

Architecture and Crime: Adolf Loos and the Culture of the "Case"

Frederic J. Schwartz

To cite this article: Frederic J. Schwartz (2012) Architecture and Crime: Adolf Loos and the Culture of the "Case", The Art Bulletin, 94:3, 437-457, DOI: [10.1080/00043079.2012.10786051](https://doi.org/10.1080/00043079.2012.10786051)

To link to this article: <http://dx.doi.org/10.1080/00043079.2012.10786051>



Published online: 30 Jan 2014.



Submit your article to this journal [↗](#)



Article views: 109



View related articles [↗](#)

Architecture and Crime: Adolf Loos and the Culture of the “Case”

Frederic J. Schwartz

This is the “current” of public opinion that breaks through all barriers, but can also be driven on by important newspapers, even a single one. . . . Often this current is already present, and when the press tests the weather it can decide, like Aeolus, to let out of the bag the wind that stirs up the calm waters. It could be an ethical, a political or an aesthetic wind, but the press must howl. . . . More often, though, it happens that, excited by a particular event, a “scandal” or some “case,” the great wind of public opinion rises without the news organs being involved beyond passing on the news.—Ferdinand Tönnies, *Kritik der öffentlichen Meinung*, 1922¹

The world is all that is the case.—Ludwig Wittgenstein, *Tractatus Logico-Philosophicus*, 1921²

To raise the issue of crime in the context of the Viennese architect Adolf Loos puts us in seemingly familiar territory. His polemic “Ornament and Crime” of 1909–10 is, of course, a founding text of architectural modernism.³ Here, in an attack on recent developments in Viennese Secessionism, the Wiener Werkstätte, and the Jugendstil, Loos unforgettably equates architectural ornament with tattoos, and tattoos with degeneration and crime. “There are prisons,” Loos writes, “where eighty percent of the inmates bear tattoos. Those who are tattooed but are not imprisoned are latent criminals or degenerate aristocrats. If a tattooed person dies at liberty, it is only that he died a few years before he committed a murder.”⁴ Scholars have sought to make sense of this very strange essay by tracing the intellectual sources of Loos’s mixture of criminology and the discourse of decadence, his treatment of the primitive, and his echoes of Gottfried Semper, Alois Riegl, and Sigmund Freud.⁵ Yet there are other, more direct and literal ways of thinking about Loos and crime: the architect was himself involved in two widely reported criminal cases, in 1905 and 1928. These incidents are more than mere footnotes to a colorful career, and an examination of Loos’s experiences with these trials and the press reports about them suggests that we should look beyond the issue of crime itself and focus instead on what I will call the culture of the “case.”

The “case” will be defined here as a set of practices that involve the convergence of scientific inquiry, legal process, and the public sphere—a confluence that seems to have been particularly important in the late nineteenth and early twentieth centuries as providing a way for the public production of knowledge at a time when the classic public sphere was not serving this function (if, indeed, it ever did so).⁶ The case was a flexible form in which the individual, the private, was exposed: to scientific inquiry, to the public eye, to the power of the state. It was also a form in which these kinds of power could themselves be brought to light, discussed, and called to account. A close look at scandals and court proceedings can reveal how practices of the case cut through a variety of

different media, how forms of knowledge intersected, how matters of public concern at a specific moment of modernity were negotiated.⁷

Loos, Karl Kraus, and the Case of Theodor Beer

Let us start in 1905, when a question haunted Vienna. Do children speak the truth? Do they know the truth? Is children’s knowledge true, and in what way? We know some of these children’s names: Dora, Anna O, Irma. But even the names are fictions, masks or names behind which, occasionally, several patients are condensed. Freud changed his mind between the “Aetiology of Hysteria” in 1896⁸ and the *Three Essays on the Theory of Sexuality* in 1905.⁹ His negative answer—that reports of childhood sexual experiences were largely fantasy and not the memory of actual events—opened up an enormous and rich theoretical terrain for a different kind of truth, though it raises serious questions, since we know of the high incidence of child abuse at the time.¹⁰ In 1905, the stakes of such cases in which the truth of children was questioned were epistemological and therapeutic, but also artistic, practical, and public, matters of the law, the press, the courts, and the police. We need to work out from this question and this moment, giving all these incommensurate orders of enunciation—from philosophy to gossip, from slander to science, from the poetic to the “obscene”—equal weight. These are the elements that coalesced into a sort of cultural form and a set of practices for the production of knowledge in the mixture of private and public that characterized much of the culture of fin de siècle Vienna. These practices converged on specific events, with the problems or questions disposed about a dizzying set of axes distinguishing true from false, normal from pathological, public from private. The goal here will be to try to cut across different discourses, media, and styles to identify a set of practices of publicity through which work of various kinds could be done. In that sense, the argument is more about the “case” than about Loos himself, and making it will involve putting the architect into contexts very different from those through which he is usually understood. Nonetheless, the case as form is particularly revealing about the work of Adolf Loos, and it helps shed light on his polemical recourse to matters of criminality while also raising intriguing questions about the way one of his most important theoretical statements was conceived and one of his most important buildings was designed.

It is 1905: Loos had been hard at work for over a year on his first major commission, the rebuilding of the Villa Karma on the banks of Lake Geneva. His patron was one Theodor Beer, a wealthy physician, naturalist, writer, amateur photographer, and man-about-town (Fig. 1).¹¹ But soon the plans needed to be simplified, the materials made more modest, and then work ground to a halt.¹² Beer was on the run, traveling through England to the United States for a year before



1 Theodor Beer, possibly a self-portrait, photograph, ca. 1900. Wiener Stadt- und Landesarchiv, Landesgericht für Strafsachen, A11: Vr 4586/1905 (artwork in the public domain; photograph provided by WStLA)

returning to face arrest and trial.¹³ He had been accused of showing two boys obscene photographs, taking indecent photographs of them, enlightening them about sexual matters, and molesting them. The case was a media event, a breathlessly reported scandal involving a prominent figure of the time. The trial, held on October 25 and 26, 1905—he was

convicted, on scanty evidence, and immediately lodged an appeal—was accompanied in the major newspapers by reports and even, in the *Neue Freie Presse*, stenographic transcripts of the proceedings; images of the convicted professor abounded in the press. Drawings from the newspaper *Illustrierte Kronen-Zeitung* and the satirical weekly *Der Floh* show how the physiognomy of Beer, a Jew, was adapted to current anti-Semitic stereotype, with his nose made hooked and prominent, his brow heavy and low, his lips thick and full (Figs. 2, 3). Even the arrest warrant (which implies, misleadingly, that Beer had already been convicted of criminal charges instead of being merely charged on suspicion) has a description that puts in bold type his putatively “long, prominent nose” (Fig. 4).

The Beer trial is known today because of the extraordinary coverage of Karl Kraus, the Viennese journalist and antijournalist, the publisher and usually sole author of the journal *Die Fackel* (The Torch), and close friend of Loos.¹⁴ Indeed, Kraus’s work can be taken as paradigmatic for the culture of the case. The case was the unit he worked in, and usually it was the legal one. The forensic mode of inquiry and style of thought were central to Kraus. *Die Fackel* can be considered a guide to the scandals and controversies in Vienna and Europe at the time. Kraus’s material was precisely the reports that reached the public, the texts of the press. His working method consisted of the citation, juxtaposition, and commentary of publicly available discourse as a way of uncovering hypocrisy and cleaning up the arena of information and debate in a country whose publicity was filtered through a small number of newspapers working in close collusion with the powers of government.¹⁵ And one of his main focuses was the courtroom. He devoted extensive articles, and often entire issues, to criminal trials and civil litigation, the strategies of argumentation, and the press’s involvement with them. As indicated by the title under which many of these reports were collected and republished—*Sittlichkeit und Kriminalität* (Morality and Criminality)—he tried to pinpoint the difference between matters of the conscience and those of the police.¹⁶ His project was a study of the distinction between public morals and legal statute, between public and private under conditions of a decaying, pathological public sphere, one in which the interests of the state were shot through with private interests and the organs of the press vested in the hands of private capital with a stake in government actions.¹⁷ *Die Fackel*



2 “Professor Beer Plates: Professor Perverse: ‘Make a friendly face, please!’” *Der Floh*, October 29, 1905 (artwork in the public domain; photograph provided by the Österreichische Nationalbibliothek)



Der Held eines Skandalprozesses: Der verurteilte Professor Dr. Theodor Beer. Nach einer Amateuraufnahme.

Der Held eines Skandal-Prozesses. (Mit Portrait.)

3 Drawing of Theodor Beer, *Wiener Bilder*, November 1, 1905 (artwork in the public domain; photograph provided by the Österreichische Nationalbibliothek)

served to police the press, to make sure that this public forum worked transparently and was held to account. Thus, in the case of Theodor Beer, we read of the unreliability of the newspaper reports, of the press's hypocritical fascination with certain scandals and their attempts to avert public attention from others, their enthusiasm to take on the role of prosecutor, and their blind eye to the excesses of the police.

The Beer trial takes pride of place in *Sittlichkeit und Kriminalität*. It is in the context of this case that Kraus developed his dictum about the prosecution of prostitution and other so-called moral crimes: "A prosecution for moral crimes is the deliberate development of a private indecency into a public one, a murky background against which the demonstrable guilt of the accused stands out in shining relief."¹⁸ Evidently, Kraus's journal also served to police the machinery of state justice, in particular, the conveniently gray area between the police and the courts.¹⁹ Readers learned of

Steckbrief.

Dr. Theodor Beer, Professor der Physiologie an der Wiener Universität, im Jahre 1866 in Wien geboren, mosaisch, verheiratet, österreichischer Staatsangehöriger, wird vom k. k. Landesgerichte in Straßachen Wien unter Aktenzeichen Vr XLIV/1121/4 wegen Verbrechens der Schändung und der versuchten Verleitung zum Verbrechen der Unzucht wider die Natur steckbrieflich verfolgt.

Derselbe wurde von hier flüchtig und hielt sich zuletzt in La Tour de Peilz, Kanton Waadt in der Schweiz auf, von wo er in den letzten Tagen in unbekannter Richtung verreiste.

Er ist kleiner Statur, hat längliches Gesicht, längliche, starke Nase, schwarze Haare und war zuletzt bartlos.

Es wird ersucht, nach dem Genannten auf dortigem Plage die eingehendsten Recherchen zu pflegen, denselben im Betretungsfalle zu verhaften und dessen etwaige Ausforschung telegraphisch anher bekannt zu geben.

Im Falle der Verhaftung wird die Auslieferung im diplomatischen Wege begehrt werden.

In seiner Begleitung dürfte sich seine Gattin Laura, geborene Eißler, 22 Jahre alt, befinden. Es ist nicht ausgeschlossen, daß er sich dieses Namens bedient.

K. k. Polizei-Direktion Wien.

4 Arrest warrant for Theodor Beer, March 8, 1904. Wiener Stadt- und Landesarchiv, Landesgericht für Strafsachen, A11: Vr 4586/1905 (photograph provided by WStLA)

the relentless pursuit of evidence against Beer, of his conviction, the death of his ailing father during the trial, and the suicide of his wife immediately afterward, as an appeal—later denied—was pending. The complex distinction between public and private in this stage of modernity, in all its legal and political implications, formed the fulcrum of Kraus's work, as well as an important component of Loos's architectural theory.²⁰ Like Kraus, Loos insisted on a radical and complete separation between inside and outside as a way of preserving the space for subjectivity in an alienated, urban modernity: the outside of a home should be mute and civil, divulging nothing of the occupant; the inside could be whatever the occupant wants and needs—but as the haven of a unique soul and body, it should be resolutely private. "We should build in a way . . . that shuts the house off from the outside world," wrote Loos in 1912. "The house should be discreet on the outside; its entire richness should be disclosed on the inside."²¹ Let us consider, though, not Loos's purely architectural concerns but instead his involvement in the affair, one that reveals the complexities of the public production of knowledge through the press and institutions of state power and administration; it is an extraordinary tale, and Loos clearly learned some lessons from it.

First, Loos testified at the trial,²² called as a character witness by the defense on the basis of his familiarity with the family (Fig. 5).²³ Loos and his then wife Lina had essentially formed part of the Beer household during a time when their marriage was disintegrating (it was in the unfinished Villa Karma that Lina Loos heard of the suicide of her lover, Heinz

Angeschuldigter: *Theodor Beer* Gefängniszahl: *W II 4586/1*

Strasfahat: *§ 128, 9, 129 St. G.*

Liste

der Zeugen und Sachverständigen

zu der am *25/10 1905* Uhr *4 M.* beginnenden Hauptverhandlung vor dem k. k. *Landesgericht für Strafsachen* über die Anklage der k. k. Staatsanwaltschaft (als Anklägers) *Gerichte in Wien*

Ordnung	Name	Beschäftigung	Wohnort	Unterschrift des Empfangenden und Tag der Stellung	Anmerkung
1	<i>Adolf Loos</i>	<i>Architekt</i>	<i>Wien</i>	<i>Loos</i>	<i>25/10 05</i>
2	<i>Emilie Komrogal I.</i>	<i>Wäscherin</i>	<i>Wien</i>	<i>Komrogal</i>	
	<i>Wilhelm</i>	<i>Wäscherin</i>	<i>Wien</i>	<i>Loos</i>	

5 Entry for Adolf Loos on the court's list of witnesses and experts testifying on October 25, 1905. Wiener Stadt- und Landesarchiv, Landesgericht für Strafsachen, A11: Vr 4586 /1905 (photograph provided by WStLA)

Lang²⁴), and Loos's extensive correspondence with Beer, his wife, and their friends discussed the prosecution of the case at great length.²⁵ (A theme that comes through is a shared sense of standing above the moral judgments of the bourgeois press, state, and public, coupled with the denial of any wrongdoing on Beer's side.)²⁶ In the event, Loos was questioned most closely as an expert on artistic matters, on the nature of the distinction between the poetic and the pornographic. He put Beer's own, often erotic, photography firmly in the area of the poetic, and he denied that his friend had any truck with photographs of completely naked bodies.²⁷ Indeed, the court archive's extensive file on the Beer case includes only three photographs, none of which, it seems, was presented in court. One of them recalls a photograph mentioned in the proceedings: young Oscar Freund's mother spoke of a picture of her son with an unclothed upper body (Fig. 6).²⁸ This photograph was the best that the prosecution could muster against Beer.

In his involvement with the case of Theodor Beer, Loos himself crossed the line of the law. He tampered with evidence and, it seems, perjured himself. Beer owned a large collection of more obviously pornographic pictures of young children; whether he took them himself or not is not known. Late in life, Elsie Altmann-Loos, the architect's second wife, recalled that Loos had removed these photographs from Beer's rooms in his parents' Vienna home after Beer's arrest.²⁹ Her account of many matters is notoriously inaccurate,³⁰ but an undated letter from an unidentified correspondent signed "A.B." in the Villa Karma file of the Adolf Loos Archive in the Albertina perhaps confirms this.

Honored Herr Loos,
Tomorrow (Wednesday) morning I will wait for you in a closed carriage in front of Wiedener Hauptstrasse 20 between quarter- and half-past nine. We need to carry out

the agreed action as quickly as possible. I am counting on your help.³¹

Loos would probably have waited in a coffeehouse—the Café Paulanerhof, then at that address at the corner of Wiedner Hauptstrasse and Schleifmühlgasse.³²

Back to the picture: a boy on the cusp of manhood, eyes closed in reverie, seen in profile with arm raised, mimicking an ancient relief. It is an extraordinarily complex image. Whether such pictures were indecent or poetic, whether pornography or art, was one matter debated in court and in the press. As a work of art, the photograph is chaste. The boy's upper body is bare, but to assume the model's nakedness beneath this exceeds the image. Such an extrapolation can happen only in the mind of the viewer and is thus not part of the work; the cropping establishes that with certainty. As the trace of the encounter involved in its production, however, the photograph testifies to the presence of a half-naked boy posed by an older man in a real space. We are shown an antique ideal, but also a real person between childhood and adulthood. From this perspective, the cropping, instead of determining chasteness, leaves this precisely open to question. The photograph hovers between an abstracted space without referents and the real studio, where the raised left hand rests on the edge of a curtain. Given the different directions in which the single image pointed, it could have been used by prosecution or defense. And so the picture, the most compelling the case produced, the only one mentioned in the trial, the only trace left of the encounters in question, was not used as evidence. In a case that centered on images, it proved useless in court. It demonstrates how the relation between images and the case is so often shifting and unclear: as evidence, photographs needed to be interpreted and turned into discourse. If photographs could be used to document the scene of a crime, we see here their paradoxical tendency to dissolve as the *site* of a crime.³³

Finally, the photograph points to but could not resolve another legal distinction drawn controversially in court: whether Beer was to be judged against section 128 of the Austrian penal code—for sexual abuse of children—or section 129—for homosexual acts.³⁴ Kraus made much of the fact that homosexuality per se was not a crime in Germany, but it was in Austria-Hungary. Charged with both crimes, Beer was convicted of the latter, homosexuality. In his letters to Loos when he was a refugee from justice, Beer denies being or having ever been a "sexual invert," but also argues against the legal persecution of homosexuality. (Beer, a physician, also offered Loos bibliographic advice on the topic, recommending in particular a work that had recently been published by Benedict Friedlaender.)³⁵ It is interesting to see how in the courtroom, the set of laws became elastic: instead of the truth of guilty or innocent, statutes could be tried on for size for a verdict that may have been ready-made according to extralegal measures. On the one hand, the criminal charges exposed to debate the issue of what constitutes a crime; on the other, they allowed room for maneuver in a case in which it was a style of life rather than an event that was really on public trial.

An interview with Sigmund Freud on the Beer case appeared in Hermann Bahr's weekly *Die Zeit* immediately after



6 Photograph made from a negative in the court files of the Beer case, presumably Theodor Beer's photograph of Oscar Freund. Wiener Stadt- und Landesarchiv, Landesgericht für Strafsachen, A11: Vr 4586/1905 (artwork in the public domain; photograph provided by WStLA)

the conviction. Freud said in no uncertain terms that "homosexual persons are not suffering from an illness, and they do not belong before the courts."³⁶ With Loos's testimony, art confronts the law and inflects its application; here we see the outlines of a similar encounter of science and the law. In both cases, crucial distinctions for legal judgment were drawn—or redrawn—in public by experts. Freud's statement is interesting in showing the kind of authority he had. It derived not from his psychoanalytic theories but from his position as a prominent professor of psychiatry, for psychiatry achieved its professional and academic status to a significant extent as a result of its necessary forensic role—in particular, determining whether defendants could be held accountable for their actions. (Freud was in fact atypical at the time for basing his scholarship not on work in the asylums, university clinics, and courts but instead on results gained in private practice.)³⁷ Psychiatry itself was a product of the culture of the case, a form of professional knowledge that arose in the public area between the asylum or clinic, the courts, and, as issues about criminal accountability and involuntary commitment to mental institutions became controversial, the press.³⁸ Especially in cases of "moral crimes," of unreliable witnesses, of deeds emerging from the darker regions of the mind, professional expertise was the epistemological prerequisite of legal judgment, for determining the truth of guilt. Psychiatrists were

regularly called in (though their contributions were, ultimately, judged by *legal* experts).³⁹ Interestingly, though, the opening of the legal system to the lay public by means of the jury was precluded in such cases; their subtlety required the unemotional and clearheaded legal expertise of professional judges.⁴⁰ Unfortunately for Beer, his proceedings were conducted by Johann Feigl, who readers of Kraus will know was infamous for losing his temper during a trial and sentencing a purse snatcher to life imprisonment with hard labor.⁴¹ And in accordance with the reciprocal logic of the case, the workings of psychiatry were exposed precisely through its new and public forensic role. An early and widespread form of antipsychiatry emerged out of the reports of medical assistance in stripping the (questionably) mentally unstable of their legal rights, a controversial practice of prominent figures such as Richard von Krafft-Ebing and Freud himself, one discussed at length in *Sittlichkeit und Kriminalität*.⁴²

Poetic or perverse, erotic liberty or abuse: we also find issues of the true versus the false statement in the testimony of witnesses at the center of the Beer case. The case turned on the testimony of young Oscar Freund, whom his mother described as a "fanatic of the truth."⁴³ But the alleged crimes had taken place three full years before the trial; they were reported by Freund and his friend Gustav Steger more than

a year later; prosecution was pressed by the parents, Heinrich Steger and Arthur Freund, whom Kraus criticized for dragging their children through the quagmire of testimony and making their putative erotic education a very public affair. Initially vague, the claims of young Oscar grew more precise, elaborate, and certain over the years. Thus, the question of the testimony of children in matters of sexual offenses was a specific concern not only of Freud in the years leading to 1905 but of psychiatry in general in its function of servant to the court, as part of the machinery of the medico-forensic case.

An expert was called: an affidavit was requested by the defense from the prominent psychologist William Stern. Stern reviewed the testimony and came to the conclusion that Oscar Freund's accounts were inconsistent and unreliable, and that the young man in various ways "deviates from the norm."⁴⁴ The court's file on the Beer case, with a collection of carefully marked articles on these topics,⁴⁵ confirms that the investigating judges took this issue seriously as well. The prosecution, however, quoted from a manual on legal investigation by the prominent criminologist Hans Gross (father of the renegade psychoanalyst Otto Gross), which claimed that young men are perhaps the most observant of witnesses (though Gross had long since abandoned this position).⁴⁶ Both young witnesses contradicted themselves and also failed to notice any irregularity in Beer's physique, though the latter presented to the court medical affidavits showing that he had recently had a large genital mole removed, one that would have been evident to the child to whom he had allegedly exposed himself.⁴⁷ They also made no mention of the fact that Beer usually had his pubic hair shaved, as the pretrial investigation revealed (this information was used not against the witnesses but instead to establish the defendant's alleged homosexuality).⁴⁸ For the defense, the testimony was simply inadmissible, while the prosecution took it at face value. Neither the experts nor the court seemed able to acknowledge, let alone cope with, the expansive gray area between fact and fantasy in the psychic life of children to which Freud had drawn attention in these very years. The question of the truth of children could not be posed productively from the forensic realm, though it often originated there.

The final axis around which the case turns is that which separates public from private. Here, too, Loos was an active participant. For one, he apparently orchestrated one of the more comic elements of the case, helping Beer's wife, Laura, attack Heinrich Steger, the main force behind the prosecution of Beer, on the street with a riding crop.⁴⁹ Loos's role, it turns out, may well have been more involved and important than that. There are letters in the Loos Archive begging the architect to help galvanize public support for Beer, whereas a transcript of a letter from Laura Beer to her lawyer shows that the latter had urged restraint and persuaded them to keep the matter out of the public eye:

I am furious that . . . public opinion, the public in general has not learned about the trivial basis on which he was arrested and sentenced. . . . You have managed to keep my husband's prominent intellectual friends such as [Max] Burckhardt, or [Hermann] Bahr or [Josef] Popper or

Kraus away from the proceedings. I won't hesitate to state my position—which, by the way, has long been shared by our closest friends—in public, if necessary with an act of violence. . . . *Our voice must be heard.*⁵⁰

And so Beer's friends changed tactics. Laura Beer's letter outlines a strategy for publicizing their side of the case. The copy of the letter itself formed part of the strategy: it was sent by Theodor Beer to Loos. In his hand is written on the envelope to Loos: "Private. Not for publication. Please return . . . Th.B."⁵¹

Two conclusions can be drawn: first, that Loos, recipient of this transcript with an outline of a publicity campaign, was perhaps the one to involve Kraus, who weighed in heavily only after the conviction. Kraus himself put his reputation on the line with the assurance that he had had no direct contact with Beer, and Loos's involvement would indicate how he might have become so well informed.⁵² Second, that if this letter was not, then others *were* meant for publication. Whatever its uses, the press was not transparent but involved work of this kind, the work of disclosure. Paradoxically, the publication of private letters was often one of the means of policing the public realm. Freud suffered from this in the very same years, 1905–6, when some of his private letters to Wilhelm Fliess were published, implicating him in a public scandal involving plagiarism and the priority of Fliess's theories about bisexuality. Freud had apparently shared Fliess's ideas with Otto Weininger, who published them first in *Geschlecht und Charakter* in 1903.⁵³

Kraus's strategy—so complex in its literary tools, its typographical virtuosity, and its legal reasoning—was essentially to make public matters of general importance that hid behind the rigid facades of official pronouncements, events, and the occasionally murky workings of the press, which pursued its own political and occasionally literary agendas. In this, he famously used the tools of satire and caricature, but also simply the transcripts of private letters, documents, and public court proceedings. He named and shamed.

The "father of the first boy" and the "father of the second boy," the "father of the boy who just testified," the "father of the boy who testified first." . . . The genteel press simply named the man who photographed the children naked, but not the names of those friends of children who exposed them naked to the public. Their names are Steger and Freund.⁵⁴

He published letters verbatim, in particular the letter from young Oscar's former teacher Professor Duchinsky, who, horrified that a man had been convicted on the word of a student he had found to be unreliable, unbalanced, and a compulsive liar, wrote a long letter to the judge.⁵⁵ Somehow, Kraus gained access to documents that exist, as far as I know, only in the secret court files.⁵⁶ He also published grounds for the claim that Steger and Freund were pursuing a private vendetta: rumor had it that both were insulted because they had expected their daughters to be married to Beer, who had courted them. Indeed, the earliest document contained in the court file is the letter from Frau Steger to Beer's mother demanding an explanation for the sudden marriage to Laura

Beer. Kraus knew everything, all the sordid details on both sides, not just what reached the public from the press. And he allowed his public see what otherwise lay hidden.

There are two sides to Kraus's work in this respect. First, in response to the official press, he established a smaller counterpress, one known to cognoscenti, that responded to scandal. It dealt with innuendo, rumor, and textual traces of private enunciation, but with the purpose of laying bare the workings of an often opaque and corrupt system. The press was, in any case, itself laying bare intimate secrets. Though the trial was conducted behind closed doors, "with the strictest exclusion of the public," the proceedings were published verbatim, with only slight protection for the protagonists' identities. Thus, Kraus's caustic comment about a trial conducted "with the strictest exclusion of secrecy."⁵⁷ Yet there is a deep ambivalence here. Though using scandal as a foil to allow injustice or untruth to emerge in relief, Kraus used the same tools as his opponents: the selective disclosure of private information. He does so here so that the invasion into the private life of Beer is not allowed to send him to jail for a crime that perhaps should not be a crime, or a crime it seemed hard to establish had even been committed. But in the process, in addition to policing the news, he mimicked its worst practices. He exposed and ridiculed the same children he claimed needed protection. He fought fire with fire, mud with mud. And in doing so, he set himself up as prosecution, defense, or judge tactically, as he saw fit, and often simultaneously. There is no doubt that he often acted in the spirit of public enlightenment, and that many of his enemies were corrupt. Nonetheless, while his distinction between public and private, between morals and the criminal code, is clear and compelling, a matter of the fundamental rights of citizens in a democracy, it does not take into account the distinctions that cross this axis, those that say that matters that concern the *state* do not necessarily concern the *public*, or that private matters and interests might legitimately be of interest to other citizens. These permutations complicate the early Kraus's legal positivism in ways that he smoothed over with his extraordinary prose.⁵⁸ Though Kraus positioned himself as one speaking from the moral high ground, it is in this murky and ambivalent area of the case that he worked.

The development of Kraus's project after the war reveals much about these complexities and about the use of the public aspects of the legal system and its interface with the press. After the war, Kraus increasingly became what could be called an *activist* of the case in a way that clashed with his earlier legal positivism that sought to separate moral right from legal code, that insisted on minimal judicial discretion in pursuit of justice. He began to use the intersection of the courts and the press not defensively but offensively; as a legal activist, not a positivist. By the 1920s, the courtroom was one of the main sites of his work. Instead of simply covering cases, he used them to generate the text of *Die Fackel*, in which he published the results, and even the full transcripts, of the cases he *instigated*.⁵⁹ Not unusually, he responded to every misrepresentation of his own position or person by legal means. More ambitiously, however, he made a habit of issuing insulting or potentially libelous statements with the intention of provoking prosecution or litigation from those he had insulted. He chose the sites of his insults carefully, ac-

cording to the precise laws that obtained. The technique was to force the discussion of the actions of prominent people into the public—problematically public—zone of the courts and their coverage in the press. He did not just intervene in scandals; he created them. In 1927 he traveled especially to Berlin to call one of his favorite targets, the theater critic Alfred Kerr, "the biggest crook in the country," forcing Kerr to defend various aspects of his behavior over two decades before the courts and the public.⁶⁰ In Germany, Kraus could not be accused of slander or defamation if he could prove a factual basis for his acts.⁶¹ It is in the context of the more than two hundred cases he provoked that Walter Benjamin wrote of the "demonic" aspect of Kraus:

Nothing is understood about this man until it has been perceived that . . . everything—language and fact—falls for him within the sphere of justice. All his fire-eating . . . philology in the newspapers pursues justice just as much as language. It is to misunderstand his theory of language to see it as other than a contribution to the linguistic rules of court [and] the word of someone else in his mouth as other than a *corpus delicti*.⁶²

And Bertolt Brecht characterized Kraus's strategy as "the construction of a space in which everything becomes a procedure in court [*Gerichtsvorgang*]."⁶³

Kraus may still have been on the side of justice, but the developments in his practice are indicative of changes within the public sphere of the time. We see the disappearance of some of the conditions in which the courts and the press could be brought together in ways, tactically and, indeed, messily, that allowed for the public production of knowledge under conditions of a less than successful public sphere in the classic sense. We can see this precisely in the further experiences of Adolf Loos with the strategies of the case. Compared with Kraus, Loos was a dilettante, and he was certainly less successful, but these episodes are revealing about the architectural possibilities of the cultural constellation that has been described here. They clarify the cultural conditions under which architectural work could become a public concern, and they perhaps even cast light on Loos's built work.

Ornament and Crime, Papuans and Chinamen

Consider again the lecture "Ornament and Crime." It was a carefully staged event.⁶⁴ As a statement about architecture, however, its importance has perhaps been overstated. As Burkhardt Rukschcio has argued, it appeared more than ten years after Loos had begun to espouse his views on ornament publicly.⁶⁵ While the position developed in the lecture can be plotted and the sources identified with precision, recent commentators have admitted that there is really no logical and coherent argument in "Ornament and Crime." To explain its oddness as the result of its form of "satire" and "polemic" misses the point that it makes more sense as practice, a publicistic strategy that tries to achieve a public profile under the conditions of the culture of the case.⁶⁶ What Loos had done was to draw the weft of a discussion of architecture through the warp of elements that readers would know from the boulevard press: crime, passion, and psychology.

Ein Exemplar 4 Heller. **Illustrierte** Monatlich 1 Kronen mit Zustellung ins Haus.
X. Jahrgang Nr. 3407.

Kronen-Zeitung

Administration: IX/1, Pratergasse 28, Tel. 12724.
Verlagspreis: 1. Semester 12 Kronen, 2. Semester 24 Kronen.
Wien, Freitag, den 25. Juni 1909.
Redaktion: Wien, IX/1, Pratergasse 28.
Tel.-Nr. 24. 12006. Tele.-Nr. 14550. Manuskripte werden nicht zurückgeschickt.
Monats-Abonnement: für die Provinz mit Beilage 1 Kronen 60 Heller.



Kirchentücher vor Gericht.

7 *The Secrets of Chinatown*, cover of the *Illustrierte Kronen-Zeitung*, June 25, 1909 (artwork in the public domain; photograph provided by the Österreichische Nationalbibliothek)

The urge to ornament one's face, and everything within one's reach is the origin of fine art. It is the babble of painting. All art is erotic. The first ornament that came into being, the cross, had an erotic origin. . . . A horizontal line: the reclining woman. A vertical line: the man who penetrates her. The man who created it felt the same urge as Beethoven, he experienced the same joy that Beethoven felt when he created the Ninth Symphony. . . . But the man of our time who daubs the walls with erotic symbols to satisfy an inner urge is a criminal or a degenerate.⁶⁷

Loos makes architecture a matter of sex and crime.

Look at a front cover of the popular *Kronen-Zeitung* from June 1909 (Fig. 7). It contains the same elements used as a sensationalist strategy: the story of the murder of a young woman in New York's Chinatown similarly mixes sex, decadence, the primitive, and crime. The murder of the nineteen-year-old Elsie Siegel by a Chinese immigrant was one of the

major sensations of the year, something that remained in the public eye during the months before Loos first gave his lecture, on November 11, 1909. The badly decomposed body of Siegel, the granddaughter of an Austrian army officer who became a hero of the Union Army during the American Civil War, was found in a trunk, strangled, on June 17, 1909.⁶⁸ The apartment where she was found belonged to the presumed murderer, Leon Ling, who worked as a waiter in a Chinese restaurant. He had met the young Elsie during her work as a missionary, endeavoring to convert immigrants to Christianity, and became her lover. The motive was presumably jealousy, and the culprit never caught. In the lower left-hand corner, the illustration shows the murder scene as imagined by the artist; the rest of the image portrays an opium den, with one politely dressed Western woman lounging languidly, another in an intimate pose with a Chinese man, seemingly cutting his pigtail. It was a story of seduction, of the allure of

8 "The New Technical Museum for Industry and Trade," the *Illustrirtes Wiener Extrablatt*, June 26, 1909 (photograph provided by the Österreichische Nationalbibliothek)

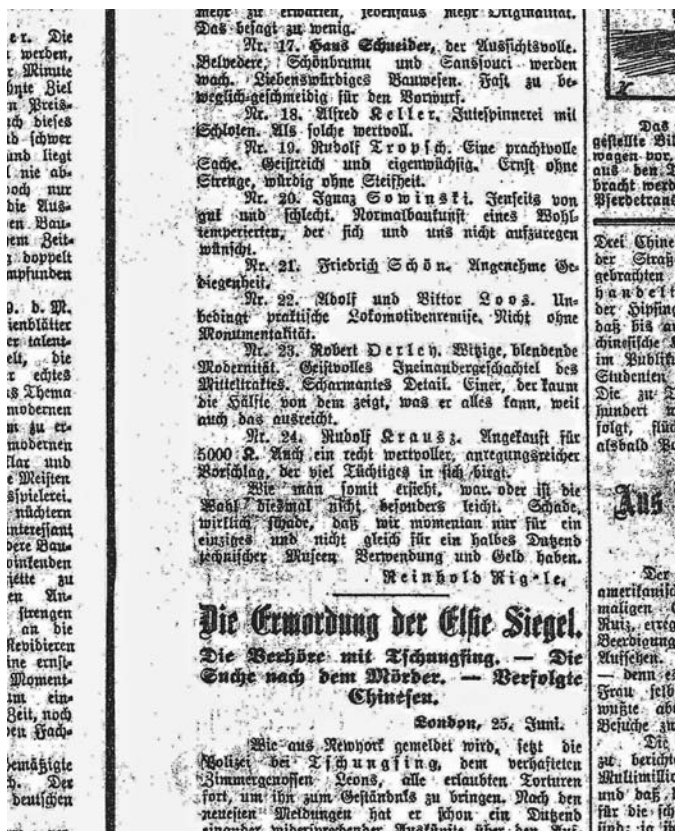
the exotic and the primitive, of the presence of immigrant criminal subcultures in the modern Western city. Did the murderer have a tattoo? The reports do not say. Ling was, in any case, what would have been called "degenerate," being known as a smooth-skinned cross-dresser who in fact escaped detection by wearing women's clothes.⁶⁹ The tattoo, however, is what held Loos's conceit together, allowing him to link architecture with degeneracy, sex, and crime, and to make the conflation of the higher discourse of culture with the lower practices of the boulevard press, which were hardly worse than those of the "serious" press.

Loos's "Ornament and Crime" cannot be read, in other words, simply as architectural theory; to read it so is to flatten out important aspects of its nature as a cultural intervention, one that raises interesting issues concerning how discussions about architecture were held at the time. For to juxtapose the discourse of architecture with lurid accounts of degeneracy and crime made a certain sense in the context of the Viennese cultural field, and it was not exactly novel. Debates over architecture took place across the same plane, indeed, the same page, as reports about crime in the press at the time. One example, almost certainly known to Loos, makes this

point clearly. In the *Illustrirtes Wiener Extrablatt* of June 26, 1909, we see an article on the recent competition for the design of the new Technical Museum to be erected near the Schönbrunn Palace (Fig. 8). According to the article, the decision had not yet been announced, but it seemed that the design by Hans Schneider had been chosen. Loos had entered the competition with a project designed together with his cousin, Victor Loos; their entry (number 22) is described by the author of the article as the least practical locomotive shed. Not without monumentality.⁷⁰ An inch or two below the mention of Loos's entry, the paper's latest report on the Chinatown murder appears (Fig. 9). Architecture and murder on the same page: in a way, to discuss architecture in public, Loos had to compete with crime, and he apparently chose to meet it on its own ground.

The Chinatown murder would have captured Loos's attention; he used its tropes, perhaps, to bring attention to his architectural ideas. But beyond a perfectly sensible, if crude, publicistic strategy, there are indications that the case provided both a set of terms and rhetorical moves by which to do so as well. Let us look again to Karl Kraus. Kraus devoted one of his greatest tirades to the case; he called it "The Great Wall





9 Detail of Fig. 8 (photograph provided by the Österreichische Nationalbibliothek)

of China” and used it as the lead essay in another of his collections (for which Loos designed the dust jacket).⁷¹ This is one of the texts Kraus featured in his public readings; it was also published in a 1914 edition with eight lithographs by Kraus’s and Loos’s friend Oskar Kokoschka.⁷²

For Kraus, what gave the crime its frisson, its place on the front page, was not only the fact that Elsie Siegel was the granddaughter of a prominent Austrian emigrant. The scandal was that the economy of lust and violence, the power of erotic transgression, had an untoward, disconcerting element. A sex crime committed by the Chinese waiter would have fit into all the patterns, but this case challenged fundamental assumptions of civilization versus degeneration, Christian chastity versus pagan license. For besides the trunk with its decaying corpse in Ling’s apartment, police found thirty-five letters from Elsie. They were love letters. This was the cause of the outrage, the confusion, the ambivalent and uncomfortable fascination: the vision of a mix of races, of the primitive awakening of a fatal excess of desire in the white woman. For some, this made Ling a demon, preying on the innocent European. For others, it became a cautionary tale of what happens when a woman of proper society forgets her place, her culture, her religion, her morals. For Kraus, it simply pointed out the inability of Western culture to cope with the fact of female desire, its tendency to lock women in the shackles of Christian morality that granted men the monopoly on pleasure. Elsie Siegel’s parents, like Brabantio and his wife in Shakespeare’s *Othello*,

have had their white skins stuffed with lies, and were it not for the murder, they would never have found out the complexion of their dearest daughter’s taste. The serious side of life, that ridiculous accountant of their intellectual inventory, only let them enjoy their conjugal pleasures if they were properly declared as “duty.” So it takes some pretty strong stimulation to direct their gaze to a side of life in which dear things are exchanged more quietly, but no less urgently, than in business. The corpse in the trunk is just the sort of sensation without which such lessons cannot be learned in this noisy age.⁷³

For Kraus, this was a case precisely as we have defined it: a crime, a scandal, that brings issues of importance to light, one that moves the press, usually so murky, to open matters of public concern. At the same time, the production of the case is predicated on hypocrisy, prurience, and false moral outrage, and as such can be read against its creators, revealing much about them.

Kraus’s argument about the primitive and crime is not so far from Loos’s. For Kraus, the larger crime, beyond the murder, was the West’s hypocritical subjugation of female desire behind the fig leaf of Christian morals. The Chinese is not degenerate; the West was so for its utter inability to deal with sexual desire, for its attempts to legislate, control, and dominate it.

The Chinaman commits no sin when he commits one. He has no need for the scruples of conscience in order to find pleasure in pleasure. He is backwards in that he has not had to get to grips with the stores of knowledge that have accumulated over the last millennia. He can face the future and survive the injuries that in our world are cobbled together by botched medicine and technology. He has no nerves, no fear of bacteria, and he is safe even when he dies. . . . He does the work of a dozen white men and has the pleasures of a hundred. He separates pleasure and ethics, and thus saves both from ruin. After what we would call debauchery, he can return to everyday life with body and soul unchanged, interrupted perhaps to serve a white-skinned lady. He is not sentimental and does not suffer from the flaw of the soul that we call “morals.”⁷⁴

“The Chinaman commits no sin”: the echo of this line of thought is hard to overlook in “Ornament and Crime.” “The Papuan slaughters his enemies and devours them. He is no criminal. If, however, the modern man slaughters and devours somebody, he is a criminal or a degenerate.”⁷⁵ For Kraus and Loos, the acceptance of natural drives is innocent. What is degenerate for Loos is the primitive pleasure that considers itself culture and that, immorally, leads to the waste of labor power. More in line with Friedrich Nietzsche’s critique of modernity, Kraus considers degeneration in terms of the disingenuous morality that insists on female innocence but must enforce it as domination. Interesting here is that he describes this form of degeneration, precisely like Loos, as a kind of ornament: “Is this the end of a morality that wears its chains as decoration [*Schmuck*]?”⁷⁶ Just a few months before Loos, Kraus had already brought together decoration and crime in a critique of Western culture.



10 Adolf Loos, Goldman and Salatsch Building, 1910–11, Michaelerplatz, Vienna, present state (photograph provided by the author)

The Goldman and Salatsch Building on the Michaelerplatz and the Momentum of the Case

Loos's publicistic moves in the scandal surrounding his Michaelerplatz building for Goldman and Salatsch clothiers can also be considered in light of Kraus's strategies of the case (Fig. 10). The story of the planning of the building and the controversy it engendered is a complicated one, and it can only be summarized here.⁷⁷ In the elevations approved in early March 1910 by the Viennese building authorities, the upper floors display a conventional but simple treatment of window surrounds and courses, with the understanding that decisions about details would be made on-site in the light of the final appearance of the lower floors.⁷⁸ Loos explained this as follows:

I requested that they [the authorities] not insist on [plans for] my final treatment of the four stories [above]. I did not yet know what material would be available to me, as I still needed to locate it in Greece. The architect [*Baumeister*] of the building, [Ernst] Epstein, had in the meantime drawn a simple facade for the four stories. I knew that I would choose Cippolino marble [for the lower stories]. But each block has different veining, and I did not yet

know the specific stone. So I delayed the final solution for the upper four floors.⁷⁹

The next set of elevations, submitted in late July, left this area blank, in other words, uncompleted. They were approved on the assumption that they *would* be completed with a form of rectilinear pattern in stucco; Loos also submitted a photographic copy of the elevation depicting the upper floors decorated with a meander pattern.⁸⁰ At the end of September 1910, the scaffolding was removed to reveal the controversial bare stucco facade. Whether Loos considered the building complete at this point has never been determined; in any case, the city building authorities became nervous and ordered a stop to the construction work, leading to the controversy.

Concluding, correctly or not, that Loos intended the facade to be bare, some newspapers then defended the building as it stood,⁸¹ while the architect himself stated publicly that it was still his intention to complete it with some form of applied ornament.⁸² Whether Loos's statements at this point were disingenuous or not, the scandal took on its own energy. The building authorities apparently accepted Loos's assurances, but the matter was taken up in the city council. In a



11 Urban Janke, *Mein Haus am Michaelerplatz*, 1911, poster for Adolf Loos's lecture at the Sophiensaal, Vienna, December 11, 1911, color lithograph, 33 × 24½ in. (84 × 62 cm). Österreichische Nationalbibliothek, Vienna (photograph provided by the Österreichische Nationalbibliothek)

flurry of articles, statements, and a public lecture, Loos defended his right to determine the final appearance of the building. The question was what should happen to the facade, and it was, from this point on, debated in public. It is far from clear that Loos originally intended the facade to be devoid of ornament, and he never would have been able to achieve this within the closed circle of negotiation between architect, client, and building authorities. That it might remain bare had now become a possibility due to the opening of a case into a limited but visible public sphere of debate. His position was strengthened by various attempts to impose a new facade without his approval; in particular, one drawn by the city councillor Hans Schneider, an architect, with Epstein, and approved by the council in December became a bone of contention. Loos seems to have accepted the fact that this design might be executed,⁸³ but the scandal was revived

by the decision of Goldman and Salatsch to stage a competition for a new facade, launching another round of defenses of Loos's authorship of the building. Loos then suggested a "compromise": the mounting of bronze flower boxes beneath five of the windows; he had these manufactured and installed at his own expense and without the approval of the city (in fact, the city officials ordered them to be removed, which Loos did not do). To a full house of 2,700 listeners at the prestigious Sophiensaal on December 11, 1911, Loos gave a widely reported lecture presenting his account of the controversy (Fig. 11). Finally, in March 1912, the city council decided to let the matter rest.

Two points can be made here. The first concerns how Loos handled the matter. He went to the public. His lecture in the Sophiensaal appears to have been the turning point, and it is instructive. Here, and in correspondence with newspapers

afterward, he named names. "A city councillor notified the mayor, asking how he could tolerate such a monstrosity of a building. The councillor's name is Ryckl."⁸⁴ He showed slide reproductions of a personal letter of support from Hans Berger, an architect who later attacked the building in the *Neue Freie Presse*, suggesting that the change of mind was due to a personal grudge.⁸⁵ He quoted from the protocols of meetings; he disclosed the precise role of various inexperienced and self-serving city officials. For example, writing to a newspaper concerning the role of the official who had sketched an alternative facade: "The magistrate consulted Councillor Schneider for artistic advice on the decision between my facade and his own. The Councillor announced the result on the third of August. He seems to have concealed the fact that the design he approved was the one that *he himself* had submitted."⁸⁶ To humiliate Schneider further, Loos read the judgments of two prominent German architects damning Schneider's most recent major building (the Technical Museum in Vienna, the competition for which Loos had entered with his cousin Victor).⁸⁷ Loos brought the usually invisible decisions of civil servants into the public eye on his own terms. One is usually powerless against the anonymous and slow forces of municipal authority; Loos was aware that the only leverage he had was support from the public. Loos succeeded in bringing the bureaucratic decisions and the acts of specific officials into the open, making them public by means of the case or scandal. Though couched in the rhetoric of honesty and transparency, however, his defense can hardly be considered a rational debate over architectural matters. He revealed matters of public concern, but he was simultaneously settling scores. Like Kraus, Loos was operating in a space that was densely woven by the warp of the properly public and the weft of the private. The result was the none-too-clean fabric of politics.

The second point concerns the reciprocal effect of the controversy—the press reports, the public events, the leaked documents—on the architecture itself. Did these practices of the case, perhaps, affect the design? Loos's skillful handling of the press has often been noted. Most often it is simply assumed that his plan had always been to present to Vienna the bare facade uncovered in September 1910, that his assurances about the stucco decorations were decoys to ensure approval, and that he had manipulated the controversy to achieve his vision of an architecture without ornament. It is, of course, possible that this is the story of "Loos's tactical gambits to push through his ideas."⁸⁸ But even those who largely follow this line of thought recognize that such an interpretation is far from certain. Referring to the classic account of Loos's Michaelerplatz building by Hermann Czech and Wolfgang Mistelbauer, the most careful recent discussion of the case notes:

Should this interpretation of Loos's strategy in fact be correct, then Loos would be not only an ingenious architect, but an even more ingenious tactician, one who long in advance knew how his opponents would react. Friend and foe of the Loos building would have been merely submissive tools of his careful calculations. Now Loos was certainly a great demagogue and polemicist, but such cool

cunning is hardly to be ascribed to a man who has gone down in the history of art as a sensitive artist.⁸⁹

In any case, the notion of Loos the modernist as Loos the tactician is based on quite specific presuppositions. The first is a remarkably traditional notion of artistic intention. And the second is a corollary: a somewhat otherworldly notion of how buildings are made. Changes of plans, on-site decisions, retrospective approvals, and continuing negotiations with clients, suppliers, and planning officials are par for the course. An architect uncertain about how the final elevations would be developed is more than plausible. This means that one must at least entertain the possibility that we can take Loos's account of the building plans at face value, and that the Viennese building officials' halt to the building works was a mistake. Should that be true, the most famous building of the architect would probably have had a much more conventional facade had the officials not nervously stopped construction. Loos would have grasped the opportunity provided by a bureaucratic error, the belief that the facade would be plain, to make his own architectural design considerably more radical. Sensing support, he felt empowered in his breach of decorum. In this scenario, the design emerged from the scandal quite considerably changed.

Or it might be the case that the final building, apart from the flower boxes on the window, those fig leaves covering nothing, corresponds to the architect's original intention. In this scenario, Loos was still aware that the architect's work happens in public and is negotiated there. Not surprisingly, Kraus knew this, too. With an irony that alludes to, but ultimately equates, both possibilities—that the Michaelerplatz building was meant to be bare, or that it only emerged so out of give-and-take between artist and city dweller, bureaucracy and press, statute and opinion—Kraus described the public nature of the architectural process:

"Never show a fool an unfinished building" an old proverb tells us. . . . The work of the architect happens on the street. It cannot defend itself from prying eyes by claiming some sort of "workshop secret." The painter, the sculptor may reveal what is being formed to a confidant or an initiate; the crowd will only ever stand before the finished work. But the work of architecture grows, so to speak, under the public control of the passersby. The criticism starts already with the foundation . . . and the first story is hardly finished before the chorus of acrimony and griping is let loose.

Kraus published these lines at the end of October 1911, seven days after the installation of the flower boxes.⁹⁰ Typically for Kraus, the passage is just a lengthy quote to which he adds a short commentary, a montage technique that turns another writer's text into a grave dug with his or her own words. Here he quotes another critic: Berta Zuckerandl, a supporter of and propagandist for the Wiener Werkstätte, writing about a work by Loos's archenemy Josef Hoffmann. She and Hoffmann are paid back. At the end of the long quotation, Kraus writes: "And whom is she writing about? Adolf Loos? But no: Josef Hoffmann! Whose expert opinion she had invoked



12 “Adolf Loos as Child Molester: Sensational Details on the Arrest of the Famous Architect; The Reports of the Little Girls,” cover of the *Wiener Mittags-Zeitung*, September 6, 1928. Wienbibliothek im Rathaus, Vienna, Handschriftensammlung, I.N. 138.870/3, Teilnachlass Karl Kraus

when she dismissed the unfinished building on the Michaelerplatz.”⁹¹

Unfinished? Because the marble had not yet arrived for Loos to decide how to proceed? Because construction was halted, freezing an image of an evolving building in a way that gave it—once the proposition was mooted that the architect meant to leave it thus—an unexpected form that could suddenly be defended? Again, the image of Loos’s building that faced the public and appeared in the press in late September 1910 tells us little. It showed the bare building for all to see, but precisely what state of affairs it presented could not be established. As the case proceeded with its momentum that seemed to surprise all, no one even tried.

Or is Kraus, too, being disingenuous? We will presumably never know this either. What is clear, however, is that scandal, whether carefully orchestrated or manipulated opportunistically, was, for Loos, part of the process. The practices of the case enabled the design process to be opened to public debate, allowed the always already public nature of building to be incorporated into the design. Architecture happens in public, and, like a building, a case has many authors. Knowing this, and knowing how a case and a public might work, gave Loos possibilities to make an actual edifice match his public statements against ornament in ways he had perhaps not even planned, gave him the means to break through the usual practices of compromise and bureaucratic control. In other words, the case, the impure form by which matters could be made public in fin de siècle Vienna, had effects; as the site of architectural discussion it had its own dynamic that was part of design decisions. One could say that Loos found Aeolus’s bag containing the “aesthetic wind” of public opinion to which Tönnies refers in his *Kritik der öffentlichen Meinung* (Critique of public opinion) and knew how and where to open it up.⁹² Planned or not, the facade of the

Goldman and Salatsch building looks the way it does because its design was negotiated in public, and it bears the marks of its mediation.

The Loos Case

The last of the Loos cases is a sad denouement, but it is revealing of the change in the structure of the public sphere in the 1920s, of the new relations between the state and the press. Loos was arrested on the morning of September 4, 1928, and charged with the sexual molestation of three girls, aged between eight and ten, and illicit sexual solicitation of minors (Fig. 12).⁹³ Loos had encountered the girls at the Prater amusement park, offered to involve them in an exchange program he claimed to be organizing to send children to France, and had encouraged them to earn pocket money by posing nude for him, unsupervised, in his apartment. And so the sordid details of the Loos case appeared in the newspaper headlines at the same time as the post office workers announced a work-to-rule action, as nineteen people were killed in a catastrophic accident at the auto race in Monza, as a spectacular murder in a Prague courtroom was reported, and as a ban on the export of animal feed was announced.

One of the main items of evidence was a box of pornographic photographs of young girls, from the age of five years old through adolescence, 2,271 in all.⁹⁴ According to Elsie Altmann-Loos, they were the photographs Loos had removed from Theodor Beer’s studio twenty-three years earlier (Beer had, in the meantime, taken his own life, destitute, in 1919).⁹⁵ This is perfectly plausible. Loos himself said only that they were given to him by a writer fifteen years earlier. More he would not say, except to deny explicitly that they had belonged to his friend Peter Altenberg.⁹⁶

Did the children speak the truth? The judges—both professional and lay—were not certain. It is interesting to see here that words and images functioned in ways that precisely reverse their use in the Beer case. Loos did indeed sketch the girls, producing pictures in a medium that put the product in the orbit of art. But they served here as evidence as well. They showed children in positions the court decided were chosen to reveal their sex, and since the girls’ testimony about their poses corresponded to the images, they were used to establish details about the nature of the encounter between the older man and the unclothed children. Faced with this evidence, the judges convicted Loos of solicitation and indecency.⁹⁷ Now, however, it seems that at least the questions raised by Freud’s account of the fantasized erotic life of children had found their way into the courts. This time the court accepted the expert opinion of a child psychiatrist who concluded that the witnesses’ testimony was not reliable. They therefore exonerated Loos of the charge of child abuse, of the more serious acts discussed in court and outlined in the decision.⁹⁸

The roles played by the courts, the press, and the state also differed in this last Loos case. Although sentenced to four months in jail, the architect saw his sentence suspended for a three-year probationary period. The press noted the mildness of the judges.⁹⁹ Unlike Theodor Beer, Loos spent no time in prison after his conviction, and he was stripped of no rights or privileges. Not the result of mere lenience, it had to do with changes in the criminal code and the rules of criminal

proceedings. For the system that dealt with him was no longer the older, liberal judiciary, with all its problems. It was now open to politics and activism. Sometimes it served the politics of a radical right, especially in the disproportionate prosecution of the crimes of the political left. Here, though, we see the effects of the paternalistic, socially minded politics of the First Austrian Republic. The suspended sentence was made possible by legislation such as the new probation law of 1920.¹⁰⁰ The notification of the sentence sent to Loos is a model of a state served by benevolently offered social services, outlining the conditions of the probation and the supervision order for social support.¹⁰¹ As the state assumed this new role, the courts could more effectively shield the children from public view. Again, the proceedings were held behind closed doors, but this time, reporters, the conduit to a reading public, were banned as well.

The press was different, too.¹⁰² The *Neue Freie Presse* still tried to raise larger issues. Writing under the headline "The Loos Case: The Tragic Fall of a Great Talent," it presented the affair as a replay of the Beer case, referring to the parallels of a great intellect brought low by claiming to stand above prevailing morals.¹⁰³ It also printed defenses of Loos, written anonymously by friends of the architect.¹⁰⁴ Again, a prominent psychologist—this time, Karl Bühler—wrote at length about the problems of child witnesses in court; he does not mention Loos but refers to the work of the psychologist William Stern, who had, like Loos twenty-three years earlier, sought the acquittal of Theodor Beer.¹⁰⁵ And the paper published an account of the exploitation of children as models, again without specific reference to Loos but in obvious relation to the case.¹⁰⁶ But the *Neue Freie Presse* was no longer the newspaper of record, or one that even mattered. The tone was set by the new, more obviously politicized mass-market papers that put an ordinary criminal proceeding on the front page, with the kind of headline formerly reserved for important acts of state, such as the declaration of war. Though it was unable to reveal the details of the courtroom action or imply the identity of the figures, the coverage was far more sensationalist than that under the monarchy, not merely, in its ambivalent way, exposing the private to public view. The politics were cruder; the newspapers no longer maintained even the semblance of objectivity. One newspaper referred erroneously to "the Jewish architect Loos," echoing this later with an account of "his three Jewish lawyers."¹⁰⁷ There were, as far as I know, no repercussions for this inaccuracy and its anti-Semitic tone. Only the Communist *Rote Fahne* was pursued, for its suggestion that Loos was convicted because of his closeness to Kraus, who had waged one of his many press campaigns against Johannes Schober, the head of the Austrian state police.¹⁰⁸

There was, in other words, little debate. Perhaps the facts of the case simply did not leave space for the public debate about morals and the nature of public discussion. At the same time, the shape of the space for debate and disclosure had also changed dramatically. The press had once been murky, but in ways that made possible the tactics that led to the final appearance of the building on Michaelerplatz, and might even have led to the completion of the Villa Karma. Now, the colors in which a picture for the public was painted were more lurid and glaring. The culture of the case—the inter-

Fünf Minuten Kriminalpsychologie

Eine kriminalistische Denkaufgabe von Otto Schwerin.



Aufgabe: Aus der Wache im Polizeipräsidium sind neun verhaftete Individuen eingeliefert worden. Jedem der Verhafteten wird ein anderes Verbrechen zur Last gelegt. Es sind folgende Verbrechen und Vergehen vorhanden: Ladendiebstahl, Falschmünz, Meineid, Raub.

Auflösung: 1. Zolllage einer kleineren Grenzstation (Wenige Reisende und Beamte.) 2. An der ungarisch-rumänischen Grenze. (Der uniformierte Beamte links, der militärisch grüßt, ist ein Ungar, der Zollraum, an den Aufschriften und dem Wappen erkennbar, bereits rumänisch.) 3. Am 27. 4. Nicht ein-

13 Otto Schwerin, "Five Minutes of Criminal Psychology: A Criminalistic Brainteaser," the *Illustrierte Wochenpost*, December 7, 1928 (artwork in the public domain; photograph provided by the Österreichische Nationalbibliothek)

section of expertise, the judiciary, and the press—was changing its shape and losing its elasticity as a form of the public production of knowledge. Instead of debate there were headlines, and even games. The same week as Loos's sentence was announced, for example, we see in the *Illustrierte Wochenpost* a competition testing readers' prowess in criminal psychology (Fig. 13). It is a sign of the continued interest in the police and the courts, but interests now turned from a public matter to a private game.

Even though Kraus responded to these changes, using them to his own ends and indulging in the questionable power of the headline, he clearly saw nothing to be gained in the last of the Loos cases. This time, he stayed silent (though he was probably active behind the scenes, and he accompanied his friend to the sentencing).¹⁰⁹ Nonetheless, it is significant that, in a reversion to older patterns, Loos himself fought strenuously for a public trial.¹¹⁰ It would hardly have been enlightening and, as the court judgment shows, would have been damaging indeed to Loos's reputation. This turn to the public was clearly a reflex born at a time when the courts could allow the law itself to be put on trial, and issues of what constituted art could be debated in the press through the case. It did not happen this time: for better and for worse, the shape of the public space for debate and disclosure, the conditions Loos had for decades known as a culture of the "case," had changed.

The Culture of the "Case"

Conclusions are hard to draw, especially if questions are posed in terms of art history's traditional objects of knowl-

edge—in this instance, the writings and buildings of Adolf Loos. The object here, however, is a different one: to shed light on the spaces of public discussion and the means by which access was gained to them at a certain moment of modernity, as well as to establish that Loos occupied a certain cultural field where tactics of publicity were an important part of many practices, and that these were the precondition of all architectural, all cultural work that was ambitious and public. In other words, that the medico-forensic question of whether a child speaks the truth could be central to an architect's endeavors, that it might have been reasonable to believe that invoking crime was a good way to make a point about architecture, that scandal could be a productive and constitutive aspect of the design process. And that the practices forming around "scandals" and "cases" could inflect, in central and sometimes surprising ways, Loos's work. The point has been to insert Loos into another history that intersects the history of architecture as it is usually conceived: the history of the case. The "case" here is not merely the epistemological paradigm that Carlo Ginzburg has convincingly described in the context of art history and medicine, or the unit of juridical or medical knowledge and power, as in Michel Foucault's influential work.¹¹¹ Nor is it a matter of setting up a "case study" as a form of inquiry. Instead of constructing a case, we often find "cases," ready-made, in history.

What, then, is a "case" in this sense? It is a way in which actions and individuals could be isolated so that certain forces could be brought to bear: not only forms of disciplinary knowledge and state power, but also the power of public scrutiny and debate. But not everything that was scandalous, that would bring to light something socially significant, or that, for a society to work properly, needed to be known, was a case. Much could remain in the dark. The case—here and elsewhere—needs to be seen as the cultural form and the set of practices by which such matters were, or could be, brought to the public. Further, the phenomenon of historical cases reveals something crucial: that the "public" is not simply "out there." For if an ideal public exists in a transparent space of rational debate, then we certainly have seen nothing of the sort here. The example of Loos and Vienna demonstrates that the space for public discussion, the space where the winds of public opinion blew, including the aesthetic winds of architecture, has its own complex history. The tactics of the case elaborated here need to be seen as the attempt to create or call forth a public, episodically, punctually, by the means available at specific points in time. The public addressed in these fin de siècle Viennese examples was one sought but also shunned, alternately feared and desired, but whether it even existed in any straightforward way is doubtful. It was an "interpellated" public, one the figures here sometimes sought to call into being, but coyly, indirectly, rudely, or on the sly. The matter of public interest—legitimate concerns of political subjects—was compelling in its necessity but obscure in its form. And in the Loos-Kraus circle, it was unfortunately crossed with an impure politics of sexual freedom. The goal of rendering transparent the realm of public information and protecting the private realm of desire, of bringing desire and its legitimate demands to the fore but leaving them out of public view, led to contradictions. The twin aspects of the

Kraus-Loos project could not be united so neatly as they thought, and their project left their own interests and actions in the dark.¹¹² The intense reciprocal calculus of the protection of the private sphere and the appeals to a public show repeatedly the problematic side of the practices of the case surveyed here.

As a form of public knowledge, the case will also inevitably have a politics. One of the few attempts to turn Kraus himself into a "case" is enlightening about how the phantom public was conceived, and thus of the politics that could be pursued through it. In 1910, the young doctor Fritz Wittels, at various times a confidant of both Kraus and Freud, delivered a paper to the Vienna Psychoanalytical Society. Called "The *Fackel*-Neurosis," it was a crude attempt to psychoanalyze Kraus.¹¹³ Writing in the same year as the lecture "Ornament and Crime" and the Michaelerplatz controversy, Wittels saw Kraus's attacks on the press as the living out of an Oedipal scenario based on the elision of the satirist's father with Moriz Benedikt, the powerful editor of the *Neue Freie Presse* and the target of the most sustained attacks in *Die Fackel*. Wittels located Kraus's interventions not within a society of classes and institutions requiring transparency and modernization but instead in a family drama. The circle around Kraus was blind to some of the most straightforward forms of class and gender domination; they lacked the self-consciousness to see that the frame was not (or should not be) the family, but rather society. This undermined the political potential of the case. Loos's attack on Councillors Rykl and Schneider, his description of the imagined Papuan, even Kraus's writings on the unfortunate Elsie Siegel did not lead to the public production of knowledge but remained, as often as not, at the level of the private, that area of sexual desire or personal vendetta that was not the proper object of public discussion.¹¹⁴

In the cases of Adolf Loos, we have not really dealt with issues of style or medium-specific technique. Nor have we been considering discourses or, alternatively, ideologies. Something else is at stake. It has more to do with the way culture, in a broad sense, worked, with the public conditions of many kinds of practices. In other words, there was a specificity to the folding of the true and the false, the public and the private, one that was common to many projects of the time. There are other practices of the case, but in Vienna at the time (and certainly elsewhere) there is something that unites the moves, gambits, discoveries, and defenses of the figures addressed here. True and false, right and wrong, art and life folded together in extraordinarily complex ways—in the newspapers, the poles were separated by the *Strich*, or bar that supposedly divided news from feuilleton but often failed to distinguish between fact and fantasy; in the courtroom, the issue was the space between art or science and pornography. The medical profession accepted the poles of the normal and the pathological, but also had to navigate the extremes of the generalization of the case in terms of psychic laws, on the one hand, and the specificity of the case in terms of the right of the defendant before another kind of law, on the other. Practices of the case consistently crossed boundaries into realms where the stakes were very different, but people at the time seemed to grasp at them repeatedly and even indiscriminately. The results were unpredictable and often unex-

pected. Michel de Certeau's analysis of everyday practice resonates here: "These practitioners make use of spaces that cannot be seen; their knowledge of them is as blind as that of lovers in each other's arms. The paths that correspond in this intertwining, unrecognized poems in which each body is an element signed by many others, elude legibility."¹¹⁵ Though the practices of the case certainly had other potentials, Adolf Loos's habits of publicity and engagement with the law show a play of hiding and revealing, denial and disclosure, tenderness and violence, ornament and nudity that describe not a logic but, instead, an ambivalent and sometimes brutal *erotics* of the case.

Frederic J. Schwartz, professor of history of art and architecture at University College London, is author of *The Werkbund: Design Theory and Mass Culture before the First World War* (1996) and *Blind Spots: Critical Theory and History of Art in Twentieth-Century Germany* (2005) [History of Art Department, University College London, Gower Street, London WC1E 6BT, U.K., f.schwartz@ucl.ac.uk].

Notes

Unless otherwise indicated, translations are mine. For comments on earlier drafts of this essay as well as for invaluable discussions and suggestions, I would like to thank Gemma Blackshaw, Mechthild Fend, Tamar Garb, Tag Gronberg, Andrew Hemingway, Markus Kristan, Karen Lang, Leo Lensing, Maria Loh, Christopher Long, Amos Morris-Reich, Rose Marie San Juan, Judith D. Schwartz, Leslie Topp, and *The Art Bulletin's* two anonymous readers.

1. Ferdinand Tönnies, *Kritik der öffentlichen Meinung* (Berlin: Julius Springer, 1922), 178.
2. Ludwig Wittgenstein, *Tractatus Logico-Philosophicus*, trans. D. F. Pears and B. F. McGuinness (London: Routledge and Kegan Paul, 1961), 7: "Die Welt ist alles, was der Fall ist."
3. The dating of this text has long been problematic. It was first published in French in 1913; Loos himself gave it the date 1908 when it was republished in Adolf Loos, *Trotzdem* (Innsbruck: Brenner-Verlag, 1931). Burkhardt Rukschcio has identified the first full manuscript, corresponding to a public lecture given by Loos on January 21, 1910: Rukschcio, "Ornament und Mythos," in *Ornament und Askese: Im Zeitgeist des Wien der Jahrhundertwende*, ed. Alfred Pfabigan (Vienna: Christian Brandstätter, 1985), 57–68. Most recently, Christopher Long has determined that a version of the talk was given in Berlin on November 11, 1909, and that the text in its written form was probably drafted in December 1909 or early January 1910. Long, "The Origins and Context of Adolf Loos's 'Ornament and Crime,'" *Journal of the Society of Architectural Historians* 68, no. 2 (2009): 201–23.
4. Adolf Loos, "Ornament and Crime," in *The Architecture of Adolf Loos*, exh. cat. (London: Arts Council, 1985), 100; and "Ornament und Verbrechen," in Adolf Loos, *Trotzdem*, ed. A. Opel (1931; reprint, Vienna: Prachner, 1982), 78.
5. On the sources and context of the lecture, see, most recently and authoritatively, Long, "The Origins and Context of Adolf Loos's 'Ornament and Crime'"; and Jimena Canales and Andrew Herscher, "Criminal Skins: Tattoos and Modern Architecture in the Work of Adolf Loos," *Architectural History* 48 (2005): 235–56.
6. The formation of the "public sphere" (*Öffentlichkeit*) as the "realm of our social life in which something approaching public opinion can be formed," its emergence in the West in the seventeenth and eighteenth centuries, and its decline from the nineteenth century, are described in Jürgen Habermas's seminal but contested *The Structural Transformation of the Public Sphere*, trans. Thomas Burger and Frederick Lawrence (Cambridge, Mass.: MIT Press, 1989). Whether such a sphere existed and functioned as Habermas describes it is, for my purposes, less relevant than its status as a norm or ideal. From the voluminous literature on the topic, I have found the following particularly helpful: Craig Calhoun, ed., *Habermas and the Public Sphere* (Cambridge, Mass.: MIT Press, 1992); and Michael Warner, *Publics and Counterpublics* (New York: Zone Books, 2002).
7. As will become clear in this and later studies, such a notion of the "case" is different from, but related to, Michel Foucault's disciplinary conception of the case in medical knowledge. A very interesting account of the reciprocal aspect of the case form is given in Todd Herzog: "Crime Stories: Criminal, Society, and the Modernist Case History," *Representations* 80 (2002): 34–61. The case is also the topic of two issues of *Critical Inquiry* edited by Lauren Berlant under the title "On the Case": *Critical Inquiry* 33, no. 4 (2007), and 34, no. 1 (2007).
8. Sigmund Freud, *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, trans. under the editorship of James Strachey, 24 vols. (London: Hogarth Press and the Institute of Psycho-Analysis, 1953–74), vol. 3, 191–221, originally presented on April 21, 1896.
9. Sigmund Freud, *Three Essays on the Theory of Sexuality*, trans. and rev. James Strachey (London: Hogarth Press, 1962).
10. See Larry Wolff, *Postcards from the End of the World: An Investigation into the Mind of Fin-de-Siècle Vienna* (London: Collins, 1989), a balanced discussion of child abuse, its prosecution, and its reporting; and, more polemically, Jeffrey Moussaieff Masson, *The Assault on Truth: Freud's Suppression of the Seduction Theory* (1984; New York: Ballantine, 2003).
11. The best accounts of Loos and the Villa Karma are Vera J. Behalova, "Adolf Loos: Villa Karma" (PhD diss., University of Vienna, 1974); Vera J. Behal, "Die Villa Karma und ihre Architekten Lavanchy/Loos/Ehrlich," in *Adolf Loos*, exh. cat. (Vienna: Graphische Sammlung Albertina, 1989); and Burkhardt Rukschcio and Roland Schachel, *Adolf Loos: Leben und Werk* (Salzburg: Residenz, 1982), 92–104, passim. The information recounted by Loos's second wife, Elsie Altmann-Loos, in her memoirs of life with Loos does not accord with documentary evidence and is clearly marred by failures of memory. See Altmann-Loos, Lina Loos, and Claire Loos, *Adolf Loos: Der Mensch*, ed. Adolf Opel (Vienna: Prachner, 2002), 69–71. Beer's feuilletons are collected in Theodor Beer, *Aus Natur und Kunst: Gesammelte Feuilletons* (Dresden: Pierson, 1900). These reveal Beer to be, like Loos, an anti-Secessionist and an enthusiast of the Gibson Girls. See "Gibsons Zeichnungen," in *Aus Natur und Kunst*; on Loos and the Gibson Girls, see Tag Gronberg, *Vienna: City of Modernity, 1890–1914* (Oxford: Peter Lang, 2007), chap. 2, passim.
12. "Dear Herr Loos, You have probably figured out why you have heard nothing from us for so long. I'm enraged by the impertinence of these accusations. . . . The work on Karma . . . must be interrupted. . . . Nonetheless I hope to be able to live in a house designed by you soon." Laura Beer to Adolf Loos, March 6, 1904. "Professor Beer is terribly sorry that the trial has not only interrupted your work, but that Karma might perhaps not be completed. But I know from his own words that, whenever he will establish a home, it will only happen with your assistance. Please be patient and trust us. Prof. Beer thinks very highly of you and your taste, which we know so well." Laura Beer to Adolf Loos, May 6, 1904. Graphische Sammlung Albertina, Adolf Loos Archiv, file "Villa Karma," 16, 17.
13. On the case of Theodor Beer, see, besides the works of Karl Kraus discussed below, Florian Mildenberger, "'... als Conträrsexual und als Päderast verleumdet': Der Prozess um den Naturforscher Theodor Beer (1866–1919) im Jahre 1905," *Zeitschrift für Sexualforschung* 18 (2005): 332–51; and Daniel M. Vyleta, *Crime, Jews and News: Vienna, 1895–1914* (New York: Berghahn, 2007), 135–44. There is also valuable information in a biography and documentation of Beer's occasional lover Bertha Eckstein-Diener: Sibylle Mulot-Deri, *Sir Galahad: Porträt einer Verschollenen* (Frankfurt: Fischer Taschenbuch Verlag, 1987). My discussion is based on these accounts as well as material from the Adolf Loos Archiv; the Wiener Stadt- und Landesarchiv; the Handschriftensammlung of the Wienbibliothek; and the contemporary press. A brief discussion of both the Beer case and Loos's own later case, based largely on published newspaper reports, appears in Klaralinda Ma, "Der 'Fall' Loos," in *Leben mit Loos*, ed. Inge Podbrecky and Rainald Franz (Vienna: Böhlau, 2008), 161–71.
14. Kraus's coverage of the trial originally appeared in *Die Fackel*, the most important are collected in Karl Kraus, *Sittlichkeit und Kriminalität*, vol. 1 of *Schriften*, ed. Christian Wagenknecht, 15 vols. (Frankfurt: Suhrkamp, 1987); see "Die Kinderfreunde," "Nachträgliches zum Prozess Beer," and "Der Selbstmord der Themis." I shall cite Kraus's work from their original appearance in *Die Fackel*.
Both Loos and Kraus acknowledged the close connections between their work. Most famously and succinctly, Kraus wrote: "Adolf Loos and I, he literally, I linguistically, have done nothing more than to show that there is a difference between an urn and a chamber pot, and that it is only in this difference that culture has any room to develop. The others, however . . . are divided into those who use the urn as a chamber pot, and those who use the chamber pot as an urn." Kraus, "Nachts," *Die Fackel* 389–90 (1913): 37. The connection is, to a certain extent, a commonplace. For more thoughtful and informative accounts of their relationship, see Allan Janik and Stephen Toulmin, *Wittgenstein's Vienna* (New York: Simon and Schuster, 1973); Dagmar Barnouw, "Loos, Kraus, Wittgenstein and the Problem of Authentic-

- ity," in *The Turn of the Century: German Literature and Art, 1890–1915*, ed. Gerald Chapple and Hans H. Schulte (Bonn: Bouvier, 1981); Edward Timms, *Karl Kraus—Apocalyptic Satirist*, vol. 1, *Culture and Catastrophe in Habsburg Vienna* (New Haven: Yale University Press, 1986), chap. 6; and Gilbert J. Carr, "The 'Habsburg Myth,' Ornament and Metaphor: Adolf Loos, Karl Kraus and Robert Musil," *Austrian Studies* 15, no. 1 (December 2007): 65–79.
15. The indispensable source on the Austrian press, with valuable information on the affiliations of various newspapers, is Kurt Paupié, *Handbuch der österreichischen Pressegeschichte, 1848–1959*, 2 vols. (Vienna: Wilhelm Braumüller, 1960–66).
 16. *Sittlichkeit und Kriminalität* has been republished in an edition containing helpful essays by Helmut Arntzen and Heinz Müller-Deitz: Karl Kraus, *Sittlichkeit und Kriminalität* (1908): *Juristische Zeitgeschichte*, 6th ser., vol. 17 (Berlin: Berliner Wissenschafts-Verlag, 2004).
 17. The literature on Karl Kraus is immense. I have found the following works most helpful: Timms, *Karl Kraus—Apocalyptic Satirist*, vol. 1; Edward Timms, *Karl Kraus—Apocalyptic Satirist*, vol. 2, *The Post-War Crisis and the Rise of the Swastika* (New Haven: Yale University Press, 2005); Reinhard Merkel, *Strafrecht und Satire im Werk von Karl Kraus* (Frankfurt: Suhrkamp, 1998); Harry Zohn, *Karl Kraus*, trans. Ilse Goesmann (Frankfurt: Hain, 1990); Helmut Arntzen, *Karl Kraus und die Presse*, *Literatur und Presse: Karl-Kraus-Studien*, vol. 1 (Munich: Wilhelm Fink, 1975); and Friedrich Pfäfflin, ed., *Karl Kraus*, exh. cat. (Munich: Deutsches Literaturarchiv/Schiller-Nationalmuseum, 1999).
 18. Karl Kraus, "Die Kinderfreunde," *Die Fackel* 187 (1905): 12: "Ein Sittlichkeitsprozess ist die zielbewusste Entwicklung einer individuellen zur generellen Unsittlichkeit, von deren düsterem Grunde sich die erwiesene Schuld des Angeklagten leuchtend abhebt." I have emended the translation from Karl Kraus, *Dicta and Contradicta*, trans. Jonathan McVity (Urbana: University of Illinois Press, 2001), 26.
 19. On the division of competence and labor between the police and the courts, see Merkel, *Strafrecht und Satire*, 97–105.
 20. The most important study of Loos in this regard is Beatriz Colomina, *Privacy and Publicity: Modern Architecture as Mass Media* (Cambridge, Mass.: MIT Press, 1994).
 21. Adolf Loos, "Heimatkunst," in *Gesammelte Schriften*, ed. Adolf Opel (Vienna: Lesethek Verlag, 2010), 444.
 22. Wiener Stadt- und Landesarchiv, Vienna, file Landesgericht für Strafsachen, A11 Vr 4586/1905 Fall Beer, Liste der Zeugen und Sachverständigen, October 25, 1905. Loos apparently testified on October 26; *Neue Freie Presse*, October 26, 1905, Abendblatt, 4–5.
 23. "In particular, Herr Architekt Adolf Loos, I Giselastrasse 3, can give evidence about the arrangement, the library, and all circumstances of the house [of Beer's parents in Vienna, where the events in question were said to have taken place]. He gained great familiarity with all rooms of the house in the time before its remodeling. Furthermore, the architect Loos is intimately acquainted with the artistic endeavors and the personality and conduct [*dem ganzen Gehaben*] of Herr Professor Beer. We therefore request that Herr Architekt Loos be summoned as a witness and examined in court." Wiener Stadt- und Landesarchiv, A11 Vr 4586/1905 Fall Beer, 426, October 21, 1905.
 24. Heinz Lang, son of the women's rights activist Marie Lang and her husband Edmund, had begun an affair with Lina Loos in 1903. When Adolf Loos found out about the relationship, she left Lang. Despondent, Lang turned to their mutual friend Peter Altenberg, who, according to Hugo von Hofmannsthal, gave the following fateful advice: "What should you do? Shoot yourself. What will you do? Live on. Cool and composed. Because you're as cowardly as I am, as cowardly as this whole generation, hollow inside, a liar like me. So you'll live on." Near Cambridge, where Lina was to join him, Lang did what he "should" do. It is worth noting that this tragic and scandalous event remained a private incident. To have become a "case," it would have had to be in someone's power and interest to bring it before a public. The tragedy is discussed in letters from Laura Beer to Adolf Loos in the Adolf Loos Archiv ("Korrespondenz allg. vor 23.8.33," nos. 32, 34, 35); Rukschcio and Schachel, *Adolf Loos*, 75–104, passim; and Lisa Fischer, *Lina Loos, oder Wenn die Muse sich selbst küsst*, 2nd ed. (Vienna: Böhlau, 2007), chap. 3.
 25. See Adolf Loos Archiv, file "Korrespondenz allg. vor 23.8.33," nos. 32–36, and file "Villa Karma."
 26. Beer presents his side of the case to Loos in an extensive and emotional fifteen-page letter from San Francisco, dated July 1904. Adolf Loos Archiv, file "Villa Karma," 26.
 27. The stenographic report in the *Neue Freie Presse* reads in its entirety as follows: "At this point architect Adolf Loos was called as a witness. Judge: How long has the witness known the accused? Witness [Loos]: For two years. Judge: Did you meet him socially or professionally? Witness: Professionally; he has commissioned work from me and was entrusted me with the building and furnishing of his villa on Lake Geneva [*wollte mir die Einrichtung seiner Villa am Genfersee anvertrauen*]. I have also visited him there. Judge: On these occasions, were artistic matters also discussed? Witness: Certainly. We became acquainted because Beer, as a purist, a proponent of the simple life, approached me. I am the only architect who has fanatically opposed the use of ornament. Judge: Was photography also discussed? Witness: Certainly. In the evenings I often looked at his pictures and can proclaim that I consider him one of the greatest photographers who has ever lived, and that I have never before seen such an abundance of artistic pictures. I also saw there studies of nudes, namely, self-portraits and photographs of boys with naked upper bodies. Judge: Did you also see completely nude photographs [*Nuditäten*]? Witness: Never, and I consider it out of the question that such things would have been shown in the Beer house. Judge: The witness is familiar with the rooms in the villa [of Beer's parents] in the Cottage [neighborhood in Vienna Währing and Döbling]. Can you recall the library, and do you perhaps know if one can enter noiselessly, without being heard? Witness: Since I'm hard of hearing. . . . (Laughter.) Judge: Ah, well. . . . Defense attorney Councillor Bachrach: You have often had long and deep conversations with the Professor. What was at the core of your discussions? Witness: He spoke about the fact that people need to be allowed to live life to the fullest, and that the individuality of every man must come to the fore." *Neue Freie Presse*, October 26, 1905, evening edition, 4–5.
 28. This is mentioned in the protocol published in the *Neue Freie Presse*, October 26, 1905, morning edition ("Judge: Have you been shown one of these photographs of your son with an unclothed upper body?—Witness [Clementine Freund]: I heard that there was a quite particular photograph of him, and demanded to see it often, but was shown it only a year later.") There is, however, no further discussion or description of the photograph reported. Unlike the other two photographs in the court files (a portrait of Beer [Fig. 1] and a photograph of a gymnast seen from behind performing a handstand on parallel bars), this is preserved not as a print, but as a negative.
 29. Altmann-Loos et al., *Adolf Loos: Der Mensch*, 69–70.
 30. Altmann-Loos also reports that Beer's wife Laura prompted and assisted in the prosecution of her husband. All other evidence, archival and published, shows that she defended him vigorously.
 31. Adolf Loos Archiv, "Villa Karma," 68: "Geehrter Herr Loos! Ich werde morgen (Mittwoch) vor dem Hause Wiedener Hauptstrasse 20 in einem geschlossenen Wagen auf Sie warten morgens (zwischen 9¼ und 9½ h). Es handelt sich darum die bewusste Action möglichst rasch zu erledigen. Ich rechne sehr auf Ihre Hilfe. Best wishes."
 32. See Carola Leitner and Kurt Hamtil, *Kaffeehäuser und ihre Besucher: Wien in alten Fotografien* (Vienna: Carl Ueberreuter, 2010), 10–11.
 33. On forensic photography, see, from a large literature, John Tagg, "A Means of Surveillance: The Photograph as Evidence in Law," in *The Burden of Representation: Essays on Photographies and Histories* (Basingstoke, U.K.: Macmillan, 1988), 66–102; and Christine Karallus, "Zwischen Kriminalistik und Justiz: Zur Konjunktur der Fotografie als Evidenzstrategie," *Berichte zur Wissenschaftsgeschichte* 28 (2005): 215–26.
 34. Wiener Stadt- und Landesarchiv, A11 Vr 4586/1905 Fall Beer, Urteilsbegründung, 461–64. The Austrian Strafgeset (penal code) of 1852 defines sexual abuse (*Schändung*, or violation) as follows: "Sec. 128. Violation. Whoever sexually abuses a boy or girl under the age of fourteen years, or a person unable to defend himself or in a condition of unconsciousness . . . commits the act of violation." Acts of homosexuality were prosecuted as *Unzucht wider die Natur*: "Sec. 129. As crimes the following forms of fornication are also punishable: 1. Fornication contrary to nature, i.e., a) with animals; b) with persons of the same sex." The conviction is discussed in Mildenberger, "Der Prozess um den Naturforscher Theodor Beer," passim; and Merkel, *Strafrecht und Satire*, 392–93. On the development of these laws and the changing ways they were enforced, see Friedrich Hartl, *Das Wiener Kriminalgericht: Strafrechtspflege vom Zeitalter der Aufklärung bis zur österreichischen Revolution* (Vienna: Böhlau, 1973), 352–57.
 35. Beer refers to "the substantial new book by Friedlaender," presumably Benedict Friedlaender, *Die Renaissance des Eros Uranios: Die physiologische Freundschaft, ein normaler Grundtrieb des Menschen und eine Frage der männlichen Gesellschaftsfreiheit* (Schmargendorf-Berlin: Renaissance [Otto Lehmann], 1904).
 36. Sigmund Freud, quoted in *Die Zeit*, October 27, 1905, quoted in Magnus Hirschfeld, *Die Homosexualität des Mannes und des Weibes* (Berlin: Louis Marcus, 1914), 389–90. Mildenberger, "Der Prozess um den Naturforscher Theodor Beer," 338, surmises, quite reasonably, that Freud and Beer were acquainted. Kraus refers to Freud's statement in "Die Kinderfreunde," 21–22.
 37. The move from asylums to university clinics in the treatment of the insane is traced in Eric J. Engstrom, *Clinical Psychiatry in Imperial Ger-*

- many: *A History of Psychiatric Practice* (Ithaca, N.Y.: Cornell University Press, 2004). On psychoanalysis and the move to private practice, see Edward Shorter, *A History of Psychiatry: From the Era of the Asylum to the Age of Prozac* (New York: Wiley, 1997), 145–47, 154.
38. The debates over criminal accountability are discussed in Engstrom, *Clinical Psychiatry in Imperial Germany*, esp. 197–98; psychiatric scandals, the increased public and press scrutiny to which psychiatrists were subject in the late nineteenth century, and the increasing pace of professionalization of the discipline are discussed in *ibid.*, 177–87. On forensic psychiatry and its professionalization in nineteenth- and early twentieth-century Germany, see Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880–1945* (Chapel Hill: University of North Carolina Press, 2000), chaps. 2, 3; more generally, see Ruth Harris, *Murders and Madness: Medicine, Law, and Society in the Fin de Siècle* (Oxford: Oxford University Press, 1989); and Roger Smith, *Trial by Medicine: Insanity and Responsibility in Victorian Trials* (Edinburgh: Edinburgh University Press, 1981).
 39. On the struggle between jurists and forensic psychiatrists over conflicting legal and medical criteria of responsibility in Germany and Austria around the turn of the century, see Engstrom, *Clinical Psychiatry in Imperial Germany*, 197–98; and Wetzell, *Inventing the Criminal*, 75–96. See also the general discussion of forensic psychiatry and the problem faced by doctors of the “subservience of scientific experts to ends which they do not define,” in Roger Smith, “Forensic Pathology, Scientific Expertise, and the Criminal Law,” in *Expert Evidence: Interpreting Science in the Law*, ed. Smith and Brian Wynne (London: Routledge, 1989), 56–92, at 57. Smith discusses the risk of “loss of control over the meaning of expert knowledge” in the court context (70).
 40. The important and controversial move to a jury system in Germany and Austria in the late nineteenth century is discussed in Merkel, *Strafrecht und Satire*, 53–69, 108–11.
 41. Karl Kraus, “Ein Unhold,” *Die Fackel*, no. 157 (1904): 1. The sentence was later revised.
 42. Among other chapters in Kraus, *Sittlichkeit und Kriminalität*, see “Gerichtspsychiatrie,” where Kraus characterizes forensic psychiatry as a “parlor game” of the “tarot players of justice.” Originally published in *Die Fackel*, no. 236 (1907): 15. On the rise of a (proto-) antipsychiatry movement, see Engstrom, *Clinical Psychiatry in Imperial Germany*, 177–84. Not surprisingly, Kraus and his critique of forensic psychiatry were enlisted in the antipsychiatry of the postwar period. See Thomas Szasz, *Karl Kraus and the Soul-Doctors: A Pioneer Critic and His Criticism of Psychiatry and Psychoanalysis* (London: Routledge and Kegan Paul, 1977). Szasz’s book is useful in drawing attention to Kraus’s frequent sparring with the psychiatry of the time, but it is marred by its obvious agenda and polemical tone, its lack of distinction between psychoanalysis and other forms of psychiatry, and its inability to engage with the larger historical issues around psychiatry.
 43. Clementine Freund, quoted in the *Neue Freie Presse*, October 26, 1905, morning edition, 10.
 44. Mildenerberger, “Der Prozess um den Naturforscher Theodor Beer,” 8–9. Stern was an expert on the testimony of children: see Clara Stern and William Stern, *Erinnerung, Aussage und Lüge in der ersten Kindheit* (Leipzig: J. A. Barth, 1909). On Stern, who developed the system of the intelligence quotient, see Gerald Bühring, *William Stern oder Streben nach Einheit* (Frankfurt: P. Lang, 1996).
 45. Dr. R. Hennig, “Zeugenaussagen von Kindern,” *Die Umschau: Übersicht über die Fortschritte und Bewegungen auf dem Gesamtgebiet der Wissenschaft, Technik, Literatur und Kunst* 9, no. 19 (1905): 376–77; William Stern, “Forderungen für das gerichtliche Verfahren, auf Grund von Ergebnissen der Aussagepsychologie,” *Die Umschau* 9, no. 25 (1909): 487–90; and M. Hagenau, “Krankhaftes Lügen,” *Die Gartenlaube* 21 (1905): 786–89.
 46. *Neue Freie Presse*, October 27, 1905, evening edition, 11; and Mildenerberger, “Der Prozess um den Naturforscher Theodor Beer,” 345–46.
 47. Kraus, “Antworten des Herausgebers: Kinderfreund,” *Die Fackel*, no. 189 (1905): 22–23; and Mildenerberger, “Der Prozess um den Naturforscher Theodor Beer,” 344.
 48. Mildenerberger, “Der Prozess um den Naturforscher Theodor Beer,” 344.
 49. Karl Kraus, “Der Selbstmord der Themis,” *Die Fackel*, no. 200 (1906): 4. That Loos assisted her emerges from Theodor Beer’s letter of July 1904 from San Francisco (Adolf Loos Archiv, file “Villa Karma,” 26, p. 12: “That you helped my wife thrash the main blackmailer . . . does me good every time I think of it.”)
 50. Adolf Loos Archiv, file “Villa Karma,” 63: “Ich bin wüthend darüber dass Sie . . . nicht dass die öffentliche Meinung das grosse Publicum überhaupt erfahren hat unter welchen nichtigen [?] er verhaftet und verurtheilt wurde. . . . Hingegen haben Sie es verstanden, die intellectuell hochstehenden Freunde meines Mannes wie Burckhardt, oder Bahr oder Popper oder Kraus von der Verhandlung fernzuhalten. . . . Ich werde mich nicht scheuen meine Auffassung die übrigens von unseren engsten Freunden längst getheilt wird in der Öffentlichkeit zur Sprache zu bringen—wenn es sein muss mit einer Gewalthat. . . . Auf den Freispruch kommt es nicht an, aber zu Wort muessen wir kommen, es müsse für meinen Mann die Möglichkeit durchgesetzt werden zum letzten und zum ersten und doch noch zum Wort zu kommen. . . .”
 51. Adolf Loos Archiv, file “Villa Karma,” 63: “Privat nicht zur Publikation. Bitte bis 13ten IV. 11 h. vormitt. zurück ThB.”
 52. For his denial of all but the most incidental social contact with Beer, see Kraus, “Antworten des Herausgebers: Kinderfreund,” 20–22.
 53. Here, in fact, Freud turned to Kraus for publicistic help. Peter Gay, *Freud: A Life for Our Time* (New York: W. W. Norton, 1988), 154–56; and Marina Tichy and Sylvia Zwettler-Otte, *Freud in der Presse: Rezeption Sigmund Freuds und der Psychoanalyse in Österreich, 1895–1938* (Vienna: Sonderzahl, 1999), 260–62.
 54. Kraus, “Die Kinderfreunde,” 4.
 55. Wiener Stadt- und Landesarchiv, Bl. 574–83; published in its full length in *Die Fackel*, no. 191 (1905): 14–18.
 56. “I did not receive the transcript from Dr. Bachrach [Beer’s lawyer], with whom I have nothing to do.” Kraus, “Eingeweihter,” *Die Fackel*, no. 193 (1906): 21.
 57. Kraus, “Die Kinderfreunde,” 24.
 58. Legal positivism posits the separation of morals and ethics from the law. On the law of the time, see William M. Johnston, *The Austrian Mind: An Intellectual and Social History, 1848–1938* (Berkeley: University of California Press, 1972), 88–98; on Kraus’s relation to it, see Merkel, *Strafrecht und Satire*, and Timms, “The Contest for the Law,” chap. 15 of *Karl Kraus, Apocalyptic Satirist*, vol. 2.
 59. Documentation for all of Kraus’s court cases from 1922 have been published in Hermann Böhm, ed., *Karl Kraus contra . . . : Die Prozessakten der Kanzlei Oskar Samek*, 4 vols. (Vienna: Wiener Stadt- und Landesbibliothek, 1995–97).
 60. Karl Kraus, “Der grösste Schuft im ganzen Land . . . (Die Akten zum Fall Kerr),” *Die Fackel*, nos. 787–94 (1928): 1–208; Timms, *Karl Kraus—Apocalyptic Satirist*, vol. 2, 292, 366; and Pfäfflin, *Karl Kraus*, 97.
 61. See Merkel, *Strafrecht und Satire*, esp. 447–62.
 62. Walter Benjamin, “Karl Kraus” (1931), in *Selected Writings*, vol. 2, ed. Michael W. Jennings et al. (Cambridge, Mass.: Belknap Press, Harvard University Press, 1999), 443.
 63. Bertolt Brecht, “Über Karl Kraus,” in *Werke: Grosse kommentierte Berliner und Frankfurter Ausgabe*, vol. 22, ed. Werner Hecht et al. (Berlin: Aufbau-Verlag; Frankfurt: Suhrkamp, 1993), 34. The text dates from 1934.
 64. Long, “The Origins and Context of Adolf Loos’s ‘Ornament and Crime,’” has shown that Loos was intent on creating controversy with his lectures, and that when none was forthcoming, he invented it. On Loos’s essays and lectures in relation to the Viennese public, see Janet Stewart, *Fashioning Vienna: Adolf Loos’s Cultural Criticism* (London: Routledge, 2000); and Bela Kerekgyarto, “Der Architekt und die Öffentlichkeit: Über die Schriften von Adolf Loos,” in *Adolf Loos: Die Kultivierung der Architektur*, ed. Akos Moravanszky, Bernhard Langer, and Elli Mosayebi (Zurich: gta Verlag, 2008), 41–59.
 65. Rukschcio, “Ornament und Mythos,” 58.
 66. Long, “The Origins and Context of Adolf Loos’s ‘Ornament and Crime,’” 207–10, discusses the tone and logic of the lecture and its evaluation in the literature.
 67. Loos, “Ornament and Crime,” in *The Architecture of Adolf Loos*, 100; and “Ornament und Verbrechen,” in Loos, *Trotzdem*, 78–79.
 68. The “Chinatown Trunk Mystery” and the cover of the *Illustrierte Kronen-Zeitung* are discussed in Vyleta, *Crime, Jews and News*, 162–67; see also Mary Ting Yi Lui, *The Chinatown Trunk Mystery: Murder, Miscegenation, and Other Dangerous Encounters in Turn-of-the-Century New York City* (Princeton: Princeton University Press, 2005). In the United States, the family’s name was spelled Sigel; in Austria, either Siegel or Siegl.
 69. “Police are concerned that Leon will escape disguised as a Chinese woman, as he earlier appeared in various establishments as a female impersonator”: “Der Mädchenmord in Newyork,” *Illustriertes Wiener Extrablatt*, June 24, 1909, evening edition, 2. See also Vyleta, *Crime, Jews and News*, 164.
 70. Reinhold Rigale [?], “Das neue Technische Museum für Industrie und Gewerbe,” *Illustriertes Wiener Extrablatt*, June 26, 1909, 6–7, at 7. On Victor Loos, a professor at the Technical Academy in Vienna, see Rukschcio and Schachel, *Adolf Loos*, 684, on the competition entry, 137, 474. The entries to the (apparently rigged) competition are discussed in Markus Kristan, “Die Ideenkonkurrenz für das Technische

- Museum für Industrie und Gewerbe in Wien 1909, I. Teil: Die Sieger," and "II. Teil: Die Verlierer," *Architekturjournal Wettbewerbe* 18, nos. 129–30 (1994): 166–70, and nos. 131–32 (1994): 185–89.
71. Karl Kraus, *Die chinesische Mauer* (Munich: Albert Langen, 1910). Loos is identified as the designer of the dust jacket in Kraus, *Schriften*, vol. 2, *Die chinesische Mauer*, 329.
 72. Karl Kraus, *Die chinesische Mauer* (Leipzig: Kurt Wolff Verlag, 1914).
 73. Karl Kraus, "Die chinesische Mauer," *Die Fackel*, nos. 285–86 (1909): 8.
 74. *Ibid.*, 10.
 75. Loos, "Ornament and Crime," in *The Architecture of Adolf Loos*, 100; and "Ornament und Verbrechen," in Loos, *Trotzdem*, 78.
 76. Kraus, "Die chinesische Mauer," 1.
 77. On the planning and execution of the Michaelerplatz building and the controversy surrounding it, the standard account is Hermann Czech and Wolfgang Mistelbauer, *Das Looshaus*, 3rd ed. (Vienna: Löcker, 1984). This has recently been supplemented and brought up-to-date in the equally exhaustive chronology presented in Karlheinz Gruber, Sabine Höller-Alber, and Markus Kristan, *Ernst Epstein, 1881–1938: Der Bauleiter des Looshauses als Architekt*, exh. cat. (Vienna: Jüdisches Museum der Stadt Wien/Holzhausen Verlag, 2002), 17–37. Both of these sources have been incorporated into the account of the building in Leslie Topp, *Architecture and Truth in Fin-de-Siècle Vienna* (New York: Cambridge University Press, 2004), 138–42. The controversy is discussed in the context of other artistic scandals in fin de siècle Vienna in Tobias G. Natter and Max Hollein, eds., *The Naked Truth: Klimt, Schiele, Kokoschka and Other Scandals*, exh. cat. (Frankfurt: Schirn Kunsthalle; Munich: Prestel, 2005). As this article was going to press, two major monographs appeared that enormously enrich our understanding of the building and the controversy over its construction: Christopher Long, *The Looshaus* (New Haven: Yale University Press, 2011); and Marco Pogacnik, *Adolf Loos und Wien*, exh. cat. (Vienna: Ausstellungszentrum im Ringturm; Salzburg: Mury Salzmann, 2011).
 78. The plans were drawn by Ernst Epstein, the executive architect in charge of the construction (*Bauleiter*).
 79. Adolf Loos, "Mein Haus am Michaelerplatz," in Loos, *Gesammelte Schriften*, 420.
 80. Czech and Mistelbauer, *Das Looshaus*, 25; and Topp, *Architecture and Truth in Fin-de-Siècle Vienna*, 140.
 81. For example, the unsigned article "Der Neubau auf dem Michaelerplatz: Sistierung des Fassadenbaues," *Wiener Allgemeine Zeitung*, September 29, 1910, cited in Gruber et al., *Ernst Epstein*, 23.
 82. "Both I and my client were astonished that the conflict between us and the city building office reached the press. We planned to settle the matter peacefully. We were and remain convinced that we require the approval of the magistrate, but that it does not lie in the power of this body to dictate the sequence of the works. . . . The decoration of this stucco facade will be an evenly spaced horizontal meander pattern from the cornice to the mezzanine. About the material of this meander decoration we are not yet certain." Loos, "Die beanständete Fassade des Baues am Michaelerplatz," *Illustriertes Wiener Extrablatt*, September 30, 1910, in Loos, *Gesammelte Schriften*, 378. On October 3, 1910, Loos claimed that the halt to the building works represented a "ban on continuing work on the facade." Adolf Loos, "Mein erstes Haus," *Der Morgen*, October 3, 1910, in Loos, *Gesammelte Schriften*, 385.
 83. Gruber et al., *Ernst Epstein*, 27.
 84. Loos, "Mein Haus am Michaelerplatz," 426. Loos misspelled the name of the councillor, which was Karl Rykl.
 85. In the manuscript published by Adolf Opel, Loos refers to Berger only as "an Outsider." He quotes from Berger's article in the *Neue Freie Presse* and adds: "But only a few months before, he wanted the building to be presented to architects as exemplary, and had congratulated me. I do not wish to discuss publicly what has moved him to misuse the N.F.P. for a petty private matter." "Mein Haus am Michaelerplatz," 429–30. Newspaper reports of the time make clear that Berger was named, and the *Tagesbote aus Mähren und Schlesien* reported that Loos showed a slide of Berger's letter (December 23, 1911), quoted in Czech and Mistelbauer, *Das Looshaus*, 40.
 86. Adolf Loos, "Das Haus am Michaelerplatz," *Neues Wiener Tageblatt*, December 15, 1911.
 87. The architects were Ludwig Hoffmann and Martin Dülfer. Loos, "Mein Haus am Michaelerplatz," 428.
 88. Gruber et al., *Ernst Epstein*, 17. See also Czech and Mistelbauer, *Das Looshaus*, 41.
 89. Gruber et al., *Ernst Epstein*, 34–35. They note further, "It is impossible today to reconstruct the thoughts and motives for this or that action of those involved in the building" (17).
 90. Karl Kraus, "Die Zuckerkanal," *Die Fackel*, nos. 334–35 (1911): 22–23. The flower boxes were attached on October 24: Gruber et al., *Ernst Epstein*, 32.
 91. Kraus, "Die Zuckerkanal," 23. On receiving his copy of *Die Fackel*, Loos wrote to Kraus about the Zuckerkanal quote: "Have just received the *Fackel*! What a moving preamble!" Postcard from Adolf Loos to Karl Kraus, November 5, 1911, Wienbibliothek, Handschriftensammlung, I.N. 138.849.
 92. See n. 1 above.
 93. The court documents of the case appear to be lost; they are, in any case, not to be found in the court archives in the Wiener Stadt- und Landesarchiv. A transcription of the judgment and sentence is held in the Wienbibliothek, Handschriftensammlung, I.N. 138/870/1–5; a transcription of the court's sentence alone is in the Adolf Loos Archiv, file "Diverses." Page 3 of the five-page judgment is reproduced in facsimile in Elise Altmann-Loos, *Mein Leben mit Adolf Loos*, ed. Adolf Opel (Frankfurt: Ullstein, 1986), 298. Press reports of the time remain the main source for information on the case; several are reprinted in Altmann-Loos, *Mein Leben*, 284–300. Information on Loos's arrest and trial can be found in Rukschcio and Schachel, *Adolf Loos*, 339–42; in Altmann-Loos's affectionate memoirs that, nonetheless, assume Loos's guilt, Altmann-Loos et al., *Adolf Loos: Der Mensch*, 188–91; a brief and slightly inaccurate summary in Harald Seyrl, *Tatort Wien*, vol. 2, *Die Zeit von 1925–1944* (Vienna-Scharnstein: Edition Seyrl, 2007), 13–14; and responses by Alfred Polgar, Heinrich Eduard Jacob, and Arthur Rundt in the section "Der Prozess," in *Kontroversen: Adolf Loos im Spiegel der Zeitgenossen*, ed. Adolf Opel (Vienna: Prachner, 1985), 117–27. Most recently, Ma, "Der 'Fall' Loos," 161–71, is an informative account of the trial based on published sources.
 94. "Der Fall Adolf Loos," *Reichspost*, September 7, 1928.
 95. Altmann-Loos's account appears in Altmann-Loos et al., *Adolf Loos: Der Mensch*, 69–71, 188–91. She claims that the photographs in question came from Beer's apartment, but that they were destroyed before the police arrived.
 96. "I received the pictures that were found in my home and which have been brought into the context of my current affair from a literary man [*Literaten*] fifteen years ago. He was dying and did not wish them to be found among his effects. They were given to me in a sealed package. I want to emphasize that this writer was. . . not Peter Altenberg." "Adolf Loos über seine Einstellung zu Künstlern und Kindern: Ein Gespräch mit dem Architekten," *Neue Freie Presse*, September 9, 1928. On Altenberg and his photograph collection, see Leo A. Lensing, "Peter Altenberg's Fabricated Photographs: Literature and Photography in Fin-de-Siècle," in *Vienna 1900: From Altenberg to Wittgenstein*, ed. Edward Timms and Ritchie Robertson (Edinburgh: Edinburgh University Press, 1990); and Gronberg, *Vienna: City of Modernity*, chap. 5; on Altenberg's notorious fascination with young girls, see Andrew Barker, *Telegrams from the Soul: Peter Altenberg and the Culture of Fin-de-Siècle Vienna* (Columbia, S.C.: Camden House, 1996), passim.
 97. Austrian Strafgesetzbuch (1852), sec. 133/III: "Solicitation [*Verführung*], by which someone induces a person entrusted to him for custody, upbringing, or schooling to commit an indecent act or to tolerate such an act." From the judgment: "It has been reliably determined that he [Loos] induced the girls to indecency by causing them to assume certain positions and to be drawn in them. The sketchbook that he used is present, and thus the visual evidence that these positions were, almost without exception, of obscene nature [*grob unzüchtiger Art*]." Wienbibliothek, Handschriftensammlung, I.N. 138/870/3; see also the facsimile of this page in Altmann-Loos, *Mein Leben*, 298.
 98. "The accused denies having abused the girls sexually, and abuse could not be established by the evidence presented. The testimony of the girls is not suitable to do so, as it cannot be ruled out that the girls are reporting the erotic situation in which they found themselves as nude models in a playful or exaggerated way. Moreover, according to the expert opinion of the child psychiatrist and also the testimony of the parents, Fiedler, who seems to be the leader of the others, has a pathological tendency to distort the truth. The accused is therefore acquitted of the charge of abuse." Wienbibliothek, Handschriftensammlung, I.N. 138/870/3.
 99. One newspaper termed this "unusual clemency": "Gerichtssaal: Adolf Loos—vier Monate strenger Arrest bedingt," unidentified newspaper clipping in Wienbibliothek, Handschriftensammlung, I.N. 138.870/5.
 100. The decision notes the use of the *Gesetz über die bedingte Verurteilung* of July 23, 1920 (*Staatsgesetzblatt für die Republik Österreich*, 1920, no. 373).
 101. See the notice of sentence and the "Belehrung" outlining the terms of suspension of sentence in the Adolf Loos Archiv, file "Diverses."
 102. On changes in the Austrian press, see Timms, *Karl Kraus, Apocalyptic*

- Satirist*, vol. 2, 87–104. The changing, more sensationalistic, reporting on criminal trials is discussed in Franz Karl Hartl, "Kriminal- und Gerichtssaalberichterstattung in der ersten Republik: Untersucht am Beispiel des Mordfalles Katharina Fellner in der 'Neuen Freien Presse' und dem 'Tag'/'Wiener Tag'" (MPhil diss., University of Vienna, 1993).
103. "Der Fall Loos: Der traurige Niederbruch eines grossen Talents," *Neue Freie Presse*, September 7, 1928. Oddly, the newspapers made no mention of another case that parallels this one more closely: Egon Schiele's 1912 arrest on suspicion of child abuse involved with his sketching of children in Neulengbach, near Vienna, for which he spent twenty-four days in prison. In the end, Schiele was convicted only of the "dissemination of indecent drawings [*Verbreitung unsittlicher Zeichnungen*]." See Bernd Apke, "Egon Schiele in Prison," in Natter and Hollein, *The Naked Truth*, 126–27; and Christian M. Nebehay and Peter Müller, eds., *Egon Schiele im Gefängnis: Zehn Faksimileblätter nach Originalen aus dem Besitz der Graphischen Sammlung Albertina* (Graz: Akademische Druck- und Verlagsanstalt, 1990).
 104. "Adolf Loos als Mensch und Künstler: Von dem Künstler befreundeter Seite," *Neue Freie Presse*, September 8, 1928.
 105. Karl Bühler, "Jugendliche Zeugen vor Gericht," *Neue Freie Presse*, September 9, 1928.
 106. "Kinder auf der Modellbörse: Englesköpfchen und Elendsfiguren," *Neue Freie Presse*, September 9, 1928.
 107. "Gerichtssaal: Adolf Loos—vier Monate strenger Arrest bedingt." On assumptions that Loos was a Jew, see Beatriz Colomina, "Sex, Lies and Decoration: Adolf Loos and Gustav Klimt," in *Gustav Klimt: Painting, Design and Modern Life*, ed. Tobias G. Natter and Christopher Grunenberg (London: Tate Publishing, 2008), 42–51, 239 n. 17.
 108. "Nachspiel zum Prozess Loos: Eine Untersuchung gegen die 'Rote Fahne,'" *Neues Wiener Journal*, undated clipping in Wienbibliothek, Handschriftensammlung, I.N. 138.870/4. On Kraus's "crusade" against Schober around the violence involved with the 1927 burning of the Palace of Justice and violence against left-wing demonstrators, see Timms, *Karl Kraus, Apocalyptic Satirist*, vol. 2, 332–47.
 109. "Gerichtssaal: Adolf Loos—vier Monate strenger Arrest bedingt."
 110. "Adolf Loos vor den Schöffen: Es wird hinter verschlossenen Türen verhandelt," *Das Kleine Blatt*, December 1, 1928.
 111. Carlo Ginzburg's seminal essay is "Morelli, Freud and Sherlock Holmes: Clues and Scientific Method," *History Workshop Journal* 9, no. 1 (1980): 5–36. For Foucault on the case, see esp. *The Birth of the Clinic: An Archaeology of Medical Perception*, trans. A. M. Sheridan Smith (London: Tavistock, 1973); *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Random House, 1977); and *The History of Sexuality*, vol. 1, trans. Robert Hurley (London: Penguin, 1990).
 112. The case of Loos's physician at the time shows this clearly. Fritz Wittels, a young doctor who enjoyed Freud's patronage, was also, briefly, a frequent contributor to *Die Fackel*. One of his essays for *Die Fackel*, "The Child Woman," is a paean to a creature of his and Kraus's fantasy: a sexually precocious, polymorphously perverse girl unfettered by inhibitions, the legitimate underage object of male desire. Wittels, "Das Kindweib," *Die Fackel*, nos. 230–31 (1907): 14–33. But the child woman was, apparently, a real one. Edward Timms has excavated the sad story of the actress Irma Karczewska, who seems to have been circulated among the men of the Kraus circle, victim of the sort of male hypocrisy and exploitation they claimed to stand against. Kraus's public fight to keep private matters out of the press had its self-serving side. And soon enough, Wittels broke with Kraus, writing a satire of the satirists' circle. Kraus responded typically: he attacked Wittels personally in print and showed Freud Wittels's private letters, undermining the latter's relationship with his other mentor. See Timms, ed., *Freud and the Child Woman: The Memoirs of Fritz Wittels* (New Haven: Yale University Press, 1995).
 113. Fritz Wittels, "The Fackel-Neurosis," in *Minutes of the Vienna Psychoanalytic Society*, ed. Herman Nunberg and Ernst Federn (New York: International Universities Press, 1962–75), vol. 2, 382–88. On Wittels, Kraus, and Freud, see Timms, *Freud and the Child Woman*; and idem, *Karl Kraus, Apocalyptic Satirist*, vol. 1, 97–103.
 114. It is worth noting that Wittels's attacks on Kraus led to Freud severing his own relations with Wittels: Freud tried to prevent Wittels from publishing his satirical roman à clef about the Kraus circle, fearing the argument would put the psychoanalytic movement in the middle of a press battle, while also revealing the closeness of some of its members to the demimonde. Freud's practices of the public case were to avoid publicity, to keep their case studies on the scientific kind.
 115. Michel de Certeau, *The Practice of Everyday Life*, trans. Steven Rendall (Berkeley: University of California Press, 1984), 93.