

STERN PRIZE

WEIMAR'S CRISIS THROUGH THE LENS OF GENDER: THE CASE OF PROSTITUTION

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Key Objectives

A central objective of my study of the history of prostitution in the Weimar Republic is to highlight the role of gender in the crisis and ultimate demise of Germany's first experiment in liberal democratic government.¹ My dissertation aims to show that German attitudes towards prostitution during the 1920s and early 1930s represent a microcosm of Weimar society's major problems and tensions. Thus, the key question focuses on the impact of the rhetoric of Weimar's alleged "moral decline" on the stability of the new democratic order, and on the links between anxieties over shifts in established gender relations after the First World War and political struggles about prostitution in the Weimar period.² Prostitution, I argue, served as a potent symbol of a more general and fundamental crisis in gender relations, and fears about the loss of a stable sexual and moral order played a key role in Weimar democracy's fall. The decriminalization of prostitution in 1927 entailed vital gains in prostitutes' rights and marked a radical break with their precarious legal status under the old system of police-controlled prostitution. Despite certain limitations, the 1927 reforms represented a major political victory for liberal feminists, socialists, and sexual reformers. This explains why prostitution became such a central target of right-wing (and ultimately Nazi) attacks on Weimar democracy.³

Another key goal of my dissertation is to re-assess the achievements of woman's emancipation between 1919 and 1933. My own work builds on the seminal scholarship on women in Weimar by historians such as Atina Grossmann, Renate Bridenthal, and Claudia Koonz.⁴ These authors have emphasized the centrality of struggles over gender in the history of the Weimar Republic. In what has become the dominant line of interpre-

tation among women's historians, they argue that heightened class conflict, economic instability, and political chaos ultimately buttressed patriarchal gender hierarchies and effectively blocked real progress in women's rights during the Weimar years.⁵ My study offers a more complex picture of the extent of changes in gender roles. Whereas many historians have interpreted Weimar's crisis as a factor that reinforced and stabilized asymmetrical gender relations, my own analysis of struggles over prostitution during the 1920s and early 1930s suggests that gender itself was at the root of Weimar's crisis. As the example of Weimar prostitution reforms shows, feminists and left-wing sexual reformers successfully challenged the sexual double standard and misogynistic rationale inherent in state-regulated prostitution. The Law for Combating Venereal Diseases (anti-VD law), which introduced the prostitution reforms, also lifted the ban on the advertisement and display of certain contraceptives that could function as prophylactics. After 1927, many cities installed vending machines for the sale of condoms in public lavatories. For women, the improved access to certain contraceptives marked an important gain in reproductive rights. Such shifts in established gender roles and sexual mores precipitated a powerful conservative backlash that played a fateful role in the destruction of the Weimar Republic. This suggests that gender was as important a factor in the demise of Weimar as class antagonism and the bitter political divisions between Left and Right. Because much of the existing scholarship on women in Weimar tends to stress the failures of woman's emancipation during this period, conflicts over gender have often been seen as less crucial for explaining Weimar's demise than the impacts of economic crisis and class struggle. With my study, I aim to show why such an approach risks missing key dynamics in the ultimate decline of Weimar democracy and the triumph of Nazism.

My dissertation contends that gender analysis can offer us vital new insights into central questions and turning points of Weimar political history. In this sense, the history of Weimar prostitution reforms is of interest not only to the relatively limited number of gender historians, but to all scholars of twentieth-century Germany. In the individual chapters, I use the topic of prostitution to explore key problems in twentieth-century German history. Among the issues addressed are: the extent of democratization of German society after the First World War, the nature of the Weimar welfare state, the peculiarities of German feminism, the divisions within the Weimar Left, the origins of 1920s right-wing populism, the anti-democratic backlash from within the state bureaucracy, and the rise of Nazism. In the following, I will discuss the connections between prostitution reform and the *Preußenschlag*, the coup against Prussia's Social Democratic government engineered by Chancellor von Papen

in July 1932, to illustrate how gender analysis adds to our understanding of this crucial event in the destruction of the Weimar Republic.

Prostitution Reform and the *Preußenschlag*

In 1927, the Law for Combating Venereal Diseases (Reichsgesetz zur Bekämpfung der Geschlechtskrankheiten) abolished state-regulated prostitution (*Reglementierung*, or regulationism).⁶ Until 1927, prostitution in general had been illegal in Germany. However, cities with *Reglementierung* tolerated registered prostitutes.⁷ 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 were banned from major public areas, 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 as social pariahs.⁸ Women arrested for street soliciting and registered by the police generally had no recourse to the courts. The legal principle of due process did not apply to prostitutes. By abolishing the arbitrary powers of the morals police, the 1927 reform introduced key gains in prostitutes' rights.

A year after the implementation of the anti-VD law, the Council of German Cities (Deutscher Städtetag) conducted a survey among local health offices.⁹ One important question focused on public reactions to the reform. Of the twenty-four cities included in the survey, only three (Hamburg, Berlin, and Stettin) reported generally positive responses from the population. In a range of cities, the perceived rise in prostitution mobilized citizens against the anti-VD law. This was true especially of the overwhelmingly Catholic cities of Munich, Nuremberg, Augsburg, Cologne, and Münster.¹⁰ In subsequent years, religious conservatives organized a vocal movement against the more liberal elements of the 1927 prostitution reform. While Catholic politicians and associations often spearheaded initiatives to impose tougher controls on prostitutes, Protestants supported such efforts as well. In April 1930, the Reichstag committee on population policy passed a resolution that called for the strict suppression of street soliciting and of lodging houses (*Absteigequartiere*) used by prostitutes to meet their clients. The author of the motion was Reinhard Mumm, the Lutheran pastor and leader of the conservative Christian-Social People's Service (Christlich-Sozialer Volksdienst).¹¹ The resolution reflected demands communicated to Mumm by leading representatives of Lutheran churches and morality associations.¹²

Key to this backlash against liberal prostitution reforms was the political mobilization of prostitutes. The decriminalization of prostitution

energized streetwalkers to resist attacks on their civil 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 side 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.”¹³ 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.”¹⁴ 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.¹⁵ Bremen police officials were exasperated by the conflict, especially since negotiations with the court had cast doubt on the legality of the police measure.¹⁶

Major centers of the conservative backlash against the 1927 reform were Catholic-dominated cities in the Prussian Rhine Province. Cologne, a Center Party stronghold where Konrad Adenauer was mayor (*Oberbürgermeister*), was at the forefront of efforts to reintroduce harsher penalties for street soliciting. During the early 1930s, the Catholic morality association, the Volkswartbund, coordinated the local campaign against the anti-VD law.¹⁷ The Bund organized public protests and petitions and pressured Cologne’s chief of police to implement more punitive measures against prostitutes. In April 1932, the Working Group of Cologne Catholics (Arbeitsgemeinschaft Kölner Katholiken) alerted Reich Chancellor Heinrich Brüning to the dramatic proliferation of commercial sex.¹⁸ “Growing poverty and the resulting moral degeneration of whole strata of the population have produced such an increase in prostitutes that prostitution has become a veritable plague (*Volksplage*) . . . Responsibility for this terrible situation largely lies with the Law for Combating Venereal Diseases.” The petition called for an emergency decree authorizing the police to suppress any form of street solicitation. Similar conservative grassroots movements against the 1927 reform emerged in Essen, Krefeld, and Dortmund.¹⁹ Catholic politicians increasingly pushed for a general

criminalization of prostitution. In June 1932, the National Women's Caucus of the Center Party (Reichsfrauenbeirat der Deutschen Zentrums-partei) appealed to the Reich Minister of the Interior to outlaw street soliciting.²⁰ On July 9, 1932, the Prussian State Council, the representation of the Prussian provinces, supported a motion to criminalize public prostitution that had been submitted by Konrad Adenauer and the other members of the Center Party delegation.²¹

Less than two weeks later, conservative critics of Weimar prostitution reforms could be hopeful that a policy shift toward more repressive measures was imminent. The Papen Putsch against Prussia's Social Democratic government brought to power prominent opponents of the 1927 reform. Historians have pointed out that Papen justified the coup with charges "that the Prussian government was unable to maintain law and order."²² They focus especially on Papen's criticism that Social Democrats were "soft on Communism." Unfortunately, most existing scholarship tends to neglect the significance of the backlash against the liberalization of sexual mores for understanding the political origins of the *Preußenschlag*. For religious conservatives, however, the Prussian regime's perceived failure to combat "immorality" effectively was a major reason to support Papen's coup. Franz Bracht, a Center Party politician and Federal Commissioner for Prussia after 20 July 1932, swiftly implemented several decrees aimed at restoring public morality. On August 8, Bracht outlawed nude bathing; on August 19, he forbade nudity and other "indecent performances" in theaters.²³ As former mayor of Essen, Bracht brought with him to the capital his chief of police, Kurt Melcher.²⁴ Melcher, who became Berlin's new police president, was one of the most prominent critics of the 1927 anti-VD law.²⁵

For religious conservatives, Bracht's appointment was an important victory. An article in *Volkswart*, the organ of Cologne's Volkswartbund, stressed that the path now was clear for a more rigorous repression of prostitution in Prussia.²⁶ Bracht did not disappoint such expectations. The Federal Commissioner installed a new chief of police in Cologne, Walter Lingens, who in December 1932 outlawed street soliciting.²⁷ During subsequent weeks, the police presidents of Neuss, Münster, and Dortmund followed Lingens' example. But the religious Right was somewhat divided about the question of how best to combat prostitution. Protestants supported demands for a revision of clause 361/6 of the penal code to increase the police's authority to intervene against streetwalkers. Unlike many Catholics, though, representatives of Lutheran churches and women's associations opposed the total criminalization of prostitution for fear that this would pave the way for the return of regulated brothels.²⁸ In October 1932, Paula Müller-Otfried, a Reichstag delegate for the conservative German National People's Party and president of the German

Lutheran Women's Federation (Deutsch-Evangelischer Frauenbund, or DEF), commended Bracht on his measures "against the degenerative developments in public life."²⁹ Müller-Otfried admitted that the anti-VD law offered no adequate legal means to curb street soliciting, but warned that the complete criminalization of prostitution would revive *Reglementierung*. "A return to the old system of regulationism . . . would cause great concern among women and the wider public." Bracht's own draft of a revision of clause 361/6 strove to mediate between the diverging Catholic and Lutheran positions. While the Federal Commissioner's proposal made all forms of public solicitation "suited to harass individuals or the public" punishable, it stopped short of outright criminalization of prostitution.³⁰ The Papen Putsch fulfilled key conservative demands for a tougher stance on "immorality" and a reversal of the more liberal aspects of Weimar prostitution reforms. This greatly strengthened the moral Right's support for the semi-authoritarian presidential regime of the early 1930s, which was based on rule by emergency decree and tended to minimize meaningful participation by parliament.

Conclusion

The connections between the movement against Weimar prostitution reforms and religious conservatives' support of the *Preußenschlag* underline the central role of issues of gender and sexuality in the decline of Weimar democracy. They show that radical Weimar gender reforms like the decriminalization of prostitution provoked a powerful anti-democratic backlash that united state officials, religious conservatives, and right-wing populists. The Nazis certainly were aware of the political value of the "moral" agenda for the advancement of their own cause when they attacked the decriminalization of prostitution as a quintessential sign of Weimar democracy's alleged "corruption" and promised to eradicate "vice" in the future National Socialist state. Analyses of Weimar's fall focused exclusively on pre-1918 authoritarian political traditions miss the importance and novelty of 1920s conflicts over gender that played such a fateful role in undermining popular support for the Weimar Republic.

Notes

¹ I find Joan Scott's definition of gender helpful. According to Scott, "gender is a constitutive element of social relationships based on perceived differences between the sexes, and gender is a primary way of signifying relationships of power." As Scott points out, relationships of power signified by gender often serve as a model and legitimation for other, non-sexual relationships of power in society: "Gender . . . provides a way to decode meaning and to understand the complex connections among various forms of human interaction. When historians look for the ways in which the concept of gender legitimizes and constructs social relationships, they develop insight into the reciprocal nature of gender and society and into

the particular and contextually specific ways in which politics constructs gender and gender constructs politics." See Joan Wallach Scott, "Gender: A Useful Category of Historical Analysis," in: idem, *Gender and the Politics of History* (New York: Columbia University Press, 1988), 42, 45–46; see also Joan Kelly, "The Social Relations of the Sexes: Methodological Implications for Women's History," in: idem, *Women, History, and Theory: The Essays of Joan Kelly* (Chicago and London: University of Chicago Press, 1984), 1–18.

² On Weimar-era discourses about "immorality," see Richard Bessel, *Germany After the First World War* (Oxford and New York: Oxford University Press, 1993), 220–53; and Cornelia Osborne, *The Politics of the Body in Weimar Germany: Women's Reproductive Rights and Duties* (Ann Arbor: University of Michigan Press, 1992), 69–101.

³ I explore this issue in more detail in my article "Backlash against Prostitutes' Rights: Origins and Dynamics of Nazi Prostitution Policies," *Journal of the History of Sexuality* 11 (2002): 67–94.

⁴ See the various essays on Weimar in Renate Bridenthal, Atina Grossmann, and Marion Kaplan, eds., *When Biology Became Destiny: Women in Weimar and Nazi Germany* (New York: Monthly Review Press, 1984); see also Grossmann, "The New Woman and the Rationalization of Sexuality in Weimar Germany," in *Powers of Desire: The Politics of Sexuality*, ed. Ann Snitow, Christine Stansell, and Sharon Thompson, (New York: Monthly Review Press, 1983), 153–71; and idem, *Reforming Sex: The German Movement for Birth Control and Abortion Reform, 1920–1950* (New York and Oxford: Oxford University Press, 1995).

⁵ For similar arguments about the limitations of woman's emancipation in the Weimar Republic, see Karen Hagemann, *Frauenalltag und Männerpolitik: Alltagsleben und gesellschaftliches Handeln von Arbeiterfrauen in der Weimarer Republik* (Bonn: J. H. W. Dietz Nachf., 1990); and Susanne Rouette, *Sozialpolitik als Geschlechterpolitik: Die Regulierung der Frauenarbeit nach dem Ersten Weltkrieg* (Frankfurt am Main and New York: Campus, 1993).

⁶ See *Reichsgesetzblatt*, part I, 22 February 1927, 61–63. On the history of the anti-VD law, see Osborne, 109–12; see also Paul Weindling, *Health, Race and German Politics Between National Unification and Nazism, 1870–1945* (Cambridge, England, and New York: Cambridge University Press, 1993), esp. 357–59.

⁷ 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: Europäische Verlagsanstalt, 1994), esp. chapter 4; 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: Routledge, 1988), 189–209.

⁸ See the detailed discussion of the legal aspects of regulated prostitution in Jill Harsin, *Policing Prostitution in Nineteenth-Century Paris* (Princeton, New Jersey: Princeton University Press, 1985), chapter 2. See also Abraham Flexner, *Prostitution in Europe* (Montclair, New Jersey: Patterson Smith, 1969 [originally 1914]), esp. 136–37.

⁹ See *Die Bekämpfung der Geschlechtskrankheiten in deutschen Städten*, Schriftenreihe des Deutschen Städtetages, vol. 8, eds. Otto Schweers and Franz Memelsdorff, (Berlin: Selbstverlag des Deutschen Städtetages, 1930).

¹⁰ See *ibid.*, 103.

¹¹ On Mumm, see Kurt Nowak, *Evangelische Kirche und Weimarer Republik: Zum politischen Weg des deutschen Protestantismus zwischen 1918 und 1932* (Weimar: Hermann Böhlhaus Nachfolger, 1988), 36–37; 142–45; see also Peter Fritzsche, *Rehearsals for Fascism: Populism and Political Mobilization in Weimar Germany* (New York and Oxford: Oxford University Press, 1990), esp. 50–51.

¹² See BArch 90 Mn (N 2203 [estate of Reinhard Mumm]), no. 531, esp. 33–37.

¹³ See the report to the Reich Ministry of the Interior of 17 March 1931 in GStA-PK I. HA Rep. 84a/869, 163.

- ¹⁴ See the health office's report of January 1932 in Staatsarchiv Bremen (StAB) 4,130/1-R.I.1.-17.
- ¹⁵ See the legal brief of 29 September 1932 in StAB 4,130/1-R.I.1.-24.
- ¹⁶ See the report of a meeting at the Bremen health office on 28 August 1928 in StAB 4,130/1-R.I.1.-24.
- ¹⁷ See "Sitzung des Volkswartbundes in Köln am 25. Januar 1933," in Archiv des Deutschen Caritasverbandes (ADCV), Sozialdienst katholischer Frauen (SKF), 319.4 D01/05e, Fasz.1.
- ¹⁸ See the petition of April 19, 1932 in BArch R 1501/26315, 16-18. See also "Gegen die öffentliche Unsittlichkeit," *Kölnische Volkszeitung*, 19 April 1932.
- ¹⁹ See the petition to Brüning by the Altstädtischer Verein Essen of 22 November 1931 in BArch R 1501/27217/8, 55; on the movement against the 1927 reform in Dortmund, see "Wann folgt Dortmund?," *Tremonia*, 29 December 1932; on Krefeld, see the minutes of a meeting of the Krefelder Hilfsbündnis für geistige Wohlfahrtspflege (Krefeld Alliance for the Protection of Spiritual Welfare) on 25 October 1932 in Archiv des Katholischen Deutschen Frauenbundes (AKDF), Morality Commission 1-27-6.
- ²⁰ See "Bekämpfung der Geschlechtskrankheiten," *Mitteilungen des Reichsfrauenbeirats der Deutschen Zentrumspartei* 7 (1932): 194-95; see also "Der Widerstand gegen das Gesetz zur Bekämpfung der Geschlechtskrankheiten," *Der Abolitionist* 31 (1932): 67-69.
- ²¹ For the debate in the Prussian state council, see GStA-PK I. HA Rep. 169 DIX E/6, 155-59; see also Dorothea Karsten, "Zur Frage der Bekämpfung der Prostitution," *Soziale Praxis* 41 (1932): 1277-86.
- ²² See Dietrich Orlow, *Weimar Prussia, 1925-1933: The Illusion of Strength* (Pittsburgh: University of Pittsburgh Press, 1991), 228; see also Gotthard Jasper, *Die gescheiterte Zähmung: Wege zur Machtergreifung Hitlers, 1930-1934* (Frankfurt am Main: Suhrkamp, 1986), 93-104.
- ²³ See "Die neuen preußischen Verordnungen gegen sittliche Entartung," *Volkswart: Monatsschrift zur Bekämpfung der öffentlichen Unsittlichkeit* no. 1 (1932), esp. 149.
- ²⁴ See Hsi-Huey Liang, *The Berlin Police Force in the Weimar Republic* (Berkeley and Los Angeles: University of California Press, 1970), esp. 153-54.
- ²⁵ See Kurt Melcher, "Grundsätzliches zur Behandlung der Prostitution im Geschlechtskrankengesetz," *Die Polizei* 29 (1932): 381-83.
- ²⁶ See "Die neuen preußischen Verordnungen gegen sittliche Entartung," *Volkswart*, no. 1 (1932), esp. 150-51.
- ²⁷ See the minutes of a meeting of the Volkswartbund in ADCV, SKF 319.4 D 01/05 e, Fasz. 1; see also "Köln in Front: Zur Wahrung der öffentlichen Sittlichkeit," *Tremonia*, 29 December 1932. On Lingens, see Adolf Klein, *Köln im Dritten Reich: Stadtgeschichte der Jahre 1933-1945* (Cologne, 1983), 49.
- ²⁸ See Hermine Bäcker, "Änderung des Reichsgesetzes zur Bekämpfung der Geschlechtskrankheiten durch Notverordnung?," *Die Rundschau: Mitteilungsblatt der Inneren Mission* 27 (1932): 272-74; see also "Eingaben der Vereinigung Evangelischer Frauenverbände Deutschlands zum RGBG," *Aufgaben und Ziele: Monatsblatt der Vereinigung Evangelischer Frauenverbände Deutschlands* 12 (1932): 70-71.
- ²⁹ See Müller-Otfried's letter to Federal Commissioner Franz Bracht of 8 October 1932 in Archiv des Diakonischen Werks (ADW), Central-Ausschuß der Inneren Mission (CA), Gf/St no. 291.
- ³⁰ See Bracht's proposals for a revision of clause 361/6 of 29 September 1932 in GStA-PK I. HA Rep. 84A/869, 247a-b.