

Prostitution Reform and the Reconstruction of Gender in the Weimar Republic

Looking back at the First World War in 1931, sexual scientist Magnus Hirschfeld likened it to “a gloomy canyon” separating a distant, already historical past from a “still lively pulsating present.” Along with millions of human corpses, buried in this canyon lay “numerous moral and cultural values from the period we now call the prewar time.”¹ This rupture in customary social and moral norms was starkly visible in the area of gender relations. Total mobilization blurred distinctions between the public and private spheres, front and home front, soldiers and civilians. Due to the absence and death of millions of men, women’s contributions to the war effort as workers, mothers, consumers, and household heads became increasingly vital for the prospects of victory. The twin pillars of the prewar gender order—women’s subordination to male authority within the family and their far-reaching exclusion from meaningful participation in the public sphere—developed serious fissures between 1914 and 1918.² In the aftermath of the First World War, historian Victoria de Grazia alerts us, “[a] restructuring of gender relations . . . went hand in hand with the recasting of economic and political institutions to secure conservative interests in the face of economic uncertainty and the democratization of public life.”³ How successful were such efforts to recast gender roles along conservative lines in the case of Weimar Germany?

According to the dominant view among Weimar women’s historians, postwar efforts to contain gains in women’s rights were extremely effective.⁴ This interpretation

contrasts Weimar's constitutional commitment to women's equal rights with the persistence of marked legal, political, and economic discrimination against women throughout the Weimar period. Powerful political positions and well-paid jobs remained male preserves, a considerable gender-specific wage gap persisted, and women's reproductive choices continued to be severely circumscribed by pronatalist social policies and punitive anti-abortion laws. The vast majority of scholars of Weimar women therefore ultimately concur with Renate Bridenthal and Claudia Koonz that "[d]espite much rhetoric about the rights of women, Germans did not envision a change in the traditional role of women. . . . Without an appealing alternative, women persisted in their loyalty to the familiar *Kinder, Küche, Kirche* ethos and saw emancipation more often as a threat than as a blessing."⁵ From this perspective, patriarchy appears to emerge essentially unaltered from the upheavals of war and revolution and was fortified rather than challenged by Weimar-era efforts at women's emancipation.

Yet, the notion of the enduring stability of patriarchal gender relations in post-World War One Germany squares uneasily with the prominence of themes of gender upheaval in Weimar culture. A number of recent studies focusing on cultural representations of women during the Weimar period emphasize the obsession with gender conflict as a pervasive theme in art, literature, and films of the 1920s.⁶ Thus, Maria Tatar's and Beth Irwin Lewis's analyses of representations of sexual murder in the works of male artists such as Otto Dix and George Grosz stress the predominance of misogynist anxieties about the loss of male power, fears Tatar and Lewis link to changes in gender relations after the First World War.⁷ Similarly, Bernd Widdig's study of the cultural meanings and impacts of the 1920s inflation emphasizes the central role of

gender as a signifier of social and economic disorder.⁸ What, then, was the relationship between such cultural representations of profound change and the social condition of gender relations in Weimar Germany?

In the Weimar Republic as elsewhere in interwar Europe, anxiety-ridden discourses about “sexual disorder” and “moral decay” became potent political forces in their own right that helped shape attitudes toward women’s role in society.⁹ To some extent, such debates exaggerated real shifts in established gender hierarchies. But, I would argue, the gap between cultural perceptions of change and actual change in gender relations was less pronounced in Weimar Germany than the bulk of the existing historiography on Weimar women suggests (and, arguably, it was also less pronounced than in other combatant countries like France or Britain, a point to which I will return in the conclusion). The example of prostitution reform highlights the contradictions of Weimar-era efforts at recasting gender roles. Legislation passed in 1927 against the spread of sexually transmitted diseases (STDs) reflected powerful anxieties over the alleged growth in women’s promiscuity and its detrimental impact on Germany’s prospects for national regeneration after the war. Venereal discourses of the 1920s closely associated women’s bodies with the specters of physical and moral “contamination.” At the same time, however, the 1927 anti-VD law was motivated by the wish to make prostitution policy accord with women’s recent enfranchisement and the Weimar constitution’s promise of civil equality of the sexes. Lawmakers’ rejection of the sexual double standard and arbitrary police powers constitutive of the old system of state-regulated prostitution and their simultaneous decision to decriminalize female

prostitution were indicative of important changes in public attitudes toward gender during the Weimar period.

Ambivalent Reform: The 1927 Anti-Venereal Law

In 1927, the Law for Combating Venereal Diseases (Reichsgesetz zur Bekämpfung der Geschlechtskrankheiten, or anti-VD law) abolished state-regulated prostitution (*Reglementierung*, or regulationism) and decriminalized female prostitution in general.¹⁰ Previously, prostitution had been illegal in Germany, but cities with *Reglementierung* tolerated registered prostitutes.¹¹ State-regulated prostitution subjected prostitutes to compulsory medical exams for sexually transmitted diseases as well as to numerous other restrictions on their personal freedom. Thus, regulated prostitutes typically were banned from major public areas and buildings, could only reside in lodgings approved by the police, and had to obtain permission if they wanted to travel. A special section of the police, the morals police (*Sittenpolizei*), was responsible for the supervision of prostitution. Registered prostitutes' exceptional legal status marked them social pariahs.¹² Women arrested for street soliciting and registered by the police generally had no recourse to the courts. Under regulationism, the legal principle of due process did not apply to prostitutes.

The 1927 reform marked a major triumph for bourgeois feminists, Social Democrats, and other "abolitionist" opponents of state-regulated prostitution. Since the movement's inception in the last quarter of the nineteenth century, a key abolitionist criticism of police-controlled prostitution had focused on the system's misogynist sexual

double standard, which severely restricted prostitutes' legal rights while turning a blind eye on their male clients.¹³ Feminists viewed regulationism as a manifestation of the unjust, immoral nature of male predominance in society and linked calls for the repeal of state-regulated prostitution to wider claims for women's rights. In the early twentieth century, the growing impact of socio-hygienic concerns on public debates about prostitution led to the rise of "neo-abolitionism, a doctrine that tried to combine abolitionist theory with the supposed need for health supervision . . ."¹⁴ The neo-abolitionist case against police-controlled prostitution blamed regulationism (and, by extension, male sexual prerogatives) for the perceived rise in STDs and strove to highlight the ways in which asymmetrical relationships of power between the sexes endangered public health.

In many respects, Weimar prostitution reforms bore the imprint of neo-abolitionism. The 1927 anti-VD law represented a puzzling mixture of emancipatory and potentially repressive elements. The *Reichsgesetz* was modeled on similar legislation passed in Norway and Denmark in 1889 and 1907, respectively.¹⁵ Like its Scandinavian counterparts, the German anti-VD law made medical treatment compulsory for people infected with STDs. It put public health offices (*Gesundheitsbehörden*) in charge of controlling the spread of VD and promised free medical treatment to poor people and to patients likely to suffer economic disadvantages if their insurer found out about their venereal infection.¹⁶ To counter the spread of STDs, the anti-VD law lifted the ban on advertising and the display of contraceptives that could serve as prophylactics.¹⁷ After 1927, many cities installed vending machines for the sale of condoms in public lavatories. In many towns, health offices openly advocated the use of condoms as a

protection against venereal infection and distributed them among their clients.¹⁸ The anti-VD law broke with older attitudes that viewed a person's infection with venereal disease as a sign of individual guilt and a just punishment for an immoral lifestyle.¹⁹ By introducing free treatment for poor people and for persons who would suffer economically if they notified their insurer, the *Reichsgesetz* established the right of venereal patients to medical care and protected them from certain forms of discrimination. The liberalization of regulations concerning the public display of prophylactics was a major achievement for sexual reformers. As Cornelia Usborne has pointed out, “[s]uch availability of this type of contraceptive . . . resulted in low prices and paved the way for the general acceptability of contraception.”²⁰ For women, improved access to certain contraceptives after 1927 marked an important gain in reproductive rights.

Alongside these voluntary incentives, however, the anti-VD law also introduced a range of compulsory measures. Clause 4 authorized public health agencies to subject persons who violated the STD regulations to compulsory medical tests and treatment. There was no general registration of all people infected with STDs. Yet the new law required physicians to report venereal patients who interrupted their treatment. Clause 5 stipulated that knowingly infecting others with STDs was punishable with up to three years in prison provided the damaged party raised criminal charges. As these examples illustrate, the 1927 anti-VD law linked progressive initiatives like the decriminalization of prostitution and the legalization of the public display of certain contraceptives to a set of highly problematic provisions that infringed on diseased people's individual rights.

The rather Draconian measures included in the *Reichsgesetz* reflected the high intensity of the VD scare gripping much of Germany's public during the Weimar years. It was widely believed that sexually transmitted diseases had increased dramatically during wartime and demobilization, and medical experts pointed to the ominous implications of this "venereal pollution" for the country's declining birthrate.²¹ A national survey conducted between 15 November and 14 December 1919 showed that one percent of the German population received treatment for VD or illnesses resulting from a prior infection with syphilis.²² Based on the number of new patients physicians reported for this one-month period, scientists calculated that every year, over half a million Germans contracted fresh venereal infections.²³ According to official estimates from the early 1920s, women's infection with gonorrhea prevented roughly 100,000 births annually, and the long-term effects of various types of venereal diseases rendered up to 300,000 marriages sterile.²⁴ Syphilis, which could cause stillbirths as well as serious birth defects, was considered to be extremely common. Against the backdrop of considerable population losses during and after the war, such figures seemed to jeopardize Germany's prospects of regeneration. They also supported the neo-abolitionist argument that *Reglementierung* had become utterly inadequate as a means of containing the spread of STDs.

How serious was the danger of Germany's "venereal pollution" after the First World War? Contemporary observers as well as historians have underlined the inconclusive, contradictory nature of statistical evidence concerning the prevalence of STDs in the early Weimar period. Several factors hindered an accurate assessment of the extent of STDs. Because no provisions for the compulsory registration (*Meldepflicht*) of

people infected with VD existed, a significant number of venereal patients never came to the authorities' attention. The moral stigma attached to VD greatly increased reluctance to report these illnesses. Moreover, since the first national survey of STDs dated from 1919, it was impossible to reach precise conclusions about the war's impact on the spread of venereal infections in the German population as a whole. The 1919 survey itself was seriously flawed, in part due to the low rate of response among general practitioners, VD specialists, and hospitals.²⁵ The often inconclusive results of statistical studies concerning the spread of STDs during and after the First World War have prompted historians to look elsewhere for the reasons behind Weimar-era fears about the "venereal contamination" of the German people. Thus, Richard Bessel has suggested that "[t]he problem was not that venereal disease had reached this or that level, but that social and sexual behavior, particularly of women, appeared out of control."²⁶

There is ample evidence supporting the view that conservative concerns about changes in established gender and family hierarchies played a central role in postwar debates about STDs. The official justification attached to the 1922 draft of the Law for Combating Venereal Diseases stressed that "[i]n the course of the war, venereal diseases . . . have spread to an alarming extent due to the progressive disintegration of family life and the inevitable unruliness (*Verwilderung*) of youth lacking fatherly authority."²⁷ The primary cause of the increase in STDs, the legislators argued, was "the uninhibited sex drive, which leads to a situation where numerous persons involved in constantly changing sexual relationships expose themselves repeatedly to new dangers of venereal infection." It had become common practice that "a man will have intercourse with several women or a woman with several men."²⁸ While sexual promiscuity in men was nothing new,

observers were alarmed that women now engaged in promiscuous sexual relations as well.

Concerns over the public dangers of female promiscuity played an important role in the implementation of the 1927 Law for Combating Venereal Diseases. In theory, the *Reichsgesetz* applied equally to both sexes. In practice, however, the anti-VD law's provisions for the regular medical control of people suspected of spreading STDs largely remained focused on prostitutes. A survey conducted in 1930 by the Deutscher Städtetag, the organization of German municipalities, showed that most public health agencies (with the important exceptions of Berlin, Hamburg, and Cologne) still required regular medical exams from all persons who engaged in prostitution.²⁹ "In numerous cities," the survey stressed, "this measure thus far applies only to women."³⁰ The continuation of prostitutes' regular checkups remained controversial among politicians and legal experts, many of whom argued that the practice was incompatible with the anti-VD law's abolitionist intentions. Nevertheless, the example of prostitutes' medical exams shows that the expansion of socio-hygienic measures against the spread of STDs could function to reinforce rather than undermine discriminatory state controls of female sexuality.

Despite the marked gender bias in the implementation of the 1927 anti-VD law, it would be a mistake to conclude that this reform simply upheld conventional gender roles and sexual mores. The extent to which Weimar prostitution reforms challenged established notions of gender, moral propriety, and social order becomes particularly apparent when we take a closer look at their impact on prostitutes' lives and political movements during the 1920s and early 1930s.

Prostitutes' Rights and the 1927 Prostitution Reform

With the abolition of regulationism, the conditions under which prostitutes lived and worked changed significantly. The Law for Combating Venereal Diseases outlawed brothels yet made it easier for prostitutes to rent private apartments. Clause 180 of the criminal code, which hitherto had penalized landlords who rented rooms to prostitutes for procuring (*Kuppelei*), was liberalized. After 1927, landlords who accommodated adult prostitutes only committed a criminal offense if they charged excessive rates or exploited prostitutes in other ways, or if they recruited or encouraged their tenants to engage in prostitution.³¹ Only the provision that women could not share an apartment with children between the ages of three and eighteen remained from the numerous residential restrictions that previously operated under regulationism. The anti-VD law offered prostitutes new protections against exploitation through landlords and allowed them to live in neighborhoods of their choice. Compared to the situation under *Reglementierung*, when many cities had confined registered prostitutes to specific streets and houses, this was a substantial improvement.

In the area of hygienic supervision, streetwalkers also gained new rights, although these gains were more limited. Clause 4 of the *Reichsgesetz* specified that public health offices could require medical documentation (*Gesundheitszeugnis*) from “persons urgently suspected of being infected with a venereal disease and of spreading the disease to others.” This provision often functioned as a legal basis for requiring regular health tests of women suspected of prostitution. However, clause 4 also stipulated that, barring exceptional cases, people under supervision of the health office had the right to choose

private physicians who examined them for STDs. Based on this provision, major cities—including Berlin, Breslau, Leipzig, Dresden, Chemnitz, Bochum, and Bremen—permitted prostitutes to visit private specialists instead of public health facilities.³² In Berlin, prostitutes able to prove that they had not been infected with gonorrhea within the last twelve months or with syphilis within the last five years obtained release from compulsory medical supervision altogether.³³

Despite the fact that most cities (with the notable exception of Berlin) required streetwalkers to pay for their private exams out of their own pocket, many prostitutes preferred to visit a private physician instead of attending the free exams at the health office. Thus, in April 1928 the Chemnitz health office reported that most prostitutes received their *Gesundheitszeugnisse* from private specialists.³⁴ Dresden officials estimated that between 60 and 75 percent of all prostitutes required to submit health certificates used private physicians.³⁵ The fact that many prostitutes took advantage of their new right to choose a private physician underlines the positive aspects of this measure. Visits with a private specialist likely offered greater privacy and discretion and therefore might have been a less humiliating experience for prostitutes. Private physicians had stronger financial incentives to treat their patients with a certain amount of courtesy and respect. In cities that allowed them to attend private exams, prostitutes were better able to avoid doctors they disliked or distrusted, including police physicians whom they had encountered under regulationism. Few cities followed Berlin's example, where prostitutes who fulfilled certain health requirements were released from required medical tests. In many places, health officials confined streetwalkers infected with STDs to the hospital and subjected them to compulsory treatment.

The most important achievement of the anti-VD law was the decriminalization of prostitution. After 1927, many repressive restrictions on prostitutes' personal liberty ceased to exist. Prostitutes now had unimpaired access to any public area, museum, theater, or restaurant. They no longer needed the police's permission if they wanted to travel, change their apartments, or leave their homes after dark. No regulations prescribed their attire, banned them from public transportation, or forbade them to own pets. They could share private apartments with other prostitutes and did not have to grant the police unrestricted access to their homes. The 1927 prostitution reform offered prostitutes new rights of legal redress against police harassment. No woman suspected of prostitution could be arrested and penalized without a proper trial. Some restrictions remained. Thus, solicitation was illegal in towns smaller than 15,000 inhabitants and in areas immediately contiguous to schools and churches. However, inconspicuous public prostitution ceased to constitute a criminal offense. This enabled prostitutes to challenge police officers who arrested them for street soliciting. By granting prostitutes key civil rights, such as freedom of movement and due process, the 1927 reform signified a radical break with the past.

Retrieving Prostitutes' Own Voices

It is difficult to reconstruct prostitutes' own views of the 1927 reform. A collection of thirty-five interviews with former brothel residents conducted in 1928 offers certain limited glimpses at their attitudes.³⁶ Among the ten women who expressed their opinions about the new system, three rejected it, mainly because they feared abolition would lead

to increased competition with nonprofessionals. Seven, however, considered the law an important improvement of their situation. Thus, Ella Ziegler from Karlsruhe declared that she was “happy about the new law” because it allowed her to return to a normal life. Ziegler stressed that she wished to “live again like a human being, not an animal.”³⁷ Frieda Maurer, too, supported the reform because it ended the social isolation of prostitutes, who now “counted again as human beings instead of being locked away.”³⁸ Most of the women welcomed the new law because it ended their dependency on the brothel. Not all of them took a remorseful position towards their work. For instance, thirty-four-year-old Ida Schuesser told the interviewer that she was in favor of the law because “one [does] not need to become the embodiment of virtue and still [can] lead a more humane and comfortable life.”³⁹ These examples show that at least a certain group of former registered prostitutes supported the 1927 reform because it offered them new rights and freed them from the repressive elements of regulationism.

The decriminalization of prostitution energized streetwalkers to resist attacks on their legal and economic rights. Thus, Leipzig prostitutes founded an association that employed legal counsel to defend its members against the police. In March 1931, the Saxon Ministry of Labor and Welfare (Sächsisches Arbeits- und Wohlfahrtsministerium) reported that “[a] large number of Leipzig prostitutes have submitted a petition to the city magistrate and the chief of police, in which they protest against unduly repressive measures on the part of the police. They argue that they have the right to pursue their business like any other tradesperson, since they pay taxes and would become dependent on social welfare if the severe controls continued.”⁴⁰ In the city-state of Bremen, prostitutes challenged what they considered illegal forms of police repression. According

to the Bremen health office, streetwalkers there had founded “a kind of protective association which represents the supposed rights of its members...through a certain lawyer.”⁴¹ After July 1932, the Bremen police arrested streetwalkers on the basis of the Law for the Temporary Arrest and Detention of Persons (Gesetz betreffend das einstweilige Vorführen und Festhalten von Personen), which allowed the police to detain individuals for a period of up to twenty-four hours if this appeared necessary to protect the person’s own or the public’s safety. Prostitutes opposed this practice as incompatible with the decriminalization of prostitution and sued the police for false imprisonment and grievous bodily harm.⁴² Bremen police officials were exasperated by the conflict, especially since negotiations with the court had cast doubt on the legality of the police measure.⁴³

Health officials also encountered opposition in their efforts to subject streetwalkers to regular controls for STDs. In September 1927, Frankfurt prostitutes organized picket lines to protest the health office’s order that they resume their regular checkups at the municipal hospital.⁴⁴ After consultations with their lawyer, the women declared that they were determined to oppose the measure, which in their eyes constituted an “illegal continuation of police control.” They believed that “the new law with its provisions for compulsory medical treatment is only applicable to diseased prostitutes refusing to consult a physician” and emphasized their right to a doctor of their own choice.⁴⁵ The prostitutes’ collective protest forced the health office to issue a statement defending its policy and led to a public debate about the issue. Even if ultimately most of the women accepted the health checks, their organization had put considerable pressure on Frankfurt officials.

Prostitutes' resistance to public authorities was a crucial factor in the backlash against liberal prostitution reforms during the early 1930s. In many cities, the police intensified crackdowns on streetwalkers and tightened regulations for the protection of "public decency."⁴⁶ As a result, streetwalkers' lives became highly precarious. In conversations with Magnus Hirschfeld, former registered prostitutes complained that their situation had vastly deteriorated since the passage of the anti-VD law.⁴⁷ Police suppression of street soliciting, the women claimed, was more severe than under regulationism and often forced them to spend all their earnings on fines. One prostitute told Hirschfeld, "she was longing to return to the brothel, where one used to have one's own warm room and could wait for the men. . . . [N]ow, [the prostitutes] were standing on the street corners, were cold . . . and in constant danger of being harassed by the police."⁴⁸

But if the 1927 reform in some ways might have rendered prostitutes' lives more difficult by outlawing brothels, it also offered them a new legal basis for challenging the police's actions. Prostitutes started to reach out to progressive organizations to gain support in their fights with the police. Thus, in the spring of 1930, a group of twenty-four Cologne prostitutes appealed to the German League for Human Rights (*Deutsche Liga für Menschenrechte*) for help. In the letter reprinted in the left-wing journal, *Die Weltbühne*, the women described how the Cologne police "hunted them down."⁴⁹ A large contingent of plainclothes policemen constantly were engaged in identifying streetwalkers; if a woman addressed one of them, she was immediately arrested and taken into custody. Conditions in the police prison were so primitive and unhygienic that one detainee had caught pneumonia there. The prostitutes urged the League to take up their

case as “ostracized human beings...[who] also have a right to live” and stressed that they too were “people’s comrades” (*Volksgenossen*) whose “barbarian treatment” through police officials had to be stopped.⁵⁰

Similarly, Berlin prostitutes protested against intensified repression through the police. In April 1930, Maria Schneider petitioned Prussia’s Minister of the Interior “on behalf of a larger group of prostitutes residing in Berlin’s working-class neighborhood.”⁵¹ The women, who solicited in the area surrounding Alexanderplatz, objected “that a veritable hunt is organized against us...so that we no longer can enter the lodging houses.” They criticized the class bias of this measure: “In the elegant neighborhoods, the same thing [i.e., prostitution] is done on a much grander scale than in our working-class neighborhood.” However, no measures were taken against upper-class prostitutes because their clientele included only “better gentlemen.” The Alexanderplatz prostitutes maintained that their lower-class customers had the same right to sexual gratification as the elites: “You, *Herr Minister*, have to admit that a man with a lower income also once in a while wants and needs to consort with a woman without worrying about impregnating her.” If the minister could not act on their behalf, the women considered hiring a lawyer and approaching members of the *Reichstag*. As the Cologne and Berlin examples show, even under conditions of increasing repression, Weimar prostitutes continued to organize in defense of their rights. The emergence of political movements among streetwalkers constituted a radical change in the nature of prostitution during the Weimar Republic.

Conclusion

In the early 1930s, the backlash against the decriminalization of prostitution rapidly gained momentum. Representatives of the moral Right (especially members of the Catholic Center Party and certain groups of conservative Protestants affiliated with the German-National People's Party) closed ranks with police officials to demand the return to a regulationist system. Many cities cracked down on street soliciting, often in open violation of the provisions of the 1927 Law for Combating Venereal Diseases. Right-wing extremist groups like the Nazis successfully turned the decriminalization of prostitution into a campaign issue, claiming that the emancipation of prostitutes from the restrictions of *Reglementierung* proved the utter moral and political bankruptcy of the democratic state of Weimar.⁵²

The moral agenda's importance for helping generate the anti-democratic backlash attests to the success, not failure, of Weimar gender reforms. Only *because* the prewar gender order and system of sexual mores had been significantly challenged and partially undermined in post-World War One Germany could issues of "immorality" play such a central role in right-wing attacks on the Weimar Republic. This underlines the centrality of struggles over the restructuring of gender relations for the course of Weimar history. The history of prostitution during the 1920s and early 1930s sheds new light on vital factors and dynamics in the destruction of Weimar democracy. Equally important, it points to certain positive achievements of Germany's first experiment in liberal-parliamentary government, and in particular to the remarkable (if highly contested) potential of Weimar democracy for the inclusion of morally stigmatized groups like prostitutes.

One could make the argument that the Weimar Republic differed in several important ways from other European countries struggling to restore their prewar gender systems during the interwar decades. The historical evidence suggests that conflicts over the restructuring of gender relations were particularly severe and protracted in Germany, where the wartime militarization of society had been especially effective in dislodging conventional forms of male dominance.⁵³ Discourses about “moral decline” assumed a distinctive shrillness in the Weimar Republic, because here the crisis of the old gender regime coincided with military defeat, dramatic changes in the political system, and impressive socialist victories. The November Revolution initially brought to power political forces—most important, the SPD—with a strong record of supporting woman’s emancipation. The contradictions of Social Democratic gender politics notwithstanding, conservatives had reason to be alarmed.⁵⁴ Germany was the center of the international movement for sexual reform, and public debates over issues of abortion reform, birth control, and homosexual rights assumed a new prominence during the Weimar years. In cities and states with socialist governments, sex reformers frequently received logistic and financial support from public sources.⁵⁵ Weimar Germany reduced penalties for abortion, improved access to certain contraceptive devices, and decriminalized prostitution at a time when neighboring France severely tightened its anti-abortion laws, outlawed the sale and distribution of contraceptives, and streamlined its system of state-regulated prostitution.⁵⁶

The profound double rupture taking place in Germany during and after World War One—the demise of the old political order alongside the collapse of the established patriarchal gender regime—created unique conditions for gender relations in the Weimar

Republic. Especially among more conservative segments of the German population, military defeat increased yearnings for a return to stable conventional gender roles. At the same time, however, the lost war and political democratization paved the way for significant liberalizations in attitudes toward women's rights and sexual morality, changes which are even more striking when viewed from a comparative perspective.

¹ Magnus Hirschfeld, *Sittengeschichte der Nachkriegszeit*, vol. 1 (Leipzig and Vienna: Verlag für Sexualwissenschaft Schneider & Co., 1931), 2. Unless otherwise noted, all translations from the German are my own.

² On women's changing status in the public sphere in wartime Germany, see Belinda J. Davis, "Reconsidering Habermas, Gender, and the Public Sphere: The Case of Wilhelmine Germany," in *Society, Culture, and the State in Germany*, 397-426.

³ Victoria de Grazia, *How Fascism Ruled Women: Italy, 1922-1945* (Berkeley: University of California Press, 3).

⁴ For a particularly critical and highly influential assessment of Weimar women's emancipation, see Renate Bridenthal and Claudia Koonz, "Beyond *Kinder, Küche, Kirche*: Weimar Women in Politics and Work," in *When Biology Became Destiny: Women in Weimar and Nazi Germany*, ed. by Renate Bridenthal et al. (New York: Monthly Review Press, 1984), 33-65. Compare also the contributions by Atina Grossmann and Karin Hausen in the same volume, and the discussion in Koonz, *Mothers in the Fatherland: Women, the Family, and Nazi Politics* (New York: St. Martin's Press, 1987), 21-49. For similar arguments about strong continuities in patriarchal gender relations during Weimar, see Karen Hagemann, *Frauenalltag und Männerpolitik: Alltagsleben und gesellschaftliches Handeln von Arbeiterfrauen in der Weimarer Republik* (Bonn: J. H. W. Dietz Nachf., 1990); Susanne Rouette, *Sozialpolitik als Geschlechterpolitik: Die Regulierung der Frauenarbeit nach dem Ersten Weltkrieg* (Frankfurt/Main: Campus, 1993); and Ute Frevert, *Frauen-Geschichte: Zwischen bürgerlicher Verbesserung und neuer Weiblichkeit* (Frankfurt/Main: Suhrkamp, 1986), ch. 3. In her recent study of Weimar-era electoral propaganda, Julia Sneeringer has

stressed the need for a more nuanced evaluation of 1920s women's emancipation. Ultimately, however, Sneeringer's own conclusions are rather pessimistic when she argues that "[w]omen's role in Weimar's discursive conflicts shows that they were not without the power to articulate, prescribe, or refashion identities for women. But their power to do so was ultimately dependent upon structures controlled by men." See idem, *Winning Women's Votes: Propaganda and Politics in Weimar Germany* (Chapel Hill: University of North Carolina Press, 2002), 282. For a rare perspective that privileges themes of rupture vis-à-vis notions of continuity in women's status, see Kathleen Canning, *Gender History in Practice: Historical Perspectives on Bodies, Class, and Citizenship* (Ithaca and London: Cornell University Press, 2006), ch. 8.

⁵ Bridenthal and Koonz, "Beyond *Kinder, Küche, Kirche*", 56.

⁶ See especially *Women in the Metropolis: Gender and Modernity in Weimar Culture*, ed. Katharina von Ankum (Berkeley, Los Angeles, and London: University of California Press, 1997); and Maria Tatar, *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995).

⁷ Tatar, *Lustmord*; and Beth Irwin Lewis, "Lustmord: Inside the Windows of the Metropolis," in *Women in the Metropolis*, 202-32.

⁸ Bernd Widdig, *Culture and Inflation in Weimar Germany* (Berkeley: University of California Press, 1999), ch. 8.

⁹ Two major studies that focus on the role of discourse in shaping gender relations during the interwar period are Mary Louise Roberts, *Civilization Without Sexes: Reconstructing Gender in Postwar France, 1917-1927* (Chicago and London: University of Chicago Press, 1994); and Susan Kent, *Making Peace: The Reconstruction of Gender in Interwar Britain* (Princeton, New Jersey: Princeton University Press, 1993).

¹⁰ See *Reichsgesetzblatt*, part I, 22 February 1927, 61-63. On the history of the anti-VD law, see Cornelia Osborne, *The Politics of the Body in Weimar Germany: Women's Reproductive Rights and Duties* (Ann Arbor: University of Michigan Press, 1992), 109-12; see also Paul Weindling, *Health, Race and German Politics Between National Unification and Nazism, 1870-1945* (Cambridge, England and New York, 1993), esp. 357-59.

¹¹ For the debate about state-regulated prostitution in Imperial Germany, see Richard J. Evans, "Prostitution, State and Society in Imperial Germany," *Past & Present* no. 70 (February 1976): 106-29;

Regina Schulte, *Sperrbezirke: Tugendhaftigkeit und Prostitution in der bürgerlichen Welt* (Hamburg 1994); and Lynn Abrams, "Prostitutes in Imperial Germany, 1870-1918: Working Girls or Social Outcasts?," in *The German Underworld: Deviants and Outcasts in German History*, ed. Richard J. Evans (London and New York, 1988), 189-209.

¹² See the detailed discussion of regulationism's legal aspects in Jill Harsin, *Policing Prostitution in Nineteenth-Century Paris* (Princeton, New Jersey, 1985), chapter 2. See also Abraham Flexner, *Prostitution in Europe* (Montclair, New Jersey, 1969 [originally 1914]), esp. 136-37.

¹³ Continental European abolitionists drew inspiration from Josephine Butler's campaign against the Contagious Diseases Acts in Britain during the 1870s and 1880s. See the by now classic study of the British campaign by Judith R. Walkowitz: *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge, England, and New York: Cambridge University Press, 1980).

¹⁴ Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850* (Cambridge, Mass.: Harvard University Press, 1990), 342.

¹⁵ On the Scandinavian anti-VD laws, see Alfred Blaschko, "Prostitution," in *Handwörterbuch der Staatswissenschaften*, vol 6, edited by J. Conrad et al. (Jena: Gustav Fischer, 1910), 1245-46.

¹⁶ See clause 2 of the GBG. It was incumbent on the individual state governments to provide funding for the free treatment of these groups of venereal patients.

¹⁷ Previously, clause 184/3 of the penal code had banned the advertising and public display of "objects intended for indecent use," which meant primarily contraceptives. See Osborne, *Politics of the Body*, 11.

¹⁸ Osborne, *Politics of the Body*, 111-12; see also the flyer issued by the Main Health Office (Hauptgesundheitsamt) of Berlin in 1927, which promoted the use of "prophylactics" (i.e. condoms) to prevent infection with STDs. The flyer is reprinted in *Die Bekämpfung der Geschlechtskrankheiten in deutschen Städten*, 155.

¹⁹ As a reflection of such views of VD as a dishonorable "personal punishment," Germany's public health insurance did not cover the treatment of STDs prior to the First World War. See Pappritz, "Die abolitionistische Föderation," 232.

²⁰ See Osborne, *Politics of the Body*, 112.

²¹ The German birthrate sank from a level of 31.6 per 1,000 of the total population in the period between 1906 and 1910 to 15.1 in 1932 and 14.7 in 1933, respectively. By 1933, German fertility was the lowest in all of Europe, excepting only Austria. See D. V. Glass, *Population Policies and Movements in Europe* (1940; reprint London: Frank Cass, 1967), 269-70. See also Peter Marschalck, *Bevölkerungsgeschichte Deutschlands im 19. und 20. Jahrhundert* (Frankfurt/Main: Suhrkamp, 1984), ch. 4.

²² In 1920, Germany had a population of close to 62 million. See Table 1.3 in Marschalck, *Bevölkerungsgeschichte*, 146.

²³ See the critical discussion of VD statistics from the Imperial and Weimar periods in Sauerteig, *Krankheit, Sexualität, Gesellschaft*, 69-88.

²⁴ See the speech by Reich Minister of the Interior Oeser in *Reichstag: Stenographische Berichte*, vol. 360, 13 June 1923, 11315.

²⁵ According to Sauerteig, *Krankheit, Sexualität, Gesellschaft*, 74, only 53.5 percent of general practitioners responded to the survey, as compared to 63 percent of VD specialists (*Fachärzte*) and 64.8 percent of hospitals.

²⁶ *Ibid.*, 238-9.

²⁷ See *Reichstag: Stenographische Berichte*, vol. 371, document no. 3523, 3504.

²⁸ *Ibid.*, 3505.

²⁹ See *Die Bekämpfung der Geschlechtskrankheiten in deutschen Städten*, 59-65.

³⁰ *Ibid.*, 63.

³¹ See Curt Geyer and Julius Moses, *Gesetz zur Bekämpfung der Geschlechtskrankheiten nebst Erläuterungen und Kommentar* (Berlin: J.H.W. Dietz, 1927), 49-50.

³² See the various reports by local health offices on the issue of prostitutes' right to choose private physicians for their medical exams for STDs in Landesarchiv Berlin (LAB) Rep. 142/1 St. B. (Deutscher/Preußischer Städtetag)/3634.

³³ The Berlin regulations are reprinted in *Die Bekämpfung der Geschlechtskrankheiten in deutschen Städten*, Schriftenreihe des Deutschen Städtetages, ed. Otto Schweers and Franz Memelsdorff, vol 8 (Berlin: Selbstverlag des Deutschen Städtetages, 1930), 189-92.

³⁴ See the report of 10 April 1928 in LAB Rep. 142/1 St. B./3634.

³⁵ See *ibid.*, report of 14 April 1928.

³⁶ Elga Kern, *Wie sie dazu kamen: 35 Lebensfragmente bordellierter Mädchen nach Untersuchungen in badischen Bordellen* (Munich: Ernst Reinhardt, 1928). The women came from different German cities and regions; all names have been changed.

³⁷ *Ibid.*, 95.

³⁸ *Ibid.*, 100.

³⁹ *Ibid.*, 109.

⁴⁰ See the report to the Reich Ministry of the Interior of 17 March 1931 in GStA-PK I. HA Rep. 84a (Justizministerium)/869, 163.

⁴¹ Health office's report of January 1932 in Staatsarchiv Bremen (StAB) Gesundheitsamt 4,130/1-R.I.1.-17.

⁴² See the legal brief of 29 September 1932 in StAB 4,130/1-R.I.1.-24.

⁴³ Report of a meeting at the Bremen health office on 28 August 1928 in StAB 4,130/1-R.I.1.-24.

⁴⁴ For a discussion of prostitutes' protests, see "Gesundheitskontrolle der Prostitution," *Volksstimme: Organ der Sozialdemokratie für Südwestdeutschland*, 1 October 1927; "Die Untersuchung der Prostituierten," *Volksstimme*, 5 October 1927; "Die von der Straße leben," *Volksstimme*, 2 February 1928; "Polizei und Prostituierte," *Arbeiterzeitung*, 30 September 1927; and "Polizei und Prostituierte," *Arbeiterzeitung*, 3 October 1927.

⁴⁵ Cited in "Gesundheitskontrolle der Prostituierten," *Volksstimme*, 1 October 1927.

⁴⁷ See Hirschfeld, *Geschlechtskunde*, 349.

⁴⁸ *Ibid.*

⁴⁹ "Klage der Kölner Freudenmädchen," *Die Weltbühne* XXVI (4 February 1930): 221-22.

⁵⁰ *Ibid.*, 222.

⁵¹ See GStA -PK I. HA Rep. 77 II (Ministerium des Innern) Titel 435 Nr. 6, 239-40.

⁵² I discuss the moral agenda's role in the backlash against Weimar in more detail in my article, "Backlash against Prostitutes's Rights: Origins and Dynamics of Nazi Prostitution Policies," *Journal of the History of Sexuality* 11:1/2 (January/April 2002): 67-94.

⁵³ Elisabeth Domansky argues that Germany's lack of substantial colonies and her greater willingness to engage in social engineering meant that the First World War had a far more dramatic impact on this country than it did on other combatant nations: "These years both allowed and forced German society to restructure itself and to experiment with a new social order more thoroughly than other Western nations. . . . In order to wage and sustain total war, Germany had to pursue a path of radical self-exploitation of its national resources and therefore endured militarization and mobilization necessary for war to a much greater degree than either France or Great Britain." One important result was the demise in Germany of the nineteenth-century model of the bourgeois family. "[W]hile France and Great Britain seem to have emerged from the 'gender crisis' of total war with their patriarchal systems still intact, patriarchy . . . was destroyed in Germany." For Domansky, this destruction of individual male patriarchy in the family did not signify a gain in women's rights as it was linked to the growth of patriarchal power of the state. See idem, "Militarization and Reproduction," 432; 428; 436.

⁵⁴ On the limitations of Social Democratic women's policies during the Weimar period, see Hagemann, *Frauenalltag*; and Geoff Eley, *Forging Democracy: The History of the Left in Europe, 1850-2000* (Oxford: Oxford University Press, 2002), 192-95. See also the critical assessment of demobilization measures in Rouette, *Sozialpolitik*. I will discuss the gender politics of the Weimar Left in more detail in Chapter Four.

⁵⁵ On the history of Weimar sex reform, see Atina Grossman, *Reforming Sex: The German Movement for Birth Control and Abortion Reform, 1920-1950* (Oxford and New York: Oxford University Press, 1995).

⁵⁶ On France, see Roberts, *This Civilization*, 94-98; James F. McMillan, *Housewife or Harlot: The Place of Women in French Society, 1870-1940* (New York: St. Martin's Press, 1981), ch. 8; and Smith, *Changing Lives*, 398-99.