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Travel Agents on Trial: Policing Mobility in Late Imperial Austria

In the winter of 1889, a sensational trial in the small Galician town of Wadowice captivated the Austrian press and public. The unlikely defendants in the case were Jewish travel agents from the nearby town of Oświęcim- known to the world today as Auschwitz.

Oświęcim, located at the juncture of Prussian, Russian, and Austrian railway lines, had recently developed a booming emigration business. Since 1880, hundreds of thousands of East Europeans trekked toward the German ports of Hamburg and Bremen en route to America. The 65 defendants were accused of seducing emigrants into abandoning their homeland with false promises of an American el Dorado. In reality, prosecutors argued, East European peasants were delivered to hard labor in American factories, mines, and brothels. The defendants stood trial for a host of unsavory crimes: fraud, smuggling, bribery, assault, and generally swindling emigrants of their last heller as they set out for America.

If the Wadowice trial had been just another exposé of corruption in an East European village, it might have passed unnoticed. But the case came to implicate more than a group of shady travel agents. As the prosecuting attorney argued in his closing statement, the trial was a referendum on emigration itself, “one of the most important, burning problems of the day.” And emigration, he insisted, posed a grave threat to the basic ideal of freedom in the Habsburg Empire. The travel agents of Oświęcim, he

claimed, were guilty of no less than “introducing a slave trade into the free land of Austria.”¹

The trial at Wadowice marked the beginning of a century-long campaign to hinder emigration from East Central Europe. In an era in which all forms of transnationalism, displacement, and mobility are capturing historians’ attention, it is easy to forget that immobility has had an equally long and significant history in Europe. After the Second World War, the “captivity” of East Europeans behind the Iron Curtain became a quintessential symbol of Communist unfreedom. The 1948 United Nations Universal Declaration listed freedom to emigrate as a fundamental human right, and in the decades that followed, anti-Communist dissidents passionately invoked this right.²

In reality, however, the Iron Curtain did not descend overnight in 1946, 1948 or 1961. Its foundation was arguably laid before the beginning of the First World War. The restrictions on mobility that we tend to associate with the Cold War originated in a long-standing East European campaign to curtail emigration in the name of humanitarian values and demographic power. While populationist and pronatalist policies found support across Europe in the first half of the twentieth century, this focus on preventing emigration was arguably a distinctive feature of East European governance in the twentieth century. While the Italian government, for example, actively promoted emigration, and sought to cultivate the ties of Italians abroad to their homeland, government officials and social reformers in Eastern Europe consistently sought to discourage migration abroad between 1889 and 1989.³

Historians typically view the mid to late nineteenth century as the golden age of free movement. Xenophobia in the West, the expansion of state power during World War

I, and economic crisis, in this story, precipitated the end of an era of open borders.⁴ Viewed from the other side of the Atlantic (and the other side of Europe), however, a rather different picture emerges. Serious barriers to exit were in place well before the First World War in East Central Europe. Mobility, moreover, was always contingent on an individual's gender, age, religion, health, marital and social status. Long before America's infamous (1924) Johnson-Reed Act introduced the quota system that suppressed mass migration to the United States, powerful forces in both Europe and America conspired to curtail mobility for their own reasons.⁵

In an article on what she calls the "politics of exit," Nancy Green has argued that the history of European emigration turns conventional narratives of migration history on their head. Whereas immigration history tends to focus on the radical closing of borders in the twentieth century, the history of emigration, she contends, offers a happier story of "ever-expanding openness" in the twentieth century. John Torpey shares her optimism, arguing, "The second half of the nineteenth century... bore witness to an increasing freedom of movement for the lower orders of society, who were liberated from feudal shackles and documentary restrictions that had once bound them to their birthplace."⁶ But what Green describes as a "Europe-wide story of a progressive march toward an expanded right to leave" would ring hollow to anyone who grew up behind the Iron Curtain.⁷ Even at the turn of the twentieth century, at the height of mass emigration from Eastern Europe, government officials and social reformers attempted (albeit often unsuccessfully) to stop the exodus from the east. What changed after the Second World War was less official attitudes toward emigration than the severity and effectiveness of the measures deployed to stop it.

Emigration became a burning social question in late Imperial Austria for good reasons. In the first decade of the twentieth century alone, one in ten citizens – five million people- left the Empire. The largest number of migrants departed from the impoverished Austrian provinces of Galicia and the Bukovina and from southern and eastern Hungary. An additional 500,000 workers migrated seasonally, mostly across the German border. Between 1901 and 1910, almost 25% of all immigrants to the United States hailed from the Habsburg lands, and half of that number came from the Austrian part of the Monarchy.⁸ Leopold Caro, a Polish-Jewish lawyer and anti-emigration activist, described villages that became ghost towns overnight. “Entire regiments left in 1907 in order to earn money in America. Many houses stood empty, and in many others only old women and small children remained behind. In some villages the entire young generation left home, so that farmers could not find a single worker or maid. Everyone believed that America was the Promised Land, a true paradise.”⁹

Thanks to a steady stream of return migration, influence moved in both directions. The goal of many migrants was simply to save enough money to purchase land or improve their livelihood at home. Many did settle permanently abroad, but at least 400,000 emigrants returned to Austria from the United States between 1900-1910. “Most of the Bohunks came to America intending to stay two or three years, four at the most, work to the limit of their endurance at whatever they might find, save every cent possible, and then, returning to the Old Country, pay the debt on the old place, buy a few additional fields and heads of cattle, and start anew,” recalled Louis Adamic, who emigrated from Austria in 1913 at the age of 16.¹⁰

Rapid technological development facilitated the staggering rise in emigration after 1880. Expanding railway lines and steamship routes reduced the time, cost, and risks of transatlantic travel, diminishing the perceived distance between Europe and America. By the turn of the century, the voyage from Hamburg to New York lasted a mere seven days. Beginning in 1903, emigrants could travel directly from Trieste to New York on the Austro-Americana or Cunard lines. Cunard launched regular service from Fiume (Hungary) to North America the following year. But the journey from Trieste or Fiume to North America still dragged on for an arduous 16 to 20 days, hampering efforts of Habsburg authorities to direct emigration traffic through Austro-Hungarian ports.¹¹

The numbers alone were enough to raise alarm in an era in which demographers saw population as a measure of political, economic, and military strength. Military officials were consistently at the forefront of efforts to curtail emigration in the late nineteenth century, alarmed by the number of conscripts lost to “American fever.” But they were joined by social reformers, nationalists, religious authorities, and socialists. To many observers, the loss of millions of workers represented a disgraceful symptom of under-development, poverty, and imperial decline. Anti-emigration activists also denounced emigration as a moral scourge, the cause of social disorder and family breakdown. The emigration debate ultimately became a forum for discussion of a much broader set of social and political issues. Social reformers and government officials projected their growing anxieties about industrialization and urbanization onto the bodies and souls of migrant workers. And as Austrians debated the meaning and consequences of physical mobility, they simultaneously contested the nature and meaning of freedom.

In the process, they shaped both imagined and real boundaries between the “East” and “West.”

Arresting travel agents became a primary strategy for policing emigration at the turn of the century. The Wadowice trial of 1889 and the Canadian Pacific Railway case of 1913-1914 were the most spectacular and important cases. But in 1914 alone, over 3000 agents faced criminal charges in the Austrian half of the Monarchy.¹² Emigration trials were often propelled by anonymous denunciations. They featured sensational accusations and press coverage, and were clearly orchestrated by the government with pedagogical intent, in order to warn would-be emigrants about the perils of leaving home.

In the eyes of many Austrian social reformers and government officials at the time, the seductive propaganda of emigration agents was the major cause of the emigration boom. By blaming mass emigration on Jewish agents, prosecutors and anti-emigration activists cast emigrants themselves as innocent victims of Jewish and capitalist exploitation. A 1913 memo from the Austrian War Ministry to the Justice Ministry expressed the common view: “It is common knowledge... that the majority of emigrants do not actually decide to emigrate out of their own initiative, or because of their economic situation, but are rather induced to emigrate by the immoral, speculative activity of emigration agents.”¹³ Blaming and arresting travel agents was also a far simpler (and less costly) “solution” to the perceived emigration crisis than addressing the deep social and economic inequalities within Austria and beyond that propelled mass emigration.

There was an obvious paradox in the anti-emigration movement. It was painfully self-evident to Austrian officials and social reformers that Galician peasants and Jews, in

particular, lived in a state of severe poverty. Images and fantasies of “Galician misery” and backwardness circulated widely in the empire, and justified a range of Imperial civilizing and modernizing projects throughout the nineteenth century.¹⁴ And yet, a broad constituency of Austrian politicians on the right and left remained convinced that only the seductive and disingenuous promises of travel agents induced Austrians to emigrate. These reformers were intent on hanging on to Austria’s population, cast as a precious form of “human capital,” even though there was not enough land, food, or work to go around.

Nationalism might plausibly explain this puzzling determination to hang on to the Empire’s underfed and underemployed bodies. In the context of Austria-Hungary’s growing mass nationalist movements at the turn of the century, numbers mattered. The Austrian decennial census became a high-stakes campaign for citizens’ allegiances, as the number of Czech-speakers, German-speakers, Polish-speakers or Ruthene-speakers counted came to be seen as a measure of national prestige and strength. Numbers determined how state resources were allocated, where schools were built, and in which languages children were educated.¹⁵ It follows logically that nationalists would mobilize to prevent the emigration of members of their own national community, and to encourage the emigration of their national rivals.

In Hungary, this is precisely how emigration politics unfolded. The Hungarian government, which functioned like a nation-state rather than a multi-national state, actively encouraged Slovak, Croatian, and German-speaking Hungarians to emigrate, while discouraging Magyar-speakers from leaving home. In Hungary at the turn of the century, emigration became a successful strategy for constructing a more homogenous

nation-state. As of 1904, a full 2/3 of emigrants leaving the Hungarian half of the dual monarchy were not native Hungarian speakers.¹⁶

By contrast, the Austrian government was officially neutral with respect to nationality. Imperial officials in Vienna did not openly mourn the loss of Polish-speakers or Czech-speakers or Jews less than the loss of German-speakers. German-speakers actually comprised a very small minority of emigrants at the height of Austrian emigration to the United States. In 1905, for example, out of 111,990 emigrants from Austria to the United States, 50,785 (45%) were Polish-speakers, 14,473 (14%) were Ruthene-speakers, and 11,757 (10%) were Czech-speakers. Out of a total of 275,693 emigrants from Austria-Hungary in 1905, 17,352 emigrants from Austria and Hungary combined (6%) were Jewish.¹⁷ A growing (and more exclusive) Polish nationalist movement at the turn of the century was certainly concerned about the loss of “Polish” souls to America- and enthusiastic about the emigration of Galician Jews and Ruthenians.¹⁸ But it wasn’t until after 1918 that Austria’s successor states began to systematically use emigration and repatriation policies as a way of reducing the ranks of national or religious minorities. The obsession with retaining people for the Habsburg Empire arguably had a great deal more to do with military, social, and cultural anxieties than nationalist politics.

There was no single underlying cause of the mass exodus from Eastern Europe at the turn of the century. In the short term, letters and money sent home from America were often the most persuasive form of “propaganda” for America.¹⁹ But if family and village networks provided the immediate impetus to emigrate, social and economic inequalities clearly drove the emigration boom. Landholding and inheritance patterns in

Galicia left peasants with tiny plots of land that could not possibly sustain a livelihood. Emigrants themselves consistently cited poverty, lack of employment, or the desire to save money as their primary reasons for leaving home. In a context in which the decision to emigrate was seen (at least by government officials) as morally suspect and possibly illegal, however, migrants had an incentive to justify the decision to emigrate in terms of economic desperation. They were themselves likely to downplay more individualist motivations: a yearning to escape the confining routines of village life; personal ambition; an oppressive family situation; desire to escape military service.

In order to understand why agents loomed so large in the emigration debate, it is helpful to map the journey between Eastern Europe and America at the turn of the twentieth century. The most practical route to America from northeastern Europe was through Germany. A journey by train from Brody on the Austro-Russian frontier to Bremen took only a day by the turn of the century (today it would still take almost 14 hours). But the trip required tremendous endurance. Emigrating legally from Russia posed particular challenges.²⁰ Jews were legally permitted to leave Russia beginning in 1891. But a passport enabling travel abroad cost 18 rubles in 1906. It was possible to acquire a so-called “emigrant” passport for free, but at a high personal risk: such emigrants could never return to Russia. This meant virtually cutting off all family ties, and brought the risk of statelessness if a family member was rejected or deported by American immigration authorities.

After 1892, Russians who crossed directly into Germany were typically expedited to Ruhleben, near Berlin, sometimes in cattle cars (“For 8 Horses or 32 Men”).²¹ In 1894,

13-year-old Mary Antin traveled from Polotzk in Russia to Boston. She recorded her experiences in her journal shortly afterwards. The newly established “sanitary” station at Ruhleben was particularly terrifying:

This was a scene of bewildering confusion, parents losing their children, and little ones crying...Our things were taken away, our friends separated from us, a man came to inspect us, as if to ascertain our full value; strange looking people driving us about like dumb animals, helpless and unresisting; children we could not see, crying in a way that suggested terrible things...our clothes taken off; our bodies rubbed with a slippery substance that might be any bad thing; a shower of warm water let down us without warning... We are forced to pick out our clothes from among all the others, with the steam blinding us; we choke, cough, entreat the women to give us time; they persist, “Quick, quick, or you’ll miss the train!” Oh, so we really won’t be murdered! They are only making us ready for the continuing of our journey, cleaning us of all suspicions of dangerous germs.

Thank God!²²

Migrants who traveled from or through Austria typically headed toward Oświecim. But reaching this emigration hub was not easy, even for Austrians. Before 1867, few Austrians enjoyed the right to emigrate at all. Craftsmen and journeymen, elites, and refugees were among the privileged few who could legally cross Austrian frontiers.²³ As of 1867, Austrian citizens theoretically possessed a constitutional right to move freely within the Empire’s borders, as well as the right to move beyond them. Article four of the Austrian Constitution of 1867 promised, “Freedom to emigrate is limited only by the obligation to military service.”²⁴

Since emigration was a fundamental right, measures to restrict emigration tended to work through indirect channels, a typical pattern in nineteenth century Europe.²⁵ Austria was the only major European country of emigration, besides Russia, that did not implement a comprehensive law regulating emigration before 1914. Emigration laws Germany and Italy were passed in 1897 and 1901 respectively. These laws were relatively liberal and focused mostly on protecting emigrants from exploitation.²⁶

The absence of an Imperial emigration law in Austria did not indicate lack of concern about the issue, however. In 1899, Austrian lawmakers drafted an emigration law that never made it to the Austrian Parliament for debate. Subsequent reform bills in 1904 and 1908 stalled in the Reichsrat. Finally in 1912, an interministerial committee produced a final draft of the legislation. The 1913 version of the Imperial Emigration law was the most restrictive to date, beginning with the clause that “emigration to particular lands can be forbidden by decree, if the health, morality, or economic advancement of emigrants is seriously endangered.”²⁷

Meanwhile, even if the Austrian government clearly couldn't forbid emigration outright, it could and did throw plenty of roadblocks on the route overseas. Almost every district adopted its own practices to limit mobility, creating a situation of arbitrary and frightening chaos. Gendarmes patrolled train platforms, and in some districts detained all men of military age. In other localities they arrested all men who had not completed military service, and in others, single women. Some districts detained anyone without 200 or 300 crowns in their pockets.²⁸

Other emigration restrictions were issued in the form of administrative decrees. On March 27, 1877, for example, the Governor's office in Galicia ordered all local

prefects (*Bezirkshauptmannschaften*) “to impede the emigration of the peasantry, to advise farmers against emigration, and if this is unsuccessful, to require the possession of 160 florins and a passport.” Significantly, the law targeted all emigrants, male and female, and not only those liable for military service.²⁹ An 1895 Imperial law required travel agencies to acquire a government concession; an 1897 law forbade foreign firms from opening emigration agencies, and a 1908 Trade Ministry decree banned firms from “encouraging or inducing emigration through the distribution of printed materials or advertisements.”³⁰

Authorities also attempted to entice emigrants to return home from America. In 1907, Emperor Franz-Joseph issued an amnesty for all draft dodgers - intended in part to encourage Austrian men overseas to return to the Empire. That same year the Hungarian government launched an explicitly nationalist repatriation campaign with the goal of enticing Magyar-speaking emigrants (but not German or Slovak-speakers) to return to Hungary.³¹

Two years later, the Hungarian government passed one of the most restrictive emigration laws in Europe. After 1909, Hungarian men were not legally permitted to emigrate after their seventeenth birthday without written permission from the Ministries of the Interior and Defense. Parents with children under the age of 16 were banned from emigrating without proof that they had made arrangements to provide for their dependents. Most importantly, the Hungarian law gave the government wide latitude to “forbid emigration to any state or region where the life, health, morality, or property of emigrants is endangered.”³²

Enforcement of these laws was haphazard (and at times arbitrary), but the constitutional guarantee of free movement clearly had little purchase locally. Simon Herz and Julius Löwenberg, the principal defendants in the Wadowice case, cited the many barriers to emigration in their own defense. “After many difficulties, obstacles, and detours, in constant fear and danger of being arrested and returned home, a traveler finally succeeds in arriving in our agency in Oświęcim...He came to Oświęcim in order to travel from there to America...he knows that this is an officially sanctioned agency. Is it necessary to force such a traveler to purchase a steamship ticket, to threaten him with violence?” More often, Herz and Löwenberg maintained, emigrants “kissed the ground in joy” at having finally reached the office.³³

Upon arrival in Oświęcim, emigrants typically spent a night or two at a local hotel or boarding house and then caught a train to their port of call. Hamburg and Bremen were the most common points of exit for East European emigrants, but it was also possible to depart from Rotterdam, Antwerp, or Liverpool. But first, the emigrant had to get into and across Germany. This was no simple challenge.

In 1892, German authorities blamed Russian Jews en route to America for a severe cholera outbreak in Hamburg. In fact, the disease probably came to Hamburg via a French sailor in Le Havre, or through sewage dumped into the harbor.³⁴ But in response, the American government suspended emigration for several weeks. German authorities meanwhile created new delousing and disinfection stations along Germany’s borders with Russia and Austria-Hungary, turning back migrants who were sick as well as those without sufficient funds for the journey (instituting what Aristide Zollberg calls a form of “remote control” of immigration).³⁵ Even before 1892, emigrants could be rejected at the

German border if they did not possess either a pre-paid steamship ticket or 400 marks. Significantly, employees of the two major German shipping firms, the *Hamburg Amerikanische Packetfahrt Actien Gesellschaft* (HAPAG) and the *Norddeutscher Lloyd* (NDL), controlled these new sanitary stations. Private firms thereby attained significant authority to implement government public health and immigration policies in the context of mass emigration.

Even with heightened border controls and sanitary measures, however, emigrants faced possible rejection by American immigration authorities upon crossing the Atlantic. Beginning in 1891, the American government barred migrants who were sick, suspicious, “likely to become a public charge,” or involved in “criminal” or “immoral” activities. The category “likely to become a public charge” was particularly elastic. It extended to almost any single woman, unless she intended to work as a domestic servant. In the eyes of American immigration authorities, unaccompanied single women were not only an inevitable drain on state resources, but were also suspected prostitutes. In 1892, American authorities opened the Ellis Island reception center in order to facilitate the more rigorous screening of large numbers of migrants. The number of immigrants rejected was still fairly small- only 1.7 percent in 1907- but the stories were often tragic, particularly when a single family member was turned back to Europe.³⁶

By the turn of the century, emigrants from Eastern Europe were obliged to navigate a gauntlet of complex, confusing, and often frightening situations en route from East to West. Austrian gendarmes, German doctors, and American immigration officials all had the power to send them home with little explanation. Anti-emigration activists consistently blamed emigration agents for “artificially” inflating emigration. And yet,

given the obstacles faced by emigrants, it is difficult to imagine making this journey without professional assistance. In the end it was clearly not emigration agents who stimulated emigration, but the many barriers to mobility that stimulated demand for the services of agents.

These were the conditions that brought migrants in Oświęcim to the offices of Simon Herz and Julius Löwenberg, the principal defendants in the Wadowice trial. On November 19, 1889, reporters from across the Empire and as far away as England, France, and America streamed toward the Galician town, about 50 kilometers from Cracow, where they crowded the town's few hotels and guesthouses (and complained about the rudimentary accommodations).³⁷ Sixty-five defendants faced criminal charges in the case, including a number of mid-level Austrian civil servants, railway employees, and police officers accused of corruption. The proceedings did not end until March 12th, after 55 days of testimony.³⁸

The complete trial records of the Wadowice case appear to be missing. Local, regional, and Imperial newspapers across the political spectrum all sent reporters to Galicia, however, and many published daily updates, commentary, and transcripts of the proceedings.³⁹ Even with this source base, we don't know all the facts. Previous histories of the trial have assumed that the sensational accusations lodged against the 65 defendants were true. Historians have mostly told the story in order to illustrate the hardships faced by emigrants en route to America, and to lament their victimization at the hands of wily agents.⁴⁰

The Austrian War Ministry clearly had a hand in precipitating the affair. Beginning in 1888, military authorities became increasingly alarmed about the number of Galician men who failed to appear for military service. In May 1888, the Interior Ministry ordered Galician authorities to mobilize against illegal emigration, and on June 17, the Galician Governor ordered local officials to scrutinize the activities of the emigration agencies in Oświęcim in particular. A month later, on July 24th, the defendants at Wadowice were arrested in a 4 AM raid on their offices.⁴¹

In the early 1880s, Simon Herz and Julius Löwenberg founded a travel agency in Oświęcim, located in the first floor of the Zator hotel, across from the train station in nearby Brzezinka (also known as Birkenau). In 1887, the Herz-Löwenberg firm merged with Jakob Klausner's agency, affiliated with the HAPAG shipping line. Five agents—Herz, Löwenberg, Klausner, Arthur Landau, and Abraham Landerer, formed a partnership. Their main competitor was another local agency affiliated with the Norddeutscher Lloyd, established in 1888. This firm was referred to as the “Bremer” agency, because the NDL sailed out of Bremen. A fierce battle for customers soon erupted between the Herz agency, the Bremer agency, and a plethora of itinerant, illegal agents and sub-agents who sold steamship tickets and services to emigrants on the sly.

The trial at Wadowice reflected the widespread conviction that emigration was induced and inflated by travel agents. According to the anti-Semitic Deutsche Volksblatt, “There is no doubt that this massive emigration, which seized all classes of the population, was not the consequence of over-population or economic conditions in the province, but that it was artificially nourished by the propaganda of agents.” The Herz agency alone had expedited 12,406 people to America between May 1, 1887 and July 23,

1888, the Volksblatt asserted.⁴² Both Austrian and American officials joined the Volksblatt in blaming emigration on travel agents. In an 1899 speech, the Austrian Foreign Minister blamed “the artifices of unprincipled agents who carry on a lucrative business in this new kind of traffic in human beings” for increasing rates of emigration.⁴³ An American consul in Budapest concurred that Slovak peasants emigrated mostly because of slick agents, “who are managing the business a good deal in the manner of the ‘Coolie trade.’”⁴⁴

A 1905 Austrian inquiry estimated that in reality, fewer than 1000 emigrants per year were defrauded or tricked by emigration agents.⁴⁵ But the facts did not stop reformers from blaming agents for the exodus of millions. “The propaganda conducted by steamship ticket agents is undoubtedly the most important immediate cause of emigration from Europe to the United States,” concluded the 1911 Dillingham Report of the United States Immigration Commission.⁴⁶

Leopold Caro believed that Galician peasants were particularly easy prey. “The uneducated are most easily induced to emigrate by agents and village pub-owners; these people are the easiest targets and the most docile material. Illiterates will believe almost anything,” he lamented. Agents had recently convinced Ruthenian peasants that Brazil was an Austrian territory and that Emperor Franz-Joseph himself recommended emigration. Many emigrants believed that they would not have to pay rent in South America, and that household chores were performed by monkeys, Caro claimed.⁴⁷

The specific accusations against Herz and his colleagues in Oświecim went beyond merely stimulating emigration, however. Prosecutors depicted a mafia-like organization in the town, masterminded by Herz and his colleagues. Train conductors,

police officers, cab drivers, and possibly the prefect himself were all allegedly on Herz's payroll.⁴⁸ The most sensational accusations concerned the treatment of emigrants as they passed through the town. When trains full of migrants arrived in Oświęcim en route to Germany, thick-muscled "drivers" employed by the Herz and the Bremer agencies allegedly surrounded them on the platform. These "drivers" did not shy from violence in their pursuit of customers. The Deutsche Volksblatt reported, "It often came to bloody fights between the drivers. They beat each other with fists and sticks, and after fighting it out, these henchmen drove the captured emigrants to the agencies like cattle."⁴⁹ Herz had once been a livestock trader (a common occupation for Galician Jews), and his accusers frequently claimed that he treated his human cargo no better than animals.

The fraud allegedly continued once the "herd of slaves" arrived in Herz's office. Mr. Löwenberg, costumed in the uniform of an Austrian civil servant, reportedly met incoming emigrants at the Hotel Zator. His colleagues addressed him as "Mr. Prefect." Photos of Emperor Franz-Joseph and Imperial insignia adorned the office walls. The agents first ordered emigrants to turn over their passports and money, strip-searching them to extract bills sewn into their clothing or hidden in their socks and undergarments. Agents then informed the unsuspecting peasants that it was illegal to purchase a ticket from any other firm, threatening them with arrest if they refused. Gendarmes paid by Herz stood by to carry out the threat if necessary.

Once the beleaguered emigrant purchased a ticket, however, his misfortune didn't end. Agents now insisted that it was necessary to make a "phone call" to Hamburg, in order to reserve a place on the ship. A second fake call went out to the "Emperor of America," in order to reserve space in the Promised Land. The emigrant was charged for

both of these calls, which were reportedly made using an alarm clock. Finally, Herz informed emigrants that they would not be permitted to enter America wearing traditional peasants' clothing. Fortunately, they could purchase brand new "American" suits (at outrageous prices) in Mr. Löwenberg's store next door. While they waited for the train to Germany, prosecutors claimed that agents held emigrants captive, sometimes for days, locking them in "pig stalls" and dark basements, where they were charged exorbitant prices for bad bread and weak beer.⁵⁰

Many of these sensational stories originated in local denunciations by anti-Semites. Shortly before the arrests, a group of Poles in Oświęcim addressed a petition to Georg von Schönerer, the anti-Semitic leader of the Austrian pan-German movement. Vincenz Gawronski, a craftsman in town, was a leader of the group. On December 12, he testified in Wadowice that they had written the petition "because we saw with our own eyes how the Jews sent young men who had not completed their military service to America, whereby our army lost many valuable soldiers."⁵¹ Josef Stancyk, a local real estate agent, had also signed the petition, and testified, "All of Oświęcim was outraged by the Jewish agency, since we could see how the Jewish drivers abused the emigrants, and the poor peasants often cried and complained that they had been robbed and plundered in the Jewish agency."⁵²

Migrants themselves often told a different story, however. From the 17th-20th of December 1889, emigrants and their relatives took the stand in Wadowice. Many had traveled long distances on foot or by train to make their statements.⁵³ Some witnesses were family members whose relatives had emigrated to America, while others had themselves crossed the Atlantic and returned home again.⁵⁴ Some did make accusations

against the Herz agency, while others insisted that they had been treated fairly. But all testified that they had decided to emigrate of their own volition, and denied that anyone had induced them to leave home. Anna Fujarkos, an 18-year-old Slovak, wanted to join her husband in America. Janos Hrzeko, age 16, testified that he decided to emigrate because he was poor and hungry. Maryanna Gnapp insisted that poverty and lack of employment alone induced her to seek a livelihood in America.⁵⁵ Liberal newspapers including the Neue Freie Presse and the Bukowiner Rundschau also published testimony from many migrants who denied being defrauded by the agency.⁵⁶ On December 17, the Rundschau reported, “A series of witnesses, farmers and citizens from the area testified under oath that it is untrue that emigrants were deprived of their personal freedom in the agency, and that the rumors to this effect were spread by the local anti-Semitic Schabbesklub.”⁵⁷

The agents themselves vehemently contested the charges against them. In an appeal written (and published in pamphlet form) after the trial, Herz and Löwenberg denied that they had induced emigration. The mass exodus out of Eastern Europe had begun twenty years earlier and only intensified after they were arrested. Besides which, Austrians had a constitutional right to emigrate: “The freedom of every individual to travel for the sake of earning a livelihood is legally guaranteed, and if our concessioned agency facilitated the travel of workers to America...we did no differently than any railway office or travel agency that sells train tickets to go abroad.”⁵⁸

The defense claimed that local anti-Semites and opportunists had spread these rumors around town. But above all, they contested the notion that a single agency could induce thousands of people to leave their country. In his closing statement, defense

attorney Dr. Lazarski declared, “You cannot solve social problems with prison sentences. You’d have to forbid emigrants returning from America from bringing home the money they’d saved...or you’d have to put an end to the ruthless exploitation of agricultural workers in Galicia. If you did all that, emigration would stop immediately.”⁵⁹

If the War Ministry (and local anti-Semites) set the Wadowice case in motion, its spectacular resonance reflected a broader set of concerns. At first glance, it is tempting to blame the degree of alarm about emigration on a longer history of “feudal” labor practices in Eastern Europe. Some of the most vocal opponents of emigration were indeed Polish and Hungarian nobles who feared losing cheap labor to American factories and mines.⁶⁰ But it would be a mistake to conclude that anxiety about emigration in Eastern Europe was merely a feudal hangover. Rather, emigration reformers drew on mercantilist and populationist principles that were well entrenched in European political and economic thought by the late nineteenth century- particularly the notion that a bigger population translates into greater economic, military and political power.⁶¹

The politics of emigration were deeply embedded in an ongoing European and transatlantic battle for demographic superiority. In a 1912 treatise against emigration, for example, Austrian economist Friedrich Hey warned that proponents of emigration had “forgotten the basic principles and theories of political economy, which teach that the human is an essential link in the chain of the economy; that his labor is a valuable asset, and that the use of this labor, this asset, is above all the right of the state that has made the effort to raise and educate this human material.”⁶²

Increasingly, the goal of increasing population was refined by eugenic theories that focused on the biological *quality* of the state's "human material." Anti-emigration activists warned that the harsh physical labor and long hours endured by workers in America posed a deadly threat to the physical and moral health of Austrian emigrants. They contended that 33,000 Austro-Hungarian citizens were killed on the job in American industrial accidents each year, and that another 10,000 were murdered annually, thanks to America's lax approach to law and order. An even greater number returned home physically decimated, becoming public charges "as a consequence of forced, enervating labor that is detrimental to physical health."⁶³

The Wadowice trial also reflected the growth of an increasingly vocal Austrian anti-Semitic movement. The activities of Jewish emigration agents in Austria had recently become a favorite theme of the anti-Semitic press. The Deutsche Volksblatt, founded in Vienna in 1888, printed extensive coverage of the trial, pressuring the government to take action against agents.⁶⁴ Migration was also on the mind of Georg von Schönerer, the founder of the virulently nationalist and anti-Semitic Austrian Pan-German party. In 1887, he sponsored a bill to restrict the immigration of Russians and Romanians to Austria-Hungary- a movement facilitated by smugglers and emigration agents in border towns such as Brody.⁶⁵

It is difficult to know precisely what percentage of emigration agents were actually Jewish. Emigration and travel agencies were relatively new businesses in the late nineteenth century, but facilitating emigration was a classic middleman trade. It required familiarity with multiple languages and contexts. And the emigration business also extended logically from other occupations -in retail sales, trade, and hospitality (hotels,

pubs, and restaurants) traditionally occupied by Jews in Eastern Europe. But it is clear that Jews were heavily represented in the ranks of agents prosecuted by the Austrian government. A 1910 list of agents suspected of criminal activity in Galicia included 64 agents, 53 of whom had Jewish names. Another 1914 Justice Ministry document listed 235 agents of the Austro-Americana line; approximately 156 (65%) were probably Jewish.⁶⁶ Out of a sample (taken by me) of 284 criminal cases against agents underway in November 1913, more than half of the defendants had Jewish names.⁶⁷

Regardless of whether or not the majority of agents were self-identified Jews, the emigration business was tightly linked to Jews in the rhetoric of anti-Semites. The period from 1880-1900 brought the rapid rise of populist anti-Semitic movements across Europe, accompanied by an outbreak of sensational anti-Semitic trials. Within a period of 20 years, blood libel trials took place in Tiszaeszlár, Hungary (1882); Xanten (1892) and Konitz (1900-1901) in Prussia; and in Polná, Bohemia (1899). A spectacular, anti-Semitic trial of accused “white slavers” took place in L’viv/Lwow/Lemberg in 1892. Not coincidentally, anti-emigration activists continuously linked emigration to human trafficking in their rhetoric, equating male peasants “trafficked” to American mines to Galician women trafficked to Argentinian brothels.⁶⁸

Defrauding emigrants was a less sensational charge than blood libel or sex trafficking, but the Wadowice trial must be situated in this broader context. The defendants’ lawyers frequently complained that public opinion had been poisoned against their clients by the barrage of anti-Semitic cartoons, caricatures, and editorials circulating around the trial.⁶⁹ The language used to denounce emigration agents in the press and in the courtroom— as “human traffickers,” “parasites sucking on our blood,” and

“vampires,” also belonged to the standard vocabulary of anti-Semites at the time. “This trial is taking place because it is impossible to tolerate the existence of a human trafficking at the end of the nineteenth century, a trade in the blood of ten thousand impoverished people,” insisted the prosecuting attorney in Wadowice in his closing statement.⁷⁰

The trial at Wadowice was thus never a simple criminal case; it was a forum for expressing a broad set of anxieties that plagued Austrian society. The case presented by Heinrich Ogniewski, the state’s attorney, was directed against emigration in general as much as the individual defendants. The trial was to serve as a “warning” and a “cleansing process” for Austrian society, according to Ogniewski. In his closing statement, he appealed to the jury to convict “the parasites that have lived from the blood of our peasants” in the name of “the land of our fathers, for the good of the state, and for the defense of them both.”⁷¹ The jury obliged. On March 12, Herz, Löwenberg, and Landerer were each sentenced to four years imprisonment, Neumann and Klausner to three. Another 24 defendants received smaller sentences.⁷²

Unsurprisingly, the imprisonment of Oświecim’s travel agents did not slow the exodus from the east. Most Austrian citizens remained indifferent to the government’s demographic and military concerns. The number of Austrians leaving for North America ballooned in the 1890s and the first decade of the twentieth century.⁷³ Efforts to pass comprehensive emigration reform laws failed in 1904 and 1908. But in 1911-12, in the context of the First Balkan Wars and the build-up to World War I, a new government

panic about emigration erupted, this time focused even more resolutely on the issue of military service.

Concerns that emigration was weakening the Empire's military capacity had circulated since 1889. But it was really not until the eve of the First World War that the Austrian government took decisive action against both agents and accused deserters. In early 1913, the Minister of the Interior reported that about 120,000 recruits had been missing during the last call-up, 80,000 from Galicia alone. These numbers set off an immediate panic in the War Ministry.⁷⁴

Once again, officials blamed emigration agents, rather than Austria's more deep-rooted economic inequalities, for the declining ranks of the military. And once again, anti-Semitic newspapers such as the *Deutsche Volksblatt* and the Christian Social *Reichspost* incited the campaign against agents.⁷⁵ Anonymous denunciations also propelled a wave of arrests. One such denunciation, sent to the Ministry of War, claimed that in Muszyna, Galicia, "Entire regiments of Hungarian conscripts have simply been stolen away by the local Jews, with the intention of weakening Hungary."⁷⁶ A letter to the Justice Ministry from a group of self-designated "loyal Austrians" accused travel agents of "selling slaves" and "sapping the blood from the humanity of the Monarchy like nibbling worms."⁷⁷

The government responded with escalating police measures intended to close the state's borders.⁷⁸ In November 1913, a special department of the Viennese police department was established to police emigration.⁷⁹ Police arrested an average of 10 illegal emigrants per day at the Cracow train station in October 1913.⁸⁰ By early 1914, control stations had been erected all along Austria's western borders, and both customs

officials and railway employees were enlisted to apprehend suspicious travelers.⁸¹ The borders of the Austrian empire were virtually sealed well before Franz Ferdinand met his end in Sarajevo. Ignacy Wróbel, a Galician delegate to the Austrian Parliament, protested in early 1914, “The entire Empire has been surrounded by a police barrier, so that even a bird might not be able to fly across our borders.” He insisted that new restrictions on emigration violated Austrians’ constitutional right to free movement, and asked the Ministry of the Interior to guarantee that workers were “actually able to make use of their constitutionally protected right to free movement, particularly in the search for a livelihood.”⁸² In a critique of the proposed 1912 emigration law, Austrian law professor Alexander Löffler compared the new restrictions on mobility to feudal bonds. “The tendency is developing to view our laborers as a type of serf, not bound to a specific estate, but certainly to the territory of the state,” he warned.⁸³ But in the context of the rush to war, these were isolated voices of protest. With fears of mass desertion growing (and under the pretext of protecting Austrian citizens from travel agents), Austrian policymakers casually sacrificed the right to emigrate on the eve of World War I.

The emigration panic of 1912-14 culminated in the sensational arrest of Samuel Altman, General Representative of the Canadian Pacific Railway Company (CPR, also a shipping company) in Austria. Altman and nineteen other individuals affiliated with the CPR were detained on October 16, 1913. The CPR’s offices were shut down and searched, the firm’s books seized, its property confiscated. Altman himself was a naturalized American citizen (of Jewish descent) who had left Hungary years earlier. As a result the case quickly became an international diplomatic incident.⁸⁴

The principal charge against Altman was that he had facilitated the emigration of tens of thousands of Austrian and Hungarian citizens liable for military service. As in other emigration cases, these charges were fueled by the anti-Semitic press and by anonymous denunciations. Accusations against the CPR first appeared in the Berliner Börsen Courier and the Austrian Danzer's Armees Zeitung in the spring of 1913.⁸⁵ But other Austrian newspapers, in particular the (Christian Socialist) Reichspost, quickly joined the campaign against the CPR. On the day of the arrests, the Reichspost rejoiced, "We can finally breathe." The agents of the CPR had "unleashed a band of agents on the population of Galicia and Bukovina, who hunted for humans as though they were wild game," according to the paper. Their arrest proved that "Austrian law is, thank God, stronger than the arguments of foreign capitalists."⁸⁶

Competing shipping lines were behind the campaign against the CPR. In the previous year there had been a shakeup in the cartel arrangement that governed the shipping industry. Until the end of 1912, the CPR was party to the so-called "Continental Pool," a cartel established in 1892, which included the Hamburg-America Line, the North German Lloyd, the Red Star Line, the Holland America Line, the Cunard Line, and the Austro-Americana. On January 1, 1913, the CPR withdrew from the Pool and opened a new route from Trieste to Canada, in direct competition with the British Cunard Line (from Fiume) and the Austro-Americana (from Trieste), both members of the Pool.⁸⁷ Its fares were competitive, since the CPR was more interested in recruiting settlers for Canada's vast western territories than in the shipping business. Almost immediately, a press campaign began against the CPR.⁸⁸

Privately, officials in the Austrian War Ministry themselves conceded that it was “not out of the question” that competing firms were behind the accusations against the CPR. But the Ministry also insisted that its main concern was preventing military desertion, and that it treated all shipping firms equally.⁸⁹ But British officials were skeptical, protesting that Austria’s German allies were not being subject to the same scrutiny inflicted on the CPR.⁹⁰ The Austrian Trade Ministry, which had brokered the agreement with the CPR in the first place, also believed that the CPR was being singled out.⁹¹

In reality, the CPR was responsible for only a small percentage of the total emigrant traffic out of Austria. In 1912-1913, the Austrian Trade Ministry reported, more than 255,000 Austrians emigrated to America, compared to the paltry 25,000 who migrated to Canada with the CPR. Out of 2072 instances in which men liable for the draft had been criminally transported overseas, only 111 (5.3%) could be pinned on the CPR. Members of the Pool had transported the rest.⁹² Altman was nonetheless accused of expediting 600,000 draft dodgers abroad.⁹³

Samuel Altman was released on a bail of 150,000 crowns (about \$30,000 dollars) in May of 1914. He was eventually allowed to return to the United States on the condition that he return to Austria for his trial. Thanks to the outbreak of the First World War, however, the trial never took place. Austrian Amnesty Laws of November 14, 1918 and November 6, 1919 eventually pardoned Altman. He nonetheless spent the next ten years attempting to collect a large restitution payment from the Austrian state, demanding 103,500 crowns in damages.⁹⁴

The First World War also temporarily “solved” the emigration problem. Transatlantic passenger travel virtually ceased during the war. But the emigration issue did not totally disappear. Many officials began to plot for the postwar. An Austrian consul stationed in St. Paul, Minnesota promoted a particularly radical plan. He proposed that all emigration to the United States be banned after the war. This, he claimed, would bring the American steel and coal industries to their knees, and would enable Austria to retain valuable “human material” for its own use, since “It is precisely the most physically and intellectually productive elements who are lost to their homeland, and the qualitatively less valuable human material, the crude rubble...that remains at our disposal.”⁹⁵

The proposal circulated to government ministries in both Austria and Hungary. While most officials disagreed with the plan, they did not contest its underlying principles. They simply recognized that it was impractical. The Hungarian Minister of the Interior (presciently) understood that far more radical measures would be required to completely seal the Monarchy’s borders. Emigration could be successfully curtailed, he argued, “only if all our neighboring states take the same position with respect to emigration, which we can hardly count on.”⁹⁶

Other ministers responded with more constructive ideas, hinting at trends that would develop between the wars. In August of 1917, the Austrian War Ministry proposed a shift toward more positive measures to keep Austrians at home after the war. These included reforms to promote economic development in Galicia, land reform, technological development, state-run employment agencies, and public works jobs.⁹⁷ These proposals were too little too late for the Austro-Hungarian Empire, but suggest the

ways in which the fear and reality of emigration would drive new forms of social reform as well as border control between the wars.

Much more than a question of criminal travel agents, the debate about emigration in the last decade of the Austrian Empire concerned the nature and meaning of freedom and mobility, individual and state sovereignty. The defense attorneys at Wadowice repeatedly argued that government measures to restrict and police emigration infringed on the constitutional rights of Austrian citizens to emigrate. “In a modern state citizens should no longer be treated as living inventory which is bound to the land!” proclaimed one defense attorney in his closing statement.⁹⁸

The prosecution, however, actively contested the links between physical mobility, social mobility, and freedom that were so central to the mythology of the American dream. In his closing statement in the Sokol hall in Wadowice, the state’s attorney proclaimed: “With respect to the accusation that the prosecution does not respect the personal freedom of emigrants, I have to say that this allegation must appear to be a truly bitter irony, in that it is made by people who have introduced a slave trade to the free land of Austria, and who have erected an entire system of human trafficking.”⁹⁹ In an era in which both American slavery and European serfdom were living memories, these charges represented more than empty rhetoric. The mass movement of East Europeans from rural farms to American factories, mines, and plantations raised pressing questions about the meaning of free labor.

Ogniewski’s words point to the greater political and social significance of the emigration debate. The barriers to migration put in place in the early twentieth century and beyond reflected intense anxieties about the decline of state sovereignty in the East as

well as the West.¹⁰⁰ The erection of Iron Curtain, one of the century's most profound symbols of immobility and repression, might be seen as a solution to a problem articulated at Wadowice in 1889, the culmination of a century-long (and miserably failed) effort to stem the exodus from Eastern Europe.

Parliamentary and democratic regimes, not Communists or fascists, introduced the first restrictions on mobility in East Central Europe. After the First World War, one of the first priorities of East Central Europe's new self-declared nation-states was to prevent people from leaving them. Emigration was now seen as a viral threat to national survival. In the words of the Czechoslovak Council of Ministers in 1921, "The government is fully cognizant of the extent to which the emigration of the healthy Slovak population...threatens the Republic, and will stop at nothing to insure that this emigration is reduced to the smallest level possible."¹⁰¹ In response to a survey conducted by the International Labor Organization in 1921, in which representatives of European governments were asked to elaborate the "guiding principles of your legislation concerning emigration and immigration," Polish officials responded that its emigration policies "should work to reduce emigration as much as possible." This not only entailed guaranteeing that "the smallest number possible of citizens leave the country," but also that those who emigrated returned to Poland, "bringing with them the maximum capital and the minimum material and moral losses."¹⁰²

If the number of East Europeans on the move declined between the wars, thanks to America's stringent new immigration restrictions, the level of concern surrounding emigration only intensified. As in Imperial Austria, population size was linked to economic development and military strength. But keeping citizens at home was also

paramount to new priorities after World War I: the economic reconstruction of war-devastated industries and farms; the “colonization” of regions populated by national minorities; and the stabilization of families and communities unsettled by war. Emigration was, in short, nothing less than central to the construction of new nation-states at home and abroad.¹⁰³

Hungary kept its prewar emigration laws in force, but they were already the most restrictive in Europe. Romania banned emigration altogether. In Yugoslavia, the government introduced policies explicitly intended to make it more difficult to obtain a passport “in a material and formal way.”¹⁰⁴ Poland did not pass a comprehensive emigration law until 1927. In the early years of the Republic, however, the Polish government banned seasonal migration to Germany (that ban was only lifted in 1926), outlawed advertising to recruit Poles for foreign labor, established new passport requirements, and negotiated bilateral treaties to protect migrants’ social rights.¹⁰⁵ At the same time, the Polish government quietly encouraged the emigration of Jews and Ukrainians.¹⁰⁶

In Czechoslovakia a new 1922 emigration law explicitly affirmed that emigration was an “individual freedom.” At the same time, however, the law empowered the government to limit or ban emigration to specific countries entirely, if it threatened the “life, freedom or property of emigrants,” or in order to protect their own “economic or moral interests.” This language was adopted from the proposed Austrian legislation of 1912. In addition, the state was empowered to limit or ban emigration in the name of “public interest” or in the economic or political interests of the state. The specific

definition of these interests was left vague, allowing for liberal interpretation at the local level.¹⁰⁷

A 1928 Czechoslovak passport law meanwhile required all citizens traveling abroad to obtain a passport, even if they were only traveling within Europe or to work as seasonal laborers in Germany or Austria. The new regulations enabled the state to deny passports to anyone whose travel “could threaten important state security interests or important economic interests of the Czechoslovak republic,” and were particularly intended to curb the needless travel of so-called “habitual globe-trotters.”¹⁰⁸

The process of acquiring a passport in interwar Czechoslovakia was daunting enough to discourage all but the most determined emigrants. All requests for passports to travel outside of Europe had to be approved by the Ministry for Social Welfare as well as a local government office. Czechoslovak citizens who wished to work in France were required to produce a baptismal certificate, birth certificate, certificate of residence, certificate of “good morals,” proof that they did not owe taxes, evidence of completed military service, and their marriage certificate (if relevant), along with an actual passport application. It cost money to acquire these documents. French diplomats actually attempted to negotiate the elimination of passport requirements for Czechoslovak workers in the early 1930s. The process of acquiring a passport was so expensive and cumbersome that it deterred many potential workers from migrating. But these negotiations were unsuccessful, because deterring potential emigrants was the very purpose of the passport law.¹⁰⁹

Local police and passport offices enjoyed wide latitude to interpret and enforce emigration laws, and they took advantage of it. In one case, officials invoked the 1922

emigration law in order to prevent Bohemia's skilled glassworkers from accepting better-paid employment in Bavaria.¹¹⁰ In a district in the Pod-Carpathian Rus, officials refused to issue passports to children and women (of any age), unless they were traveling to or with a male guardian. They also systematically denied passports to individuals who "could find work here if they made a genuine effort." Emigration was no longer necessary, these officials insisted. In Czechoslovakia, local peasants were no longer exploited by the Magyar landowners and Jewish merchants who had "sucked their blood dry" in the Habsburg Monarchy. National liberation had, in their view, rendered emigration an anachronism.¹¹¹ Restrictions on mobility only intensified during and after World War II. In 1946, a Czechoslovak decree reinterpreted the 1928 passport law to rule that citizens of Czechoslovakia could only travel abroad if it was *in* the state's interest. Fewer than 60,000 passports were issued for travel abroad in 1947. Czechoslovak citizens lost the right to emigrate or travel abroad well before the Communist seizure of power in 1948.¹¹²

Emigration was never only a stimulus to border control, of course. Beginning in 1918, East European governments launched ambitious (if ultimately unsuccessful) repatriation campaigns, urging citizens abroad to return home and contribute to national reconstruction.¹¹³ Governments also stepped up efforts to protect emigrants abroad. Through a series of bilateral treaties, Czechoslovak and Polish authorities guaranteed that their workers in France would receive the same social benefits and pay as French workers, for example. In France, these treaties were understood as an important form of social protection for the domestic labor force, which would theoretically not be

threatened by cheap labor from abroad. Migration was arguably essential to the formation of interwar welfare states in the East and West.¹¹⁴

Concerns about emigration also inspired new economic development initiatives at home. In Czechoslovakia, land reform policies were intended to anchor small farmers and formerly landless peasants in their homeland- as well as transfer wealth from “foreign” (ie German and Hungarian) nobles into the hands of “reliable” Czechs and Slovaks. The result was a substantial increase in the number of independent family farms. Other initiatives brought new industries to regions heavily afflicted by emigration. Improvements in infrastructure, including the expansion of train lines and electrification, were intended to spur industry. The Czechoslovak government also constructed schools in the underserved regions of the Supcarpathian Rus, introduced tariffs to protect local wheat farmers, created government employment agencies, and sought to encourage dairy farming, tobacco production, and the silk industry.¹¹⁵

The Czechoslovak, Polish, and Yugoslav governments all created new government agencies to protect the social rights of migrants between the wars. But these social institutions were inseparable from the basic goal of limiting migration. The Czechoslovak Foreign Institute, established in 1926 to serve the interests of Czechoslovaks abroad, was founded on the basic principal that for Czechoslovakia, a small nation, “The loss of every soul is twice as significant as it is for a large nation.”¹¹⁶

Highly-publicized repatriation campaigns recommenced in earnest after the Second World War, and continued in the 1950s and 1960s, with periodic amnesty programs for emigrants. East bloc officials now attempted to entice emigrants to return home with emotional appeals from family members left behind, as well as with coveted

apartments, choice jobs, and cash payments.¹¹⁷ These campaigns were rarely successful. But sixty years after Wadowice, the debate about emigration was still a forum for comparing conditions and quality of life in the East and West. And it was still stimulating new forms of social protection, as well as the construction of fences and walls, now fortified by guns and barbed wire.¹¹⁸

The trial of Auschwitz's travel agents suggests new ways of thinking about the history of migration within and beyond Europe. Since World War II, the ability to emigrate has been considered a fundamental measure of freedom. When we think of the end of the Cold War, we think of East Germans dancing and popping champagne corks atop the Berlin Wall, and crossing to the West for the first time. But the link between freedom and mobility was politicized and contested well before Communists sealed the Iron Curtain. The history of European migration has clearly been shaped as much by concerns about demography in the East as by racism and restriction in the West. Migrants from Eastern Europe have consistently faced serious (and escalating) barriers to exit as well as barriers to entry. The "golden age" of unrestricted mobility from Europe may be a historical illusion. From the very moment that mass emigration became technologically possible, East European governments and social reformers took measures to curtail it. From 1889 to 1989, both the freedom to go West and the conviction that going West would bring freedom were subject to constant challenge. These challenges not only shaped migration policies, border control, and social protection in the East and West. They went to the heart of an ongoing debate about the meaning and location of the "free world."

¹ Der Galizische Menschenhandel vor Gericht. Zusammengestellt aus den Berichten des "Deutschen Volksblattes" über den Wadowicer Proceß (Vienna: Kreisel und Gröger, 1890), 205. For the text of the closing statement, see also "Matactwa emigracyne," Czas, 19 February 1890, 2-3.

² Susan L. Carruthers, Cold War Captives: Imprisonment, Escape, and Brainwashing. (Berkeley: University of CA Press, 2009).

³ On Italian emigration policies, see Mark Choate, Emigrant Nation: The Making of Italy Abroad (Cambridge, MA: Harvard University Press, 2008); Caroline Douki, "The Liberal Italian State and Mass Emigration, 1860-1914," in Nancy Green and François Weil, Citizenship and those who Leave: The Politics of Emigration and Expatriation (Urbana, Ill: University of Illinois Press, 2007), 91-113; For a comparative look at German emigration policies, see among others, Sebastian Conrad, Globalisation and the Nation in Imperial Germany, trans. Sorchá O'Hagan (Cambridge: Cambridge University Press, 2010), 275-333.

⁴ See, among others: John Torpey, The Invention of the Passport: Surveillance, Citizenship, and the State (Cambridge, UK: Cambridge University Press, 2000); John Torpey, "Passports and the Development of Immigration Controls in the North Atlantic World During the Long 19th Century," in Andreas Fahrmeier, Olivier Faron, and Patrick Weil, eds. Migration Control in the North Atlantic World. The Evolution of State Practices in Europe and the United States from the French Revolution to the Interwar Period (New York: Berghahn, 2003), 73-91; Aristide Zollberg, "The Exit Revolution," in Nancy Green and François Weil, eds. Citizenship and those who Leave: The Politics of Emigration and Expatriation (Urbana, Ill: University of Illinois Press, 2007), 33-55; Gérard Noiriel, La tyrannie du national: le droit d'asile en Europe, 1793-1993 (Paris: Calmann-Lévy, 1991); Saskia Sassen, Guests and Aliens (New York: New Press, 2000); Michael Marrus, The Unwanted: Refugees from the First World War through the Cold War (Philadelphia: Temple University Press, 2002); Claudena Skran, Refugees in Interwar Europe: The Invention of a Regime (Oxford, UK: Oxford University Press, 1995). Recently several historians have challenged this framework by focusing on policies of expulsion and control in Western Europe in the nineteenth century. These historians have not, however, generally looked at emigration control as a mode of policing migration before 1914. See David Feldman, "Was the nineteenth century a golden age for immigrants? The changing articulation of national, local and voluntary controls," in Andreas Fahrmeier, Olivier Faron and Patrick Weil, eds. Migration control in the North Atlantic world, 167-177; Frank Caestecker, "The transformation of nineteenth century West European expulsion policy, 1880-1914," in Migration control in the North Atlantic world, 120-137; Andreas Fahrmeier, Citizens and aliens: Foreigners and the law in Britain and the German States, 1789-1870 (New York, Berghahn Books, 2000).

⁵ On the Johnson-Reed act, see especially Mae Ngai, Impossible Subjects: Illegal Aliens and the Making of Modern America (Princeton: Princeton University Press, 2004).

⁶ John Torpey, "Passports and the Development of Immigration Controls," 82.

⁷ Nancy Green, "The Politics of Exit: Reversing the Immigration Paradigm," Journal of Modern History 77 (June 2005), 287.

⁸ Heinz Fassmann and Rainer Münz, eds. Einwanderungsland Österreich? Historische Migrationsmuster, aktuelle Trends und politische Massnahmen (Vienna: Jugend & Volk, 1995), 25

⁹ Leopold Caro, Auswanderung und Auswanderungspolitik in Österreich (Leipzig: Duncker und Humblot, 1909), 8.

¹⁰ Louis Adamic, Laughing in the Jungle: The Autobiography of an Immigrant in America (New York: Harper & Brothers, 1932), 104.

¹¹ Michael Just, Ost und Südosteuropäische Amerikawanderung, 1881-1914 (Stuttgart: Franz Steiner Verlag, 1988), 45.

¹² Ausweis über den Stand der Auswanderungssachen, 7 October 1914, Carton 3327, Sig 6 VZ 18, Justiz Ministerium (JM), Allgemeine Strafsachen (AS), Allgemeine Verwaltungsarchiv (AVA), Österreichisches Staatsarchiv (OestA).

¹³ Abschrift, Kriegsministerium, Auswanderung aus Galizien und Bukowina, Agentumtriebe, 25 June 1913, Carton 3325, Sig 6 VZ 18, JM, AS, AVA, OestA.

¹⁴ See Larry Wolff, The Idea of Galicia: History and Fantasy in Habsburg Political Culture (Palo Alto: Stanford University Press, 2010); Alison F. Frank, Oil Empire: Visions of Prosperity in Austrian Galicia (Cambridge, MA: Harvard University Press, 2005), esp. 24-47.

¹⁵ See Pieter M. Judson, Guardians of the Nation: Activists on the Language Frontiers of Imperial Austria (Cambridge, MA: Harvard University Press, 2007); Tara Zahra, Kidnapped Souls: National Indifference and the Battle for Children in the Bohemian Lands (Ithaca: Cornell University Press, 2008).

¹⁶ Julianna Puskás, Ties that Bind, Ties that Divide (New York: Holmes & Meier, 2000), 90; Monica Glettler, Pittsburg-Wien-Budapest: Programm und Praxis der Nationalitätenpolitik bei Auswanderung der Slowaken um 1900 (Vienna: Academy of Sciences, 1980), 401-406.

¹⁷ Leopold Caro, Der Los underer Auswander, Vortrag, gehalten in der 157. Plenarversammlung der Gesellschaft österreichischer Volkswirte vom 15 Jänner 1907, Vienna, Volkswirtschaftlichen Wochenschrift, 1907, p. 6.

¹⁸ See Benjamin P. Murdzek, Emigration in Polish Social-Political Thought, 1870-1914 (New York: Columbia University Press, 1977), 173-75.

¹⁹ (Charles) Semsley- (Roman) Dobler Report, July 1906-January 1907, Case File 51411/52, Report to Frank P. Sargent, Commissioner General of Immigration, January 16, 1907, 8, Reel 1, Part 4, Records of the Immigration and Naturalization Service, Series A, Subject correspondence files [microform].

²⁰ On emigration from Imperial Russia, see especially Alison K. Smith, "The Freedom to Choose a Way of Life": Fugitives, Borders, and Imperial Amnesties in Russia," Journal of Modern History 83, nr. 2 (June 2011), 243-71.

- ²¹ Samuel A. Eppler Report, Report, December 21 1906, p. 29. Casefile 51411/54, folder 1, August-December 1906. Reel 1, Part 4, Series A, Subject correspondence files, Records of the Immigration and Naturalization Service, [microform].
- ²² Mary Antin, From Plotzk to Boston: A Young Girl's Journey from Russia to the Promised Land (Princeton: Markus Wiener Publishers, 1985), 42.
- ²³ Andrea Komlosy, "Empowerment and Control. Conflicting Central and Regional Interests in Migration within the Habsburg Monarchy," in Migration Control in the North Atlantic World, 153-66; Andrea Komlosy, Grenze und ungleiche regionale Entwicklung. Binnenmarkt und Migration in der Habsburgermonarchie (Vienna: Promedia, 2003); Waltraud Heindl and Edith Saurer, eds. Grenze und Staat : Passwesen, Staatsbürgerschaft, Heimatrecht und Fremden-gesetzgebung in der österreichischen Monarchie 1750-1867 (Vienna: Bohlau, 2000).
- ²⁴ Staatsgrundgesetz vom 21. Dezember 1867 (R.G.Bl. 142/1867) über die allgemeinen Rechte der Staatsbürger für die im Reichsrat vertretenen Königreiche und Länder, Artikel 4.
- ²⁵ Andreas Fahrmeier, "From Economics to Ethnicity and Back: Reflections on Emigration Control in Germany, 1800-2000," in Citizenship and those who Leave, 177.
- ²⁶ The texts of these laws are reproduced in Franz Ritter von Srbik, Die Auswanderungsgesetzgebung. Die wichtigsten Europäischen Auswanderungsgesetze und ihre wichtigste Vollzugsvorschriften (Vienna: k.k. Hof und Staatsdruckerei, 1911).
- ²⁷ Regierungsvorlage, Gesetz betreffend die Auswanderung, 1913, Carton 31, Fach 15, Administrativ Registratur (AR), Ministerium des Aussern (MdA), Haus-Hof und Staatsarchiv (HHStA).
- ²⁸ Memorandum! Nähere Ausführungen zu der bei dem hohen k.k. obersten Gerichtshofe und der hohen k.k. Generalprokuratur eingebrachten Richtigkeitsbeschwerde der in dem Wadowicer Enigrationsprocesse verurtheilten Julius Löwenberg u. Simon Herz. (Wadowice, 1890), 34-35.
- ²⁹ "Aus dem Gerichtssaale. Wadowice," Neue Freie Presse, 25 February 1890, 6.
- ³⁰ Verordnung des Ministerium des Handels und des Innern vom 23. November 1895, R.G.BL Nr. 161; Verordnung des Handelsministerium, 7. Mai 1908, R.G.BL 97; Gesetz vom 21 Jänner 1897, R.G.BL 27, Carton 3325, Sig 6 VZ 18, JM, AS, AVA, OestA. For drafts of all Austrian emigration legislation, see Franz Ritter von Srbik, Die Auswanderungsgesetzgebung. Die Grundzüge der wichtigsten europäischen Auswanderungsgesetze. Vol II. (Vienna: k.k. Hof und Staatsdruckerei, 1911). Carton 3238, Politischer Teil (PT), Ministerium für Landesverteidigung (MfLV), Kriegsarchiv (KA).
- ³¹ Nicole Phelps, "Sovereignty, citizenship, and the new Liberal Order: US-Habsburg relations and the transformation of international politics, 1880—1924," Ph.D. Dissertation, University of Minnesota, 2008, 247-48.
- ³² Ungarischer Gesetzartikel II vom Jahre 1909 über die Auswanderung. Sanktioniert 18. February 1909, in Srbik, Die Auswanderungsgesetzgebung, 30, Carton 3238, PT, MfLV, KA.
- ³³ Memorandum! Nähere Ausführungen, 34-35.
- ³⁴ Katja Wüstenbecker, "Hamburg and the Transit of East European Immigrants," in Migration Control in the North Atlantic World, 227.

³⁵ Zollberg, “The Archaeology of Remote Control,” in Migration Control in the North Atlantic World, 195-222.

³⁶ Martha Gardner, The Qualities of a Citizen: Women, Immigration, and Citizenship, 1870-1965 (Princeton: Princeton University Press, 2005). On the rejection rate at Ellis Island, see Dorothee Schneider, “The United States Government and the Investigation of European Emigration during the Open Door Era,” in Citizenship and those who Leave, 198.

³⁷ J.Z., “Proces przeciw ajentom emigracynym,” Kurjer Lwowski, 16 November 1889, 5.

³⁸ “Aus dem Gerichtssaale. Ein Monstre-Proceß,” Bukowinaer Rundschau, 17 December 1889, p. 4.

³⁹ I was able to access the complete coverage of the Viennese liberal Neue Freie Presse; the anti-Semitic Viennese Deutsche Volksblatt; the Polish conservative Czas, published in Krakow, and the Kurjer Lwowski, published in Lwow/Lemberg/Lviv.

⁴⁰ Martin Pollack, Kaiser von Amerika: die grosse Flucht aus Galizien (Vienna: Paul Zsolny Verlag, 2010); Timothy Snyder, “A Core of European Tragedy, Diversity, Fantasy,” New York Review of Books, November 10, 2011; Marc Wyman, Round Trip to America: The Immigrants Return to Europe, 1880-1930 (Ithaca: Cornell University Press, 1993), 30-31; Deborah Dwork and Robert Jan Van Pelt, Auschwitz (New York: Norton, 2002); Pamela S. Nadell, “From Shtetl to Border: East European Jewish Emigrants and the ‘Agents’ System, 1868-1914,” in Jacob P. Marcus and Abraham J. Peck, eds. Studies in the American Jewish Experience vol. 2 (Boston: University Press of America, 1984), 49-78. Most helpful is Gregorz Maria Kowalski, Przestępstwa emigracyjne w Galicji, 1897-1918 (Krakow: Jagiellonian University Press, 2003), which contains an extensive bibliography, but no specific citation of Wadowice court records.

⁴¹ “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 29 January 1890, 7.

⁴² Der Galizische Menschenhandel, 10, 7.

⁴³ Harris to Department, Dec. 8, 1899, in Zoltán Kramár, From the Danube to the Hudson: U.S. Ministerial and Consular Dispatches on Immigration from the Habsburg Monarchy, 1850-1900 (Atlanta: Hungarian Cultural Foundation, 1978), 42-43.

⁴⁴ Stern to Department, May 19, 1880, in From the Danube to the Hudson, 48-49.

⁴⁵ Caro, Auswanderung und Auswanderungspolitik, 69.

⁴⁶ Senator William P. Dillingham, Emigration Conditions in Europe. Reports of the Immigration Commission. 61st Congress (Washington, D.C.: Government Printing Office, 1911), 11. Similar accusations were made against emigration agents in Italy. See Caroline Douki, “Protection sociale et mobilité transatlantique : les migrants italiens au début du XXe siècle,” Annales. Histoire, Sciences sociales (April-June 2011), 383-85.

⁴⁷ Caro, Auswanderung und Auswanderungspolitik, 53, 65-67.

⁴⁸ Der Galizische Menschenhandel, 15, 31.

⁴⁹ Ibid., 35.

⁵⁰ Ibid., 37-41.

⁵¹ Ibid., p. 131. See also “Sprawy Sądowe. Matactwa emigracyjne,” Czas, 14 December 1889, 3.

⁵² Der Galizische Menschenhandel, 131

⁵³ J.Z., “Proces przeciw ajentom emigracynym,” Kurjer Lwowski, 20 December 1889, 5.

⁵⁴ Der Galizische Menschenhandel, 141-149.

- ⁵⁵ “Sprawy Sądowe. Matactwa emigracyjne,” Czas, 19 December 1889, 3.
- ⁵⁶ “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 22 December 1889, 7; “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 21 December 1889, 7; “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 19 December 1889, 7; “J.Z., “Proces przeciw ajentom emigracynym,” Kurjer Lwowski, 21 December 1889, 2.
- ⁵⁷ “Aus dem Gerichtssaale. Ein Monstre-Proceß,” Bukowinaer Rundschau, 17 December 1889, 4.
- ⁵⁸ Memorandum! Nähere Ausführungen, 5.
- ⁵⁹ “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 23 February 1890, 7.
- ⁶⁰ Puskás, Ties that Bind, Ties that Divide, 80.
- ⁶¹ For the history of migration controls in Austria before 1867, see especially Komlosy, “Empowerment and Control”; Komlosy, Grenze und ungleiche regionale Entwicklung; Heindl and Saurer, eds. Grenze und Staat. On mercantilism and emigration policies in Europe in the first half of the nineteenth century, see Aristide Zollberg, “The Exit Revolution,” in Citizenship and those who Leave, 33-60.
- ⁶² Friedrich Hey, Unser Auswanderungswesen und seine Schäden (Vienna: k.k. Hof-Buchdruckerei, 1912), 5.
- ⁶³ *Ibid.*, 7.
- ⁶⁴ For a collection of the Deutsche Volksblatt’s coverage of the trial, see Der Galizische Menschenhandel vor Gericht. For background on the Deutsche Volksblatt and its founder Ernst Vergani, see John Boyer, Political Radicalism in Late Imperial Vienna (Chicago: University of Chicago Press, 1981) 225-26.
- ⁶⁵ On Brody as a center of the emigration trade and of Jewish life, see Börries Kuzmany, “Center and Periphery at the Austrian-Russian Border: The Galician Border Town of Brody in the Long Nineteenth Century,” Austrian History Yearbook 42 (2011), 67-88. On Schönerer, Andrew G. Whiteside, The Socialism of Fools: Georg Ritter von Schönerer and Austrian Pan-Germanism. Berkeley: University of CA, 1975.
- ⁶⁶ Verzeichnis der behördlichen bekannten Agenten der Austro-Americana, 1914 (probably spring), Carton 3326, Sig 6 VZ 18, JM, AS, AVA, OestA.
- ⁶⁷ See case files in Carton 3325, Sig 6 VZ 18, JM, AS, AVA, OestA.
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- ⁷⁰ For examples of anti-Semitic coverage of the Wadowice trial, see especially Der Galizische Menschenhandel vor Gericht; No author, Proces Wadowicki w portretach i scenach (Crakow : Naklad Jurczykiewiczza, 1889); No author, Proces Wadowicki z ilustracyami z natury wziętemi (Cracow: Czas, 1890); “Jüdischer Menschenhandel. Ein trauriges Culturbild aus Halbasien,” Deutsche Volksblatt, 15 June 1889.
- ⁷¹ Der Galizische Menschenhandel, 187-95. For Ogniewski’s closing statement see also “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 18 February 1890, 7; “Aus dem

Gerichtssaale. Wadowice,” Neue Freie Presse, 23 February 1890, 7; “Matactwa emigracyjne,” Czas, 19 February 1890, 2-3; J.Z., “Proces przeciw ajentom emigracynym,” Kurjer Lwowski, 19 February 1890, 2.

⁷² J.Z., “Proces przeciw ajentom emigracynym,” Kurjer Lwowski, 13 March 1890, 5; “Aus dem Gerichtssaale. Wadowice,” Neue Freie Presse, 13 March 1890, p. 6.

⁷³ Dillingham, Emigration Conditions in Europe, 351.

⁷⁴ Stenographisches Protokoll der Sitzungen des Subkommittees des Budgetausschusses für Schifffahrtsangelegenheiten (Vienna: k.k. Hof und Staatsdruckerei, 1913), 21, Carton 3329, Sig 6 VZ 18, JM, AS, AVA, OestA.

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⁷⁶ Hohes k.k. Kriegsministerium in Wien. Abschrift. 17 July 1913, Carton 3325, Sig 6 VZ 18, JM, AS, AVA, OestA. See also Abschrift an Herrn Hofrat Stukart in Wien, Oswiecim, 23 October 1913, Carton 3327, Sig 6 VZ 18, JM, AS, AVA, OestA.

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⁸³ Alexander Löffler, Der Entwurf eines Gesetzes betreffend die Auswanderung. Eine Kritik (Vienna: Manz, 1913), 159.

⁸⁴ Canadian-Pacific Railway and Austrian Emigration, October 20, 1913, Records of the US Department of State, Austria-Hungary and Austria 1910-1924, Reel 56, Austria-Hungary and Austria 1910-1924, Records of the US Department of State.

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⁹⁸ "Aus dem Gerichtssaale. Wadowice," Neue Freie Presse, 25 February 1890, 6; "Aus dem Gerichtssaale. Wadowice," Neue Freie Presse, 7 December 1889, 7.

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¹⁰⁰ For a reflection on the relationship between borders and sovereignty, see Wendy Brown, Walled States, Waning Sovereignty (Cambridge, MA: MIT Press, 2010).

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¹⁰³ On the construction of Italy abroad, see Mark Choate, Emigrant Nation.

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¹⁰⁶ Reczyńska, For Bread and a Better Future, 131; Wydanie paszportów zagranicznych do Ameryki obywatelstom polskim wyznanie mojlesztowego, 19 may 1920; Opis Ministerstwo spraw wewnętrznych, Warsaw, 28 czerwca 1920, W sprawie wydawania paszportów do Ameryki, Sig. 411, Starostwo Grodzkie Krakowie, APKr.

¹⁰⁷ Zákon ze dne 15. února 1922 o vytěhovalectví, č. 71, Sbírka zákonů a nařízení státu československého, rok 1922, p. 219.

¹⁰⁸ Ján Žilka, ed. Zákon ze dne 29 března 1928 o cestovních pasech, č. 55, ročník 1928, Sbírka zákonů a nařízení států československého, p. 277-278. See also Vystěhovalcká příručka pre úřady sociálních pracovníkov a vystěhovalcov (Prague: Český ústav zahraničný, 1929), 32.

¹⁰⁹ Memoire relatif à la suppression du passeport; Le Chef de Mission à Monsieur le Chef du Service, 19 avril 1930, 7F/2749, Archives nationales (AN), Paris.

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¹¹² Jan Rychlik, Cestování do ciziny v habsburské monarchii a v Československu (Prague: ústav pro soudobé dějiny, 2007), 26-36.

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¹¹⁴ Paul-André Rosental, "Protéger et expulser les étrangers en Europe du XIXe siècle à nos jours," Annales. Histoire, Sciences Sociales 66 (avril-juin 2011), 357-58.

¹¹⁵ Ivo Sasek, Les migrations de la Population intéressant le territoire de la tchécoslovaquie actuelle (Geneva : Naville & cie, 1935), 142-143. Linking emigration reform to land reform, see Odověď předsedy ministerské rady na interpelaci poslance Josefa Vrabce, 21 ledna 1921, Carton 244, MV-SR, NA.

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