuch für die im Zuchthaus Brandenburg-Görden ermordeten Antifaschisten” (Book of honor for the anti-fascists murdered at the Brandenburg-Görden penitentiary), Vol. 4 1943, among the sixteen people beheaded by guillotine there on 9th August 1943, seven were condemned by the Reich Court-Martial for undermining military morale: the Catholic Franz Jägerstätter, and six Jehovah’s Witnesses

165 Franz to Franziska, dated 9th August 1943 (83)

166 Franz to Franziska, dated 9th August 1943 (83)

tor had both tried to change his mind; but that he believed it was his duty to act in the way he had. It was his wish that it would come to an end before the Feast of Assumption. He once more sends his warmest greetings to you and the children. He remained self-controlled and devotional right up to the very last moments that I was with him. May the long-suffering Mother of God comfort you in your great heartbreak, and help you to bear your lot bravely, and to cope with all the tasks which the death of your beloved husband will now place before you.”¹⁶⁷

The records of the Brandenburg penitentiary show that Franz Jägerstätter was the first to ascend the scaffold at 4 p.m. He was therefore spared the sound of the guillotine repeatedly falling and being hoisted up again. The executions were carried out at intervals of two minutes.

On the day of the execution, Father Albert Jochmann was able to spend a comparatively long time with Franz Jägerstätter. On the evening of the same day, he told the School Sisters of Vöcklabruck, who ran a hospital in Brandenburg, about Franz. In a chance encounter with Franziska Jägerstätter and the author in Berlin in 1988, Sister Gilberta Lainer recollected: “I can still clearly remember Father Jochmann coming out of the prison and telling us that he had asked him if he would like something to read, perhaps the Bible. Jägerstätter did not want to read anything, he was wholly with God – even the Bible would have distracted him.” The priest also told the nuns: “I can only congratulate you on this fellow-countryman of yours, who lived as a saint and died a hero. I am absolutely certain that this simple man is the only saint that I have ever met in my life.”¹⁶⁸

The bodies of the victims were cremated at the municipal crematorium of Brandenburg and the urns were supposed to be buried anonymously in the city cemetery. In certain cases, however, the priests who ministered to the condemned during their last hours requested the cemetery staff to disclose the burial places. Nuns from the hospital in Brandenburg then marked these graves by planting flowers. In this way, it was possible to protect the urn-graves of both Franz Jägerstätter and Father Reinisch. Sister Gilberta, who tended Franz Jägerstätter’s grave, spoke about this, say-

167 Albert Jochmann to Franziska Jägerstätter, dated 9th August 1943 (440)

168 Sister Kallista Vorhauer to Gordon Zahn, dated 14th July 1961 (462)



Father Heinrich Kreuzberg in front of Franz Jägerstätter's grave at the cemetery in Brandenburg/Havel. In 1946, nuns brought the urns to Austria.

ing also that the cemetery staff were very careful to ensure that the urns were filled and marked correctly. Everyone in the city of Brandenburg knew what went on at the penitentiary. The bodies were always transported across town by truck, past (among other places) the hospital. Once, due to a breakdown, one truck remained standing on the hill in front of the hospital all night.

Public outrage over the executions led to the erection of a memorial to the victims in the Catholic Parish Church of Brandenburg after the end of the war. Under a large inscription saying "But when the grain of wheat falls into the earth and dies, it brings forth fruit in abundance", is written: "From 1942 to 1945, these priests were executed at the Brandenburg penitentiary, as victims of unjust violence." Then follow the names of seventeen Catholic priests and, finally, the names of two laymen – the first being "Franz Jägerstätter". The last words on the memorial plaque are: "Their names also represent the 1,800 people executed in Brandenburg, the 4,000 priests of all nations, the 6 million Jews, and all the 11 million victims of Nazi violence."

On the first journey undertaken by the School Sisters back to their mother convent in Vöcklabruck after the end of the war, they brought Franz Jägerstätter's ashes back to the homeland; they were nuns of the very same religious order that Franziska Jägerstätter had wanted to join eleven years previously. On 9th August 1946, the urn was laid to rest in a grave next to the wall of the church in St. Radegund.

The annulment of the judgment

In January 1990, the Peace Library in Berlin conveyed the news that the verdict against Franz Jägerstätter was now accessible to the public “in Prague”. In May, a copy of the verdict was sent to the author from the Military Historical Archive there. Franz Jägerstätter’s religious motivation had been clearly stated, even before the Reich Court-Martial.¹⁶⁹

On 12th February 1997, Franziska Jägerstätter and her daughters petitioned the Public Attorney’s Office at the District Court of Berlin for an annulment of the judgment against Franz Jägerstätter. On 7th May 1997, the court-martial verdict pronounced by the Reich Court-Martial on 6th July 1943 was officially annulled by the District Court of Berlin (No. 517 AR 2/97 – 2P Aufh. 1/97). It was the first annulment of its kind.

Here follows an excerpt from the reason given for the annulment: “The legislative aim of the Nazi Criminal Law Reparation Act¹⁷⁰ is to provide the most extensive reparation possible for Nazi injustices in the field of criminal justice ... Its aim is to enable the annulment of court decisions which were issued on the basis of flawed legal provisions or a flawed application of the law, solely for the purpose of supporting and perpetuating the Nazi regime ... According to the court-martial verdict of the Reich Court-Martial, the victim was condemned on political and religious grounds. In the reasons given for the judgment, the court first found it necessary to state that the accused was neither a member of the Nazi Party nor of one of its ‘organizations’, and that he was an opponent of Nazism (cf. p.2 of the reasons given for the judgment);¹⁷¹ statements which are not relevant to the judgment of a military criminal offense, insofar as the said judgment should not be based on political grounds ... The decision is based on political grounds, as the person concerned was condemned to

169 First published in: Norbert Haase, Gott mehr gehorcht als dem Staat. Franz Jägerstätter vor dem Reichskriegsgericht. Eine Dokumentation (He obeyed God more than the State. Franz Jägerstätter before the Reich Court-Martial. A documented account.) . In the periodical *Tribüne, Zeitschrift zum Verständnis des Judentums*, Vol. 29, Issue 114 1990, p. 198–205

170 NS-Strafrechtswiedergutmachungsgesetz, the German law on the reparation of injustice perpetrated under Nazism in the field of criminal law.

171 Cf. facsimile of the court-martial verdict against Jägerstätter in the Appendix.

death in order, by this means, to create the politically-desired deterrent which the Reich Court-Martial sought to achieve through the pronouncement of a large number of death sentences on Jehovah's Witnesses and on members of other churches (cf. Haase, *Das Reichskriegsgericht und der Widerstand gegen die nationalsozialistische Herrschaft*, [The Reich Court-Martial and the resistance against Nazi rule] p. 47).¹⁷²

In the judgment of the Church

On 7th October 1997 Bishop Maximilian Aichern began the process of gathering information at his diocese in Linz, with a view to the beatification of Franz Jägerstätter, and appointed the Pastor of Linz Cathedral, Johann Bergsmann, to act as postulator. After Father Bergsmann's death in the summer of 1998, the Bishop transferred this task to Manfred Scheuer, (who was appointed Bishop of Innsbruck in 2003). The diocesan procedure was concluded on 21st June 2001, and the records were sealed and given to the lawyer Andrea Ambrosi, as the postulator in Rome, for submission to the Congregation for Sanctification and Beatification. Ludwig Schwarz, the Bishop of Linz since 2005, also endeavored to bring about a rapid conclusion to the procedure.

On 1st June 2007, the Vatican recognized the martyrdom of Franz Jägerstätter, thereby opening the way for his beatification. At an audience with the Prefect of the Sanctification Congregation, Cardinal Jose Saraiva Martins, Pope Benedict approved the publication of a corresponding Papal Decree.¹⁷³

In connection with the beatification ceremony which is planned to take place in Linz in the autumn of 2007, the Austrian Bishop's Conference described Franz Jägerstätter as a "martyr of conscience" and a "wit-

172 The annulment of the death sentence against Franz Jägerstätter received much public attention in Germany and Austria, and led to a questioning of the positivistic interpretation of law which still prevails in Austria up to the present day. Cf. Reinhard Moos, *Die Aufhebung der Todesurteile der NS – Militärgerichtsbarkeit* (The annulment of the death sentences passed by the Nazi military judiciary). In: *Journal für Rechtspolitik*, Vienna/ New York, Vol. 5, Issue 4 1997, p. 253-265

173 Cf. *Kathpress* dated 20th June 2007

ness to the Sermon on the Mount.” “The farmer and sacristan Franz Jägerstätter recognized the complete irreconcilability of the Christian faith and the criminal system of Nazism more clearly than many of his contemporaries. Despite being well aware of the consequences, he felt compelled by his conscience to refuse to perform military service for Hitler. Jägerstätter’s witness is a shining example in dark times, which can also help people today, living in a very different situation, to sharpen their consciences through studying the Gospels.”¹⁷⁴

174 Press statement issued by the Austrian Bishops’ Conference, Kathpress, dated 21st June 2007



Parish church with cemetery (above), Franz Jägerstätter's farm and the sacristan's house in St. Radegund, district of Braunau, Upper Austria.



Franz Jägerstätter's grave by the wall of St. Radekund parish church.



Franz Jägerstätter's widow, Franziska.



Prayer book of the Third Order of St. Francis (above), and documents and wedding rings (below), today all kept at the Jägerstätter House in St. Radegund.

Weiterführende Literaturhinweise:

Erna Putz

Franz Jägerstätter – Besser die Hände als der Wille gefesselt



Der Innviertler Bauer und Mesner Franz Jägerstätter verweigerte den Nationalsozialisten den Wehrdienst und wurde 1943 hingerichtet. Seine Person und sein Handeln werden nach wie vor kontroversiell diskutiert. Die vorliegende Biographie zeichnet ein differenziertes Bild und basiert auf Materialien und Briefen, Archivmaterial und Zeitzeugenberichten.

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