

The Duplicity of Tolerance: Lesbian Experiences in Nazi Berlin

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Abstract

In 2008, a monument to the gay victims of the Holocaust was erected that paid tribute only to its male victims, reigniting a long-running debate regarding the fate of lesbians in the Third Reich. Using four previously unanalyzed police investigation files at the *Landesarchiv Berlin*, this article opens a window into the lives of lesbians living in Nazi Berlin. The four case studies below highlight the capricious nature of Nazi rule and the surprising ways in which discourses of homosexuality appeared in the everyday lives of prostitutes and factory workers. At the same time, they demonstrate a surprisingly robust and open world in which lesbianism was not only not persecuted, but even tolerated in limited ways. While these materials suggest a chasm that separated the experiences of gay men and lesbians under the Nazi regime, they also highlight not only the limits of tolerance but the ways in which it can reinforce persecution itself.

Keywords

Germany, Holocaust, homosexuality, lesbian, Nazi, police

In 2008, a monument to the gay victims of the Holocaust was unveiled in Berlin's Tiergarten, across the street from the better-known Holocaust Memorial. It is a substantial block of concrete in which is set a small window. Here, visitors peering in would see a video loop of two men kissing. When first erected, lesbian and women's groups vociferously protested the androcentricity of the monument and its insinuation that only gay men suffered under the Third Reich. Soon after the monument's inauguration, the protestors succeeded in having a clip of two women

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kissing included in a new loop, which is now replaced every two years by a new video.¹

The question of whether lesbians faced systematic persecution in the Third Reich is still an open one and historians have been hard-pressed to find sources to answer it.² The situation is not one unique to the Nazi period. Lesbians are among those most silent in the archive, their voices muffled by centuries of both oppression and apathy. Women's longstanding socio-sexual repression in Western European cultures in particular has led to a dearth of written evidence of lesbianism. Though most medieval and early modern European states technically outlawed lesbianism, courts rarely prosecuted cases of female homosexuality out of a more general disregard for women's sexuality. When they did, it was usually because a phallus was involved, such as in the case of Catharina Margaretha Linck, a Prussian woman who was arrested for using a homemade dildo on her wife, tried for sodomy, and executed in 1721.³

In Prussia, this de facto toleration – even if grounded in a pernicious apathy – became de jure legality with the promulgation of a new criminal code (*Strafgesetzbuch*) in 1851. The legislation included Paragraph (§) 143, which criminalized 'unnatural fornication' (*widernatürliche Unzucht*) between men as well as between humans and animals. In 1871, the newly unified German Empire adopted

1 S. Endlich, 'Das Berliner Homosexuellen-Denkmal,' in *Homophobie und Devianz: Weibliche und männliche Homosexualität im Nationalsozialismus* (Berlin 2012), 167–86; C. Tomberger, 'Das Berliner Homosexuellen-Denkmal: Ein Denkmal für Schwule und Lesben?,' in *Homophobie und Devianz: Weibliche und männliche Homosexualität im Nationalsozialismus* (Berlin 2012), 198ff; 'Germany Unveils Memorial to Gay Victims of Holocaust,' *New York Times* (27 May 2008); 'Remembering Different Histories: Monument to Homosexual Holocaust Victims Opens in Berlin,' *Spiegel Online* (27 May 2008) available at: <http://www.spiegel.de/international/germany/remembering-different-histories-monument-to-homosexual-holocaust-victims-opens-in-berlin-a-555665.html> (accessed 8 February 2016).

2 There does exist a small literature, thanks mostly to the prolific Claudia Schoppmann. C. Schoppmann, *Days of Masquerade* (New York, NY 1996); C. Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität* (Pfaffenweiler 1991); C. Schoppmann, 'The Position of Lesbian Women in the Nazi Period,' in Günter Grau, trans. Patrick Camiller, *Hidden Holocaust? Gay and Lesbian Persecution in Germany 1933–1945* (London 1993), 8–15; C. Schoppmann, *Verbotene Verhältnisse: Frauenliebe 1938–1945* (Berlin 1999); I. Kokula, *Wir leiden nicht mehr, sondern sind gelitten! Lesbisch leben in Deutschland* (Cologne 1987); C. Schoppmann, 'National Socialist Policies towards Female Homosexuality,' in L. Abrams and E. Harvey (eds), *Gender Relations in German History: Power, Agency and Experience from the Sixteenth to the Twentieth Century* (London 1996), 177–87; J. Caplan, 'The Administration of Gender Identity in Nazi Germany,' *History Workshop Journal*, 72 (2011), 171–80; J. Caplan, 'Gender and the Concentration Camps,' in J. Caplan and N. Wachsmann (eds), *Concentration Camps in Nazi Germany: The New History* (London 2010), 82–126; E.N. Jensen, 'The Pink Triangle and Political Consciousness: Gays, Lesbians, and the Memory of Nazi Persecution,' *Journal of the History of Sexuality*, 11, 1/2 (April 2002), 319–49; I. Eschebach (ed.), *Homophobie und Devianz: Weibliche und männliche Homosexualität im Nationalsozialismus* (Berlin 2012); L. Marhoefer, 'Lesbianism, Transvestitism, and the Nazi State: A Microhistory of a Gestapo Investigation, 1939–1943,' *American Historical Review*, 121, 4 (October 2016), 1167–95.

3 M. Vicinus, "'They Wonder to Which Sex I Belong': The Historical Roots of the Modern Lesbian Identity,' *Feminist Studies*, 18, 3 (Autumn 1992), 478.

Prussia's §143 into its new criminal code as the now-infamous §175. Both statutes criminalized only those homosexual acts committed by men.⁴

Around the same time, the language of homosexuality began to take form in Germany, invented and propagated by activists, doctors, and scholars including Karl Heinrich Ulrichs, Richard von Krafft-Ebing, Karl Maria Benkert, and Magnus Hirschfeld. Though exclusively men, these thinkers wrote about lesbianism and provided new language and conceptual frameworks through which to understand female–female love. In tandem with the intellectual revolution of sexual identity, visible gay subcultures began to appear, particularly in Berlin, in the late nineteenth century.⁵

After Germany's defeat in the First World War and the establishment of the Weimar Republic, the abolition of most forms of censorship allowed gay and lesbian subcultures to flourish. The 1920s and early 1930s witnessed the publication of some of the first periodicals dedicated to lesbian audiences, such as *Die Freundin* (*Girlfriend*, published 1924–33) and *Garçonne* (published 1926–33). Laurie Marhoefer estimates that around 30 lesbian novels appeared in the Weimar era, including such sensations as Anna Elisabet Weirauch's trilogy *The Scorpion*.⁶ The mass consumption of new media also had a hand in normalizing love between women in Weimar. Marlene Dietrich and Anita Berber were notorious for their gender-bending roles in Weimar film.⁷ In 1931, the blockbuster *Mädchen in Uniform* (*Girls in Uniform*) appeared, which sympathetically portrayed a lesbian-inclined schoolgirl. At the same time, lesbians faced certain forms of persecution, often in the workplace, and conservative politicians called for the criminalization of lesbian acts.⁸ Both Marhoefer and Marti Lybeck showcase the tensions that existed for lesbian women in Weimar, in particular between the openness offered by urban lesbian scenes and the continued conservatism of most of the country.⁹

In 1933, Weimar's glittering gay subculture came to an abrupt end. The National Socialist Party's homophobia is today well known, and gay men were

4 L. Marhoefer, *Sex and the Weimar Republic: German Homosexual Emancipation and the Rise of the Nazis* (Toronto 2015), 72; C. Schoppmann, 'Zwischen strafrechtlicher Verfolgung und gesellschaftlicher Ächtung: Lesbische Frauen im "Dritten Reich,"' in *Homophobie und Devianz: Weibliche und männliche Homosexualität im Nationalsozialismus* (Berlin, 2012), 38.

5 The literature on this period is immense. Some more recent works include R. Beachy, *Gay Berlin: Birthplace of a Modern Identity* (New York, NY 2014); E.R. Dickinson, *Sex, Freedom, and Power in Imperial Germany, 1880–1914* (New York, NY 2016); M.M. Lybeck, *Desiring Emancipation: New Women and Homosexuality in Germany, 1890–1933* (Albany, NY 2014); C.J. Whisnant, *Queer Identities and Politics in Germany: A History, 1880–1945* (New York, NY 2016); R. Dose, *Magnus Hirschfeld: The Origins of the Gay Liberation Movement* (New York, NY 2014); C. Bruns, *Politik des Eros: Der Männerbund in Wissenschaft, Politik und Jugendkultur* (Cologne 2008); H. Oosterhuis, *Stepchildren of Nature: Krafft-Ebing, Psychiatry, and the Making of Sexual Identity* (Chicago, IL 2000).

6 Marhoefer, *Sex and the Weimar Republic*, 55–6.

7 Beachy, *Gay Berlin*, 165.

8 Marhoefer, *Sex and the Weimar Republic*, 74.

9 Lybeck, *Desiring Emancipation*, 117ff.; Marhoefer, *Sex and the Weimar Republic*, 78; See too Heike Schader, *Virile, Vamps and wilde Veilchen: Sexualität, Begehren und Erotik in den Zeitschriften homosexueller Frauen im Berlin der 1920er Jahre* (Königstein 2004).

among its earliest victims.¹⁰ On 6 May 1933, members of the *Sturmabteilung* (SA) ransacked Magnus Hirschfeld's Institute for Sexology, burning files and books. A year later Hitler had his close friend Ernst Röhm, the homosexual leader of the SA, murdered in the so-called Night of Long Knives, making way for the rapid ascent of the notoriously homophobic leader of the *Schutzstaffel* (SS), Heinrich Himmler.

Scholars have contested the origins of the Nazis' homophobia for the last several decades. It is a difficult question, because of both the regime's own inconsistencies in dealing with homosexuals and the longstanding and maliciously erroneous belief that Nazism, with its emphasis on male camaraderie – known in German as *Männerbund* – and obsession with homoerotic imagery, was itself a movement of homosexuals.¹¹ Some scholars argue that the Nazi campaign against gay men followed from the regime's pronatalist policies, which emphasized above all else the growth of Germany's so-called Aryan population.¹² Others, such as Harry Oosterhuis, contend that this linear causality does not explain the vagaries of the National Socialist homosexual policy, and that instead it was fear of homosexual or homoerotic cliques becoming competing loci of power – what Claudia Schoppmann refers to as a 'state with the state' – that motivated the Party's rabid homophobia.¹³

10 The literature on male homosexuality in Nazi Germany too is vast. See, for instance, T. Bastian, *Homosexuelle im Dritten Reich: Geschichte einer Verfolgung* (Munich 2000); G.J. Giles, 'The Denial of Homosexuality: Same-Sex Incidents in Himmler's SS and Police,' *Journal of the History of Sexuality*, 11, 1/2 (2002), 256–90; G. Giles, 'The Institutionalization of Homosexual Panic in the Third Reich,' in R. Gellately and N. Stolfus (eds), *Social Outsiders in Nazi Germany* (Princeton, NJ 2001), 223–55; G.J. Giles, "'The Most Unkindest Cut of All': Castration, Homosexuality and Nazi Justice,' *Journal of Contemporary History*, 27, 1 (January 1992), 41–61; H. Heger and K. Müller, *The Men with the Pink Triangle: The True Life-and-Death Story of Homosexuals in the Nazi Death Camps*, trans. David Fernbach (Boston, MA 1994); B. Jellonnek, *Homosexuelle unter dem Hakenkreuz* (Paderborn 1990); Jensen, 'The Pink Triangle and Political Consciousness'; G. Grau and R. Lautmann, *Lexikon zur Homosexuellenverfolgung 1933–1945: Institutionen-Kompetenzen-Betätigungsfelder* (Münster 2011); R. Hoffschildt, *Die Verfolgung der Homosexuellen in der NS-Zeit: Zahlen und Schicksale aus Norddeutschland* (Berlin 1999); J. Müller, *Ausgrenzung der Homosexuellen aus der 'Volksgemeinschaft': Die Verfolgung von Homosexuellen in Köln 1933–1945* (Cologne 2003); H. Oosterhuis, 'Medicine, Male Bonding and Homosexuality in Nazi Germany,' *Journal of Contemporary History*, 32, 2 (1 April 1997), 187–205; R. Plant, *The Pink Triangle: The Nazi War Against Homosexuals* (New York, NY 1986); G. Grau and C. Schoppmann, trans. P. Camiller, *Hidden Holocaust? Gay and Lesbian Persecution in Germany, 1933–45* (Abingdon 1995); W.J. Spurlin, *Lost Intimacies: Rethinking Homosexuality under National Socialism* (Bern 2009); H.-G. Stümke, *Homosexuelle in Deutschland: Eine politische Geschichte* (Munich 1989); H.-G. Stümke and R. Finkler, *Rosa Winkel, Rosa Listen: Homosexuelle und 'Gesunde Volksempfinden' von Auschwitz bis heute* (Reinbek bei Hamburg 1981).

11 See, e.g., J.V. Evans, 'Decriminalization, Seduction, and "Unnatural Desire" in East Germany,' *Feminist Studies*, 36, 3 (1 October 2010), 553; Oosterhuis, 'Medicine, Male Bonding and Homosexuality in Nazi Germany'; K. Mann, 'Homosexualität und Fascismus,' in M. Gregor-Dellin (ed.), *Heute und Morgen: Schriften zur Zeit* (Munich 1969), 130–7.

12 E.g., Müller, *Ausgrenzung der Homosexuellen aus der 'Volksgemeinschaft'*, 28; Stümke and Finkler, *Rosa Winkel, Rosa Listen*; Stümke, *Homosexuelle in Deutschland*.

13 Oosterhuis, 'Medicine, Male Bonding and Homosexuality in Nazi Germany,' 198ff; Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 191. Unless otherwise indicated, all translations are my own.

In 1935, only a year after Röhm's murder, the government promulgated a new version of §175. Whereas the existing version had only criminalized intercourse-like (*beischlafähnlich*) acts between men, the new statute made any act construed to be homosexual illegal. Convictions of gay men skyrocketed from around 800 a year to over 8000 in 1937.¹⁴ Over the objections of some Party members, the new law also excluded female homosexuality from its purview.¹⁵ In following years, Nazi policy towards male homosexuals, in particular those in the SS, radicalized still further. In 1937, Himmler declared in a speech that gay SS-members would be interned at concentration camps and 'shot while trying to escape.'¹⁶ In November 1941, Hitler decreed the death penalty for homosexuals in the SS and police forces.¹⁷ In addition to long prison sentences, homosexual men could find themselves faced with castration and, in the worst cases, internment in concentration camps, where they bore the pink triangle.¹⁸ It is estimated that of around 50,000 men convicted under §175 in the Nazi years, between 5000 and 15,000 were imprisoned in concentration camps, where up to 60 per cent of them perished, a death rate higher than most other classes of prisoner.¹⁹

In light of both the fearsome persecution of homosexual men and scholarship that places it in the context of National Socialist pronatalism, the regime's seeming lack of interest in female homosexuality is startling, for in other respects the government placed considerable burdens on women. It did everything in its power to bar women from what it considered traditionally male roles and to relegate them to domestic duties. Dagmar Herzog has described Nazi Germany as 'an immense venture in reproductive engineering,' which encouraged sexual pleasure within the bounds of reproductive heterosexuality.²⁰ This meant demanding women carry ever more children, even as those same women endured propaganda encouraging their husbands' infidelity.²¹ In the interest of these policies, the regime exercised brutal repressions against women deemed congenitally unfit and those accused of carrying out illegal abortions.²² In light of the weight that the Nazi regime placed on women's duties to the Reich, it is peculiar that the regime never perceived female homosexuals as a threat to its imagined racial community.

Claudia Schoppmann, author of what remains the only book on lesbianism under the Nazis, argues that lesbians faced a very different kind of repression and that only by a comprehensive examination of their position as women in Nazi Germany can scholars grasp the ways in which Nazism regulated lesbianism.

14 Stümke and Finkler, *Rosa Winkel, Rosa Listen*, 262.

15 Schoppmann, 'Zwischen strafrechtlicher Verfolgung,' 40.

16 Giles, 'The Denial of Homosexuality: Same-Sex Incidents in Himmler's SS and Police,' 256.

17 Stümke and Finkler, *Rosa Winkel, Rosa Listen*, 259.

18 On castration of homosexuals, see Giles, "'The Most Unkindest Cut of All.'"

19 E.A. Johnson, *Nazi Terror: The Gestapo, Jews, and Ordinary Germans* (New York, NY 1999), 288.

20 Dagmar Herzog, *Sex after Fascism: Memory and Morality in Twentieth-Century Germany* (Princeton, NJ 2007), 10–11.

21 *Ibid.*, 53; C. Koonz, *Mothers in the Fatherland: Women, the Family and Nazi Politics* (New York, NY 2013), 169–70.

22 R.N. Proctor, *Racial Hygiene: Medicine under the Nazis* (Cambridge, MA 2002), 103ff., 118ff.; M. Burleigh and W. Wippermann, *The Racial State: Germany 1933–1945* (Cambridge 1991), 253ff.

In the first place, Schoppmann contends that, ‘the politics of homosexuality is . . . in the first instance to be understood in connection with the “positive breeding [Aufartung] of the race”.’²³ That is, male homosexuality was indeed proscribed because of the threat it posed to reproduction. Yet, because of ‘their sexist view of women, the majority of Nazis saw no demographic policy danger in female homosexuality. Every woman was “demographically useful”.’²⁴ Placing the persecution of homosexuals in the context of Nazism’s ‘reproductive engineering,’ Schoppmann thus argues that the Nazi belief in the inherent passivity of the female body and women’s lack of independent sexuality made them perceive any threat posed by female homosexuality to be vanishingly small.²⁵

Schoppmann has uncovered a handful of cases of outright persecution directed against lesbians. The most remarkable is the case of Elli S., committed to the all-female concentration camp at Ravensbrück in 1940 specifically for lesbianism. Another woman, Else, was picked up in Potsdam in the late 1930s and also interned at Ravensbrück, though the justification for her incarceration is less clear-cut.²⁶ Other women ran afoul of §174, which forbade fornication with dependents; §176, which proscribed violent rape; or §183, which criminalized sexual acts that created a public nuisance.²⁷ Jens Dobler has shown how the law against procurement (*Kuppelei*) could be used to prosecute parents who tolerated their daughter’s homosexuality.²⁸ Beginning in 1933, female prostitutes, who were often lesbians, faced increasingly violent persecution and control, and eventually could be arrested and sent to concentration camps as ‘asocials,’²⁹ where they wore a black triangle.³⁰ In a recent article, Laurie Marhoefer has persuasively argued, through an analysis of the cross-dresser Ilse Tutzke, that lesbianism was a factor that reduced one’s ‘social capital,’ thereby putting lesbians at greater risk for denunciation.³¹ Thus, although lesbians faced nothing resembling the violent persecution of gay men, Schoppmann, and with her much of the scholarship, contends that lesbians’ ‘way of life was instead destroyed, which precipitated not only psychological injury to a few, but also the tabooing and discrimination of female homosexuality that reaches even into the present day.’³²

What follows below augments this corpus, and adds new contours to our understanding of lesbianism in Nazi Germany. It rests on four criminal police

23 Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 6.

24 *Ibid.*, 250.

25 See too Caplan, ‘Gender and the Concentration Camps,’ 92.

26 Schoppmann, ‘The Position of Lesbian Women in the Nazi Period,’ 13ff.

27 Schoppmann, ‘Zwischen strafrechtlicher Verfolgung,’ 42–3.

28 J. Dobler, ‘Unzucht und Kuppelei: Lesbenverfolgung im Nationalsozialismus,’ in *Homophobie und Devianz: Weibliche und männliche Homosexualität im Nationalsozialismus* (Berlin 2012), 60.

29 Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 205, 209.

30 Kokula, ‘Wir leiden nicht mehr, sondern sind gelitten,’ 201; See, too, Annette Timm’s work on prostitution under the Nazis. A.F. Timm, ‘The Ambivalent Outsider: Prostitution, Promiscuity, and VD Control in Nazi Berlin,’ in R. Gellately and N. Stoltzfus (eds), *Social Outsiders in Nazi Germany* (Princeton, NJ 2001), 192–211.

31 Marhoefer, ‘Lesbianism, Transvestitism, and the Nazi State,’ 170.

32 Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 253.

(*Kriminalpolizei* or Kripo) files at the *Landesarchiv Berlin*. These files have never been discussed in the scholarly literature, though Jane Caplan does reference their existence in her chapter on gender in concentration camps.³³ The files themselves encompass the reports and signed statements that resulted when the criminal police investigated eight women whose neighbors, coworkers, and even parents had denounced them for allegedly violating the laws against same-sex relations. Each case was referred to KJ.M.II.2, one of Berlin's three criminal investigative units, where the same detective 'M.' carried out an investigation. That the same detective was responsible for each of these cases naturally limits any conclusions one might draw, even as it serves as a vivid reminder of the power that even low-ranking bureaucrats held over individual lives under Nazi rule.

Because of these documents' uniqueness, and the fact that relatively sparse discussion of lesbianism exists in the ocean of Nazi historiography, it is my intention to let these eight women speak for themselves. This goal is important precisely because Nazism did such an effective job of destroying the public spaces and identities lesbians had forged for themselves in the Weimar era. Moreover, in so doing I also follow a long-established convention in lesbian historiography, which often relies on case studies.³⁴ Four narrative case studies thus make up the core of this article and are followed by a substantial section of analysis.

Because resurrecting these women's voices is the article's primary goal, we must take note of the kind of sources these police files present. After all, they exist only because of denunciations and police surveillance. One might even argue, as Matt Houlbrook reminds his readers of the London police files which he uses, that they exist because the state 'sought to suppress particular social and sexual interactions.'³⁵ Moreover, these files consist of statements from witnesses and the accused women, which were typed by the police and only presented to the individual for his or her signature (See Figure 1). On the other hand, one must not get too carried away in doubting what careful examination may extract from these sources. As these files demonstrate so spectacularly, neither the Nazi state nor German society under it made any real attempt to suppress lesbian activity. And although the police did type the statements, each woman's voice and identity translates clearly. There is little formulaic in any of them, and much, as I hope will become apparent, that is unique to each.

Finally, while the sample's limitedness makes drawing definitive interpretations impossible, these files suggest certain conclusions about lesbian life under the Nazis. To begin with, they indicate that while lesbianism was neither illegal nor

33 Caplan, 'Gender and the Concentration Camps,' 92.

34 In cases where scholars have discovered court records and other hard documentation, or when they have undertaken oral histories, they often prefer to convey the information through detailed case studies. E.g., L. Faderman and J. Halberstam, *Scotch Verdict: The Real-Life Story That Inspired 'The Children's Hour'* (New York, NY 2013); Schoppmann, *Days of Masquerade*; Kokula, 'Wir leiden nicht mehr, sondern sind gelitten!' *Lesbisch leben in Deutschland*; B.J. Brooten, *Love Between Women: Early Christian Responses to Female Homoeroticism* (Chicago IL 1998).

35 M. Houlbrook, *Queer London: Perils and Pleasures in the Sexual Metropolis, 1918-1957* (Chicago, IL 2005), 5.

Weiterverhandelt !

Vorgelesen erscheint die französische Arbeiterin

Marie P

Geboren am 1. 9. 19 in Paris, wohnhaft im Lager Johannisthal, Groß Berliner Damm. Die P., mit dem Sachverhalt durch die Dolmetscherin Frau Kleip bekanntgemacht, erklärt folgendes:

Ich bin gleichgeschlechtlich veranlagt und habe bisher nur mit Frauen gleichgeschlechtlich verkehrt. Mit der M unterhalte ich ein intimes Verhältnis seit Februar 1943. Seit August 1942 habe ich mich in Deutschland, wo ich mich freiwillig zum Arbeitseinsatz gemeldet habe, mit anderen Frauen habe ich hier in Deutschland bisher keine intimen Beziehungen unterhalten. Die Beziehungen zu der M wurden von meiner Seite sehr diskret behandelt, so daß ich bei anderen kaum Ärgernis damit erregt habe.

Ich bestreite, mich im Lager oder bei der AEG auf der Toilette mit der M gleichgeschlechtlich eingelassen^{zu} haben. Unsere intimen Zusammenkünfte waren in Hotels- also außerhalb des Lagers und der Firma.

Mir ist mitgeteilt worden, daß ich bei der geringsten Beschwerde in dieser Hinsicht mit polizeilichen Maßnahmen zu rechnen habe und daß ich nur in meinem eigensten Interesse handele, wenn ich in dieser Beziehung nicht mehr in Erscheinung trete.

v. g. u.

Marie

Als Dolmetscher: _____ Geschlossen: _____

Jacqueline Klein

Lagerleiterin _____ Krim.- Sekr. _____

Figure 1. A witness statement taken from German police files.
Source: Reprinted with the permission of the Landesarchiv Berlin.

a common denunciation, the police, the denouncers, and the women themselves all reproduced a common and stable language to describe it. They also highlight the extreme leeway afforded individual bureaucrats in pursuing investigations and the equanimity with which colleagues, acquaintances, and relatives denounced each other. Two of the files indicate a peculiar isomorphism between Nazi fears of gay male cliques and social anxieties about working women. And finally, these four cases, in which no woman, not even a Jewish lesbian, faced punishment or repercussion, intimate that lesbian women enjoyed a limited degree of toleration in Nazi Berlin. In some instances, they even felt no compunction about announcing their lesbianism to whomever cared to listen. Four cases certainly do not upset the existing historiography, but they add a new level of nuance insofar as they hint at a more normal existence that was the daily experience of some lesbians in the Third Reich.

On 19 February 1942, Frau Margarethe G. came to the criminal police with what she obviously thought was distressing information.³⁶ Over two weeks earlier, on 2 February, while rummaging through her 21-year-old daughter Ursula's handbag, she had discovered 'jottings resembling a diary,' in which her daughter had written 'that she had a relationship with her girlfriend (*Freundin*) Margot Scholz.'³⁷ Frau G. insisted in her complaint that she had 'been against [her] daughter's friendship with Margot from the beginning,' as she was over 10 years older than Ursula. She indicated further that she had noticed a change come over her daughter since the two had begun spending time together.³⁸

Frau G. quoted from her daughter's writings – 'you [Margot] and I... are differently constituted people, and although humanity hates us, our life is beautiful. ... Since I have known your body, I cannot come away from you!' Furthermore, she claimed to have confronted Ursula and to have extracted a confession that 'she has a romantic relationship with Scholz.'³⁹ Unfortunately for Frau G.'s case, Ursula had apparently destroyed the journal: when she went to retrieve it from its hiding place, it had vanished. When Frau G. informed Margot's husband Hermann Scholz of her discovery, he refused to believe his wife was 'differently inclined.'⁴⁰

When the police summoned Ursula for questioning several days later, she vigorously denied her mother's charges. While she did concede that, 'we kissed each other out of friendship,' she protested that she had only confessed homosexual acts

36 German privacy law strictly regulates the divulgence of identifying information of individuals who appear in archival records. Because Frau G.'s daughter Ursula was young enough to fall under those restrictions, I use only the first initial of her surname so as to preserve Ursula's anonymity.

37 Landesarchiv Berlin (LAB), A Rep. 358-02, Nr. 43311, 1. Each of the following four sections draw almost exclusively from the relevant case files at the *Landesarchiv Berlin*. Because the archival pagination of the documents is sporadic, I use numbers that simply designate the order in which the pages appear in the file as currently constituted.

38 *Ibid.*, 1–2.

39 *Ibid.*, 2.

40 *Ibid.*

'in order to finally have a rest from the constant questions from her parents.'⁴¹ The journal entry she dismissed as 'pure fantasy.'⁴² As she put it, 'I see myself as inclined towards normal sexuality.'⁴³ When Margot came in on 6 March, she too denied the affair. She explained that she had been a customer at Ursula's hair salon, and had then become close to her through their mutual interest in music. Margot characterized Ursula as 'a quixotically inclined person,' but asserted, 'Ursula's mother was furiously jealous of me' because Ursula 'became very close to me.'⁴⁴ Margot too believed Ursula's writings were mere fantasy, certainly not evidence of a physical relationship.

At this point in her statement, however, the language changes. Margot – or, it is possible, the police officer typing the statement – began to refer to Ursula in the diminutive 'Ursel' while her tone became more defensive. Tartly, Margot asked the police to take note 'that I have a large circle of female friends who are my age and that Ursel had not been my only girlfriend.' She furthermore stated that she too was utterly heterosexual – 'I find my sexual gratification with my husband.' In the concluding paragraph, Margot explained how she and Ursel came to kiss one time, protesting all the while that it was 'totally official, frequently even in the presence of my husband and also Ursula's mother.'⁴⁵ The shift from a singular kiss to the plural of 'frequently' and the change from 'Ursula' to 'Ursel' hint at a different truth behind her denials.

In one reading, Margot's abjurations thus ring hollow. They might be the attempts of a 34-year-old woman accused of bedding a 21-year-old by her irate mother to ward off suspicion. The tone and inconsistencies in her statement suggest she might have glossed over details she would have preferred the police not to know, while still finding herself swept up in the very affection she wished to deny. Of course, she might well have considered herself entirely heterosexual, and perhaps she and Ursula never did do more than kiss once or twice in front of others. While we cannot take this tenuous evidence as proof and it was a police official who actually typed her statement, her protestations, her affectionate allusions to 'Ursel,' and the diary entries themselves all indicate the two might have been lovers. In turn, this reading suggests Margot and Ursula each believed they could face legal remedies if found guilty of homosexual acts.

On one hand, Inspector M. agreed that Ursula's diary entries were a fantasy. Noting that Margot was 'active as a Red Cross sister,' he accepted her protestations of heterosexuality and characterization of Ursula as a hopelessly deluded romantic. Yet his report concluded that, 'record cards would be compiled.'⁴⁶ No physical record cards exist in the files and it is not clear precisely to what this allusion referred, though it does imply a centralized catalogue of known

41 Ibid., 3, 5.

42 Ibid., 3.

43 Ibid., 4.

44 Ibid.

45 Ibid., 5.

46 Ibid., 6.

lesbians. Outside of the four cases discussed here, in which the police created record cards for each woman but one, the literature mentions registers of lesbians in a few other places. Claudia Schoppmann notes that the Gestapo threatened one lesbian 'E.L.' by telling her that her name stood in a 'Lesbian catalogue.' She further mentions that a report from 1944 referenced 'materials' gathered about lesbians by the police.⁴⁷ Allusions to a lesbian catalogue constitute perhaps the most mysterious aspect of the entire, haphazard persecution of lesbians in the Third Reich.

Writing to Frau G. six days later, the state's attorney (*Staatsanwalt*) T. informed her, 'fornication between women cannot, according to the criminal code, be punished. . . I do not see myself capable of intervening.'⁴⁸ Without laws criminalizing lesbianism, prosecutors could do little to sanction women who slept with each other, or so the attorney's apologetic tone suggests. To scholars accustomed to seeing in the Nazi state a jungle of overlapping jurisdictions, personal initiative, and law based solely on the *Führer's* wish, this is a curious portrait of the Nazi justice system, one marked by an unexpected concern for the strict interpretation of statute.⁴⁹

Moreover, although the Gestapo, the Nazi secret police, receives the bulk of attention in the literature on the Nazi terror and persecution of gay men, several scholars note that the *Kriminalpolizei* actually competed with the Gestapo when it came to uncovering male homosexuality and arrogated to itself extraordinary independence from the judiciary in this regard.⁵⁰ The Kripo could well have incarcerated Margot as an asocial or charged her under one of the other statutes used to intern lesbians. Yet, the image of the police that manifests in her file is one of officious ordinaries following what they understood to be the letter of the law.

Anneliese Klopsch hated her mother and, as she would later tell the police, 'had always wanted to get away from her.'⁵¹ Born the youngest of six children in Berlin in 1913, she had endured a developmentally stunted childhood. Before her sixth birthday, she began suffering seizures and her parents removed her from

47 Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 199–200, n. 143.

48 LAB, A Rep. 358-02, Nr. 43311, 7.

49 Dealing with homosexuality particularly, Schoppmann has noted that Himmler decreed in December 1937 that 'internal enemies' of the 'national community' be taken into custody whether or not they had committed a specific crime. Schoppmann, 'The Position of Lesbian Women in the Nazi Period,' 14. More broadly, Martin Broszat characterizes the evolution of jurisprudence in Nazi Germany thus: 'legal decisions were supposed to be free of any rigid adherence to statute law and the door opened to National Socialist ideals and to "popular instinct" through a greater freedom in interpreting the law. [...] the judge not only had to examine whether a punishable offence had been committed according to the written interpretation of the law, but also whether an act "deserved punishment according to the principles of a Penal Code or according to popular feeling".' M. Broszat, *The Hitler State: The Foundation and Development of the Internal Structure of the Third Reich*, trans. John W. Hiden (London 1981), 338. See also J. Caplan's characterization of the Nazi state, in particular the Party's efforts to remake the judiciary into a 'select élite,' whose authority 'would derive not from their traditional official status, but from their organic identification with the values of the Nazi community.' J. Caplan, *Government without Administration: State and Civil Service in Weimar and Nazi Germany* (Oxford 1988), 289.

50 Gellately, *Backing Hitler*, 97.

51 LAB, A Rep. 358-02, Nr. 53909, 7.

regular classes in order to homeschool her. Soon thereafter, they enrolled her in a remedial school. Around her thirteenth birthday, her father died, leaving Anneliese in the care of her mother. Between her twenty-second and thirtieth birthdays, she held over 14 jobs, unable to hold on to employment for any substantial period of time.⁵²

During a stint as a culinary worker at the firm Fa. Borchardt in Berlin, she met the 38-year-old Minna Kehrli, whom the company had employed for five years. The two never got to know each other well, always addressing each other with the formal 'Sie.' As Minna would later tell the police, 'we never address each other informally (*duzten uns nicht*) and were never together outside of work.'⁵³ Nonetheless, Anneliese fell head over heels in love with Minna, recollecting in December 1943, 'I felt myself drawn to Minna although she had absolutely no interest in me and perhaps even had no notion of my secret love for her.'⁵⁴

In an effort to annoy Frau Anna Klopsch, her mother, or perhaps even in a conscious bid for independence, the 30-year-old Anneliese began insinuating that she and Minna had struck up a deep friendship. She later said to her mother 'that Kehrli is gay (*schwul*) and she should tell me what this means.' This infuriated Frau Klopsch, whereupon Anneliese further told her 'that I would go on vacation with Minna and that she had already obtained tickets for the trip.'⁵⁵ She may have told other friends and acquaintances about her fantasy romance, for Frau Klopsch would later aver that, 'talk from other people' had fortified her suspicions that her daughter was a lesbian and was in a relationship with Minna.⁵⁶

At this point, Frau Klopsch telephoned Fa. Borchardt in order to confront the perplexed Minna. As in the first case, an irritated mother took it upon herself to intervene in her (adult) daughter's sexual life. Minna would later recount how Frau Klopsch demanded that she explain 'how I dared go away with her daughter, because she wanted to travel with her.'⁵⁷ When Minna rejected any knowledge of the affair, her supervisor, in whose office she had taken the call, summoned Anneliese into his office. Faced with Minna's denial, Anneliese acknowledged she had fabricated everything and told her mother as much over the phone.

It might have ended there, but when she returned home, Anneliese apparently recanted again. She told her mother ever more outlandish stories about her imagined relationship with Minna. At this point, Minna decided to speak with Frau Klopsch in person to set things straight, which she apparently did, even securing an apology from Anneliese's mother. But before she could leave, Frau Klopsch told Minna that Anneliese had informed her that Minna was 'homosexually inclined.' Minna would later testify that at this point, 'I could not control myself over this

52 Ibid., 6.

53 Ibid., 3.

54 Ibid., 7.

55 Ibid., 6.

56 Ibid., 1.

57 Ibid., 3.

insolently slanderous accusation . . . I went to [Anneliese] and in the presence of her mother boxed her vigorously on the ears.⁵⁸

Soon thereafter, Frau Klopsch decided she too had had enough and went to the police. She informed them that she suspected Minna and Anneliese of carrying on a lesbian relationship. Moreover, she asserted, ‘my daughter stands totally under Minna’s control.’ From Minna’s attack on Anneliese, Frau Klopsch told the inspector, ‘I conclude, that she is in a certain relationship of sexual bondage (*Hörigkeitsverhältnis*) with Kehrlı.’⁵⁹ This point enraged Minna, and she counter-sued – or so the police report claims, though the file contains no other record of her suit – proclaiming that the accusation that ‘she maintains a relationship with Anneliese and is sadistically inclined’ was slander.⁶⁰

Though Frau Klopsch’s suit and Minna’s counter-suit had the makings of a dramatic legal battle, the whole affair cleared up when Anneliese gave her statement to the police on December 14, 1943. She explained that she had invented the entire relationship with Minna out of a ‘secret love’ for her. Moreover, she stated in no uncertain terms:

I have no interest in men in a sexual sense, only for women. Although I have not yet had sex with a single woman, only such intercourse (*Verkehr*) would conform with my emotional and intellectual disposition. I get sexual satisfaction by masturbating. I have only had sex with a man one time. This was at Christmastime of last year with an anonymous man in the Tiergarten.⁶¹

This is the most explicit statement of sexuality in any of these files and attests to Anneliese’s forceful, even reckless, sense of self, which left inspector M. non-plussed. It obviously cleared Minna of suspicion: in light of Anneliese’s testimony, M. found Minna’s protestations of heterosexuality ‘undoubtedly believable.’ At the same time, the final report stressed that Anneliese ‘is even today – with her 30 years – intellectually very strongly retarded.’⁶² She did not, M. suspected, understand the potential ramifications of her statement. This offhand comment, like Ursula and Margot’s potential fear at being found out, hints at the possibility of punishment, even as it declines to pursue any. In any event, M. prepared a ‘record card and memorandum (*Karteikarte und Merkblatt*)’ for Anneliese, presumably like those created for Margot and Ursula.⁶³

He also arranged for the file to be sent to the district court (*Landgericht*), where the states’ attorney would review it. In January 1944, Frau Klopsch received a letter from a Judge R. He noted that, ‘same-sex intercourse between women is not

58 Ibid., 4–5.

59 Ibid., 2.

60 Ibid., 2–3.

61 Ibid., 7.

62 Ibid., 8.

63 Ibid.

proscribed under the currently applicable criminal law.⁶⁴ He advised that Frau Klopsch could initiate a private suit against Minna Kehrli, but that, ‘there does not exist a public interest for me to intervene.’⁶⁵ Again, the police and judicial system declined to pursue prosecution when an angry mother had denounced her daughter and her daughter’s alleged lover.

Margot Liu *née* Holzmann had a talent for survival. A Jewish lesbian living in Berlin, she had endured Nazi rule in the 1930s. Yet, in September 1941 she found herself compelled to wear the Star of David. Rather than submit to its indignity and to the prospect of deportation to a concentration camp and eventual extermination, Margot found a way out.

At a birthday party that month hosted by her landlady Frau A., she met Chi Lang Liu, a Chinese waiter who had moved to Germany in 1932. Margot knew that marrying this man would provide her with Chinese citizenship, thus shielding her from the National Socialists’ genocidal laws.⁶⁶ As her girlfriend Martha Halusa averred after the war, in an application to the committee on the ‘Victims of Fascism’ with the Berlin Magistrate, ‘my girlfriend (*Freundin*) Frau Liu married a Chinese man to save herself from evacuation.’⁶⁷

On 11 October, while celebrating Chi’s birthday, he and Margot had sex for the first time, at which point they decided to become engaged. Eight days later, Chi would claim, ‘Holzmann told me that she had not had her period and that I had to marry her then and there.’⁶⁸ When questioned about the episode some months later, Margot would swear to the police that her periods were highly irregular due to an unspecified ‘affliction of the womb (*Unterleibsleiden*).’ Unsure if her period was simply late or if Chi had indeed impregnated her, Margot averred, ‘I told Chi that I had not yet had my period without any specific purpose, whereupon he told his entire circle of friends, that I was bearing a little Chinese.’⁶⁹ She was not, as it turned out, pregnant. Margot married Chi on 13 November, securing Chinese citizenship. She was thereby ‘released from wearing the Star of David and protected from evacuation,’ as the Kripo would compulsively mention in their reports on the relationship months later.⁷⁰

Chi claimed that he slept alone on their wedding night, abandoned by his new bride for Martha’s bed in her apartment in the house of the S. family. When he arrived at Martha’s apartment two days later to see Margot, she finally allowed him to spend the night in the bed she shared with Martha. Only in December did Margot and Chi move together into a furnished room let by a Frau Kr. Martha took a room in the same building soon thereafter.⁷¹

64 Ibid., 12.

65 Ibid., 13.

66 LAB, A Rep. 358-02 Nr. 30847, 2.

67 LAB, C Rep. 118-01, Nr. 302, 4.

68 LAB, A Rep. 358-02 Nr. 30847, 3.

69 Ibid., 9.

70 Ibid., 2.

71 Ibid., 4.

Martha had met Margot 12 years earlier when they danced together at the Hamburg cabaret Alkazar. As Margot had lost friends and family to the inexorable progress of Nazi antisemitism – her mother died and her father ‘was evacuated,’ that is, sent to a concentration camp and likely exterminated – she relied on Martha more and more. She would protest to the police investigating her for lesbianism, ‘it is understandable that I would confide in Halusa, who I have been friends with for so long, and draw closer to her.’⁷² In Martha’s postwar application, in which she calls Margot her ‘partner’ and her ‘girlfriend,’ we have surer proof that they were indeed in a romantic relationship.⁷³ But while under interrogation by the Kripo, each woman did their best to deny lesbian proclivities.

Chi eventually noticed that Margot was carrying on an affair with Martha – ‘it became clear to me then that Halusa and my wife practiced lesbian love.’ This in turn had led to numerous arguments and fights between him and his wife. Margot eventually disappeared on 15 May 1942, whereupon Chi again moved and later filed for divorce. That fall, the criminal police *Streife West* – not the KJ.M.II.2 division to which M. belonged – received an anonymous tip.⁷⁴ It is entirely likely Chi himself sent it; Martha claimed after the war that Chi ‘denounced us several times.’⁷⁵ The tip claimed that Margot and Martha were lesbians and also engaged in prostitution.⁷⁶ The charge is not an unusual one, for, as noted above, lesbian women often engaged in prostitution.⁷⁷ Moreover, though prostitution was not technically illegal, prostitutes faced increasingly draconian regulations and persecution as the war progressed.⁷⁸

The tip prompted a detective K. to open an investigation and to invite Chi to provide information regarding his relationship with Margot. So perturbing did he evidently find Chi’s story, that three days later he visited Margot’s new residence in the apartment of a Frau St. To his consternation, Frau St.’s 12-year-old daughter answered the door. He questioned her about Margot, and the girl affirmed that although she technically slept on the sofa of her mother’s apartment, Margot frequently bedded with Martha in a separate room. K.’s report concluded:

Through marriage the full-blooded Jewess Liu has now become a Chinese citizen. Both [she and Martha] practice lesbian love and the public is shocked, that lesbian love would be entertained between an Aryan and a Jewess, moreover there are children in the household who are thereby morally endangered.⁷⁹

72 Ibid., 7–8.

73 LAB, C Rep. 118-01, Nr. 302, 4–5.

74 LAB, A Rep. 358-02 Nr. 30847, 4.

75 LAB, C Rep. 118-01, Nr. 302, 4.

76 LAB, A Rep. 358-02 Nr. 30847, 2.

77 Dobler, ‘Unzucht und Kuppelei,’ 58; Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 168, 205ff.

78 Timm, ‘The Ambivalent Outsider,’ 198ff.

79 LAB, A Rep. 358-02 Nr. 30847, 6.

It is curious that the race of each party constituted such a strong point of interest. While the Nuremberg Laws of 1935 had banned marriage and sex between Aryans and Jews out of the deep-seated Nazi fear of miscegenation, there was no danger of 'mixed-race' children resulting from Margot and Martha's fornication.⁸⁰ Of course, the inspector could have believed Martha and Margot had violated the laws that forbade Jews from socializing with Aryans; in either event, the report referred to no statute.

More important, the passage makes clear that Margot and Martha's alleged crimes consisted not so much in loving each other, as in causing a public disturbance and exposing children to what K. considered morally deleterious behavior. What his report counter-intuitively brings to light, however, is that none of the individuals either women came into contact with seemed the slightest bit distraught by their alleged lesbianism. The detective noted no perturbation on the part of Frau St.'s daughter, nor from the landlady herself (it seems he did not even speak to her). That is, despite claiming 'the public is shocked' by Margot and Martha's behavior, K. did not take down a single expression of surprise, anger, or shock in his report. This is peculiar, particularly because he would soon thereafter forward the account to division KJ.M.II.2, where it would be used as evidence to build a case against Margot and Martha. Even stranger, no report in the entire file from either division notes the slightest irritation or amazement on the part of any of the numerous landladies with whom the pair lived during the months encompassed in the file. Nor were any of them asked to give evidence.

The next day, inspector K. transferred the file to M. at KJ.M.II.2 'for jurisdictional reasons.'⁸¹ Several weeks thereafter, on 15 October, M. brought in Margot and Martha. The two women had a very different story to tell. Margot contested having ever been in a same-sex relationship with Martha, asserting instead, 'before the promulgation of the Nürnberg laws [of 1935], I was intimately friendly with the German-blooded Hans S. for six years.' Moreover, she characterized Chi as a Janus-faced ruffian, telling the police that, 'before the marriage, my husband had only shown himself in the best light. On the day of our marriage my husband was as though changed. He treated me like his maid and hit me numerous times thereafter.'⁸² Chi apparently told her, in the presence of their landlady, that he would connive to put her in jail. He further threatened that if this did not work, he would stab her to death.⁸³

At this stage, Margot's statement took a bizarre turn. Though unsuccessful in convincing the police of her heterosexuality, she had effectively denied the allegation of prostitution, proving to the inspector that she had recently found employment.⁸⁴ The police left the question of whether she had previously prostituted herself unanswered. But Margot used the question of employment to attack her

80 Koonz, *Mothers in the Fatherland*, 372.

81 LAB, A Rep. 358-02 Nr. 30847, 6.

82 *Ibid.*, 7-8.

83 *Ibid.*, 9.

84 *Ibid.*, 5.

husband, underscoring that he only appeared to work. While she had kept the household together by selling over 2000 *Reichsmark* (RM) worth of clothing, her husband called in sick from work and frittered his time and savings away gambling.⁸⁵ When they first married, he had described his predilection to her 'as a harmless social game. It has to do with playing 'Ma Jong' and various other games of chance.'⁸⁶

Shortly before Easter 1943, however, Chi disappeared. He called Margot three days later, demanding that she bring him something to eat on Dresdener Straße. She described the scene that confronted her thus:

I saw around thirty people at the table and standing around the playing table. Massive sums of money lay on the table. When I entered, everyone became agitated and my husband sprang up from the playing table, and shoved me through the door.⁸⁷

Margot had caught the barest glimpse of a gambling ring. She later reported to M. that, according to Chi's friends, he had won around 15,000 RM at these games, which brought Chinese men 'from all cities in Germany and also from Vienna, who had come to Berlin only for the purpose of the game.'⁸⁸

If Margot is to be believed – and it is possible that she simply possessed an overactive imagination – then dozens of Chinese citizens traveled from all corners of the Reich to take part in an underground racket. This is doubly curious as Germany's 1939 census showed a mere 1138 Chinese living in the Greater Reich. After the onset of hostilities between China and Germany on 9 December, 1941, the regime began interning some Chinese citizens in concentration camps and deporting others.⁸⁹

When Martha came to the police station, she gave a short statement in support of Margot. She contested at the outset, 'I am normally sexually inclined and have never had intimate relations with Margot.' While Martha did admit to practicing prostitution, she insisted she regularly visited a doctor to check for venereal diseases, a routine practice in Nazi Germany for regulating and monitoring prostitutes.⁹⁰ At the end of her statement she made a ham-handed attempt to discredit Chi, indicating that he had called Chiang Kai-shek, the leader of independent China, his *Führer* and that 'he said, that Chiang Kai-shek is good and Hitler is bad.'⁹¹

For Margot, the investigation seems to have turned out well on balance. On one hand, M. did not believe either woman's avowals of heterosexuality. He noted in particular, 'that the prostitutes in Berlin's West say of Halusa and Liu that

85 *Ibid.*, 8.

86 *Ibid.*, 10.

87 *Ibid.*

88 *Ibid.*, 10–11.

89 E. Güttinger, 'A Sketch of the Chinese Community in Germany: Past and Present,' in G. Benton and F.N. Pieke (eds), *The Chinese in Europe* (New York, NY 1998), 202.

90 LAB, A Rep. 358-02 Nr. 30847, 12; Timm, 'The Ambivalent Outsider,' 192.

91 LAB, A Rep. 358-02 Nr. 30847, 13.

they entertain an intimate relationship.’⁹² He further indicated – just as in the cases above – because Margot and Martha ‘were not previously registered as lesbians with us (*sind als Lesbierinnen hier karteimäßig bisher nicht bekannt geworden*),’ that ‘registration cards have been provided for (*Karteikarten wurden angelegt*).’⁹³ Again, the purpose and significance of the registration remains unclear.

M.’s report mentioned that Chi’s lawyer had promised Margot would keep her Chinese citizenship if she assumed fault for the marriage’s dissolution. While he referred Chi’s case of gambling to the state police for further investigation, the shield of foreign citizenship apparently continued to protect Margot.⁹⁴ Given that the government had begun taking Chinese into custody after China declared war, it is frankly bizarre that the criminal police would insist, in multiple documents, on the protections conferred a German Jewish lesbian by virtue of her *de jure* Chinese citizenship. Not only did the police detectives persistently insist that Margot’s Chinese citizenship safeguarded her from deportation to a concentration camp, they also demonstrated remarkably little interest in finding a way around this seemingly legalistic hurdle.

As in each of the cases above, M. sent the case file to the state’s attorney at the district court in Berlin. There is no record, however, of what, if any, conclusion the state’s attorney or court reached on the matter, and here the criminal police record drops off.⁹⁵ But Martha’s 1945 application provides a sketch of what happened to the couple. Of the denunciations by Chi she claimed that the two of them escaped unscathed, ‘because we made his behavior out to be an act of revenge.’⁹⁶ She indicated that they began printing anti-fascist flyers in 1943 and that they stayed hidden for the rest of the war, living on Swinemünder Straße.⁹⁷

Walking her dog one evening, Martha claimed she ran into the owner of a nearby store and her boyfriend. In February 1945, this pair invited Martha and Margot, who they knew were a couple, to a birthday celebration, where ‘anti-Nazi conversations took place.’⁹⁸ Unfortunately, they were Gestapo agents and the party was a trap. Margot and Martha were arrested and taken to the SS prison on Oranienburgerstraße. If they had escaped the Kripo without much trouble, their interrogations at the hands of the Gestapo were heinous:

The questioning was terrible; but my girlfriend Frau Liu had it the hardest, because she was dealt with in the most inhuman way not only for political reasons, but also because she is a Jew. After one interrogation she was so battered that I could hardly recognize her. The Gestapo inspector Heinz let out his entire rage on my girlfriend. The Gestapo bureaucrats told us that we were candidates for execution (*Todeskandidaten*).⁹⁹

92 Ibid., 14.

93 Ibid., 15.

94 Ibid., 14–15.

95 Ibid., 15.

96 LAB, C Rep. 118-01, Nr. 302, 4.

97 Ibid., 5.

98 Ibid.

99 Ibid.

Martha was charged with treason and other political crimes. With Margot she was transferred to a Gestapo prison. In April, as the Russians advanced on Berlin and the regime was frantically destroying files, the couple was summoned to a hearing. The soldier escorting them ‘whispered, be brave, the Russians are in Bernau, files are all destroyed, lie to get yourselves out of here (*lügt euch raus*).’¹⁰⁰

That is precisely what they did. Martha and Margot told the Gestapo official that they were in prison merely for having made statements against the regime while intoxicated. Margot remained mute about her Jewishness. They were instructed to take themselves to the Oranienburgerstraße Gestapo offices, which they did not do. As soon as Margot and Martha were set free, ‘we hid ourselves for four more days until the Russians came. Then finally we were saved and the Hitler-regime was destroyed.’¹⁰¹

Lucienne M. was one of millions of foreign workers who voluntarily relocated to Germany during the Second World War to meet the Third Reich’s insatiable appetite for labor. By August of 1944, there were well over one and a half million civilian foreign workers in Germany, of whom about 40,000 were French women.¹⁰² Hired by the General Electricity Society (*Allgemeine Elektrizitäts-Gesellschaft* or AEG), Lucienne found accommodation in a company camp at Schlesisches Tor in Berlin.

Before coming to the German metropolis, the 22-year-old Lucienne had led an energetic life in France. At the age of 16, she began a romantic relationship with a 30-year-old woman in Paris. As the relationship progressed, however, her mother became suspicious. Lucienne would later claim, ‘in order to convince her that I had normal sexuality, I slept with my current husband, who I did not love at all, and allowed him to impregnate me.’¹⁰³ Her husband, for whom Lucienne obviously felt no great sympathy, was then interned as a prisoner in Dresden, while their son resided with a foster family in Paris.

In February 1943, Lucienne met Marie P., a 30 or 24-year-old Parisian working for the AEG,¹⁰⁴ who had no such qualms about her sexuality. As Frau Margarethe Klein, the leader of the labor camp in which they both resided, would avow, ‘already in her first days here I heard from other campmates that [Marie], according to her own stories, was homosexually inclined and had had such a relationship

100 Ibid.

101 Ibid.; It may be that they hid for those four days with Annelise Wulf, a lesbian about whom Claudia Schoppmann has written. Schoppman indicates that Wulf’s ‘Jewish lesbian friend, Margot Holzmann’ hid with her and that ‘both women finally experienced the hoped-for end of the war in May 1945.’ It is perhaps significant that Wulf and Martha’s accounts do not align seamlessly. Schoppmann, ‘Zwischen strafrechtlicher Verfolgung,’ 51.

102 U. Herbert, *A History of Foreign Labor in Germany, 1880–1980: Seasonal Workers/Forced Laborers/Guest Workers*, trans. William Templer (Ann Arbor, MI 1990), 154, 156; U. Herbert, *Hitler’s Foreign Workers: Enforced Foreign Labor in Germany under the Third Reich*, trans. William Templer (Cambridge 1997), 298; M. Spoerer and J. Fleischhacker, ‘Forced Laborers in Nazi Germany: Categories, Numbers, and Survivors,’ *The Journal of Interdisciplinary History*, 33, 2 (2002), 187.

103 LAB, A Rep. 358-02 Nr. 113129, 4.

104 The file gives two distinct birthdates for Marie, neither of which necessarily suggests itself as the correct one. In either event, Marie was older than Lucienne.

with a woman for 16 years in Paris.¹⁰⁵ Marie's willingness to speak so unambiguously is intriguing. On one hand, it was perhaps a testament to the robust lesbian scene among France's laboring classes, though Francesca Canadé Sautman has argued life could be terribly difficult for proletarian lesbians in early twentieth-century France.¹⁰⁶ It might too be evidence of more prolific lesbian behavior at all-female institutions.

Marie and Lucienne soon struck up a relationship.¹⁰⁷ In March, around a month after the two of them had met, Frau Klein 'discovered [Lucienne] lying in bed with P.' as she conducted a 'camp inspection.' Though Lucienne insisted, according to Frau Klein, that 'they had not done anything with each other, rather that she had only wanted to warm herself up in bed with P.,'¹⁰⁸ Frau Klein still recommended to AEG management that they transfer Marie to another camp. In spite of these measures, Frau Klein found out that Marie and Lucienne were living together in Marie's new camp two weeks later. Lucienne later confirmed this, replying defiantly to inspector M., 'we have not abandoned each other, because we love each other.'¹⁰⁹ Frau Klein finally informed AEG of their relationship, which in turn apprised the police.

In a brief but angry letter to the criminal police in Berlin-Johannisthal, the AEG demanded that they take action against Marie under §183 of the Reich Penal Code, which provided 'whosoever causes a nuisance through public indecent actions, will be punished with a prison sentence of not more than two years.'¹¹⁰ Significantly, the complaint made no reference to §175.

In its letter, the AEG described Marie as a 'devotee of so-called lesbian love,' and explained how, 'after multiple attempts with other women, she succeeded in bringing the Frenchwoman Lucienne M. . . . under her influence and into a position of total submission.'¹¹¹ The complaint continued that Marie and Lucienne had been found in camp toilets committing 'fornicative acts (*unzüchtige Handlungen*)' and that they had slept together, in spite of being forbidden, in the same bed in the camp as well as at a hotel.¹¹²

The AEG's language is significant, for Frau Klein and the management presumed Marie, the older woman, to be an aggressor. In language similar to how Frau G. had characterized the relationship between her daughter Ursula and Margot Scholz, the complaint characterized Lucienne as a victim of Marie's rapaciousness. The AEG described Lucienne as 'physically weaker,' asserting Marie's persistence in

105 'LAB, A Rep. 358-02 Nr. 113129,' 3.

103 F. Canadé Sautman, 'Invisible Women: Lesbian Working-Class Culture in France, 1880–1930,' in J. Merrick and B.T. Ragan Jr. (eds), *Homosexuality in Modern France* (New York, NY 1996), 181, 195; See also C. Van Casselaer, *Lot's Wife: Lesbian Paris, 1890–1914* (Liverpool 1986).

107 LAB, A Rep. 358-02 Nr. 113129, 4.

108 Ibid., 3.

109 Ibid., 4.

110 *Strafgesetzbuch für das Deutsche Reich*, 1871, §183.

111 LAB, A Rep. 358-02 Nr. 113129, 2.

112 Ibid.

pursuing her had led to a nervous breakdown, which in turn had affected her productivity.¹¹³

The managers declared they could not tolerate such disruptions, and hinted forebodingly that, 'a substantial number of tensions and problems arise from the co-habitation of a large number of women, therein also young girls.'¹¹⁴ That is, the managers worried a single-sex female environment lent itself to rampant lesbianism. In fact, they seemed concerned that precisely the kind of lesbian community formation which Allan Bérubé describes taking place in the USA during the Second World War might occur at their plant.¹¹⁵ They worried that true lesbians such as Marie might seduce younger, weaker women such as Lucienne. The complaint demanded, 'we therefore entreat you to make a chilling example' of Marie.¹¹⁶

Luckily for Marie, the police demurred. Frau Klein refused to support the complaint's more serious allegations, telling the police that she had never caught the two women in the act, let alone in a toilet. She also pointed out that Marie 'was valued by her managers at the AEG as an efficient and capable worker.'¹¹⁷ M.'s final report, issued on July 22, 1943, concurred with Frau Klein that the two women were engaged in a lesbian relationship, while disagreeing with AEG management that this constituted a problem. In fact, the report reiterated that Frau Klein 'could not demonstrate that the accused had created a nuisance with their behavior.'¹¹⁸ Not only did the police seem to require a genuine public disturbance to intervene, they could not even find another person living in the camp who objected to the relationship between the two women. The report further determined that 'a punishable action does not exist with fornication between women; vexing behavior could also not be proved.' That is, the police could not prove that acts proscribed by §183, under which the company had brought its complaint, had taken place. As in each case above, the police found no crime had taken place on the basis, in this particular instance, of confessed lesbianism. M. specified – as in each of the cases considered above – that 'record cards and memoranda have been provided for.'¹¹⁹

That these eight women were denounced to the Berlin criminal police in the early 1940s is striking on its own, given the archival silence when it comes to female homosexuality. Indeed, the very fact that the term lesbian appears in these files as a category of denunciation too is noteworthy. It suggests that female homosexuality, in spite of its technical legality, remained stigmatized in the popular imagination as an act that transgressed social, if not legal, norms and contravened public mores.

113 Ibid.

114 Ibid.

115 A. Bérubé, *Coming out under Fire: The History of Gay Men and Women in World War II* (Chapel Hill, NC 2010).

116 LAB, A Rep. 358-02 Nr. 113129, 2.

117 Ibid., 3.

118 Ibid., 6.

119 Ibid.

Indeed, the mere existence of these files depended on a sophisticated and entrenched denunciatory regime, as any student of the Nazi period already knows. Each denouncer would have felt secure taking the private, inconclusive, and, ultimately, juridically insignificant information to the police that they did. This is not behavior unique to Nazi Germany – so long as mechanisms of discipline exist denunciation too will exist – but scholarship on Nazi rule, and on the Gestapo in particular, has come to see the flourishing denunciations of Nazi Germany as one of the regime’s hallmarks.

Moreover, much of this scholarship emphasizes the personal ends to which Germans denounced each other. Robert Gellately in particular contends that, ‘the motives for offering information to the authorities ranged across the spectrum from base, selfish, personal, to lofty and “idealistic”.’¹²⁰ Under the Nazis, Germans found that they could extract utility from the regime by providing the police with compromising information about their coworkers, neighbors, and even family members. In one case reminiscent of Margot Holzmans’s, Gellately relates how a man denounced his wife in February 1941 in order to obtain a favorable divorce settlement. Unlike Margot’s experience, the police determined the man’s assertions to be entirely erroneous.¹²¹ Vandana Joshi too has catalogued similar cases of women denouncing their husbands for personal gain.¹²² This interpretation of Nazi society is important, because it helps make sense of why the women above were denounced, when they were denounced, and by whom. In turn, this understanding should shed light on the extent to which lesbians either faced persecution or enjoyed a modicum of tolerance in their daily lives under National Socialism.

As a brief aside, it is necessary to offer definitions of tolerance and persecution. That these are non-obvious terms is clear; they may even fall into that bundle of ideas and concepts Walter Bryce Gallie once termed ‘essentially contested concepts.’¹²³ Persecution is the easier of the two to dispense with. Systematic harassment of or violence trained on an individual or group of individuals because of one or more traits or characteristics seems to be an adequate definition of persecution.

Toleration, on the other hand, is much more difficult, in part because it encapsulates a paradox: one only tolerates those people, ideas, or practices which one finds repugnant. That is, one only tolerates what one assumes ought not be tolerated. The roots of the modern idea of tolerance stretch back to the Reformation,

120 Gellately, *The Gestapo and German Society*, 158.

121 *Ibid.*, 148.

122 V. Joshi, ‘The “Private” Became “Public”’: Wives as Denouncers in the Third Reich,’ *Journal of Contemporary History*, 37, 3 (2002), 422–3; V. Joshi, *Gender and Power in the Third Reich: Female Denouncers and the Gestapo (1933–45)* (New York, NY 2003), 50ff.

123 W.B. Gallie, ‘Essentially Contested Concepts,’ *Proceedings of the Aristotelian Society* 56 (1955), 167–98.

where it became, as Herbert Butterfield put it, ‘a *pis aller*, a retreat to the next best thing, a last resort for those who often still hated one another.’¹²⁴ The great champion of liberal society, Isaiah Berlin, too recognized that ‘to be the object of contempt or patronizing tolerance . . . is one of the most traumatic experiences that individuals or societies can suffer.’¹²⁵ Because of the constitutive contradiction at the heart of the idea of toleration and the vigorous scholarly interest now devoted to marginalized populations, a substantial historical and philosophical literature concerned with toleration has grown up in the last several decades.¹²⁶

For historical purposes, it is tempting to define tolerance as the absence of persecution. While elegant, such a definition would escape each term’s complexity and the ability of individuals and regimes to encompass incoherent or incomplete attitudes towards marginal groups. The best definition I have yet come across is offered by Jacques Derrida:

tolerance remains a scrutinized hospitality, always under surveillance, parsimonious and protective of its sovereignty. In the best of cases, it’s what I would call a conditional hospitality, the one that is most commonly practiced by individuals, families, cities, or states.¹²⁷

This is the definition of tolerance – ‘scrutinized hospitality’ – which I employ below.

Returning to the Nazis’ denunciatory regime, at least two women in these files – Minna Kehrli and Margot Holzmann – were denounced by individuals who could have gone to the police earlier and had clear motivations beyond disgust of female homosexuality. Each denouncer hoped to gain something from the intervention of the police. Frau Klopsch wished to regain control over her daughter’s life. Chi Liu likely desired a favorable divorce settlement, just as Margot would counter-denounce Chi to deflect police interest in her own alleged indiscretions.

In the other two cases, a genuine dislike of female homosexuality appears to have motivated the denunciations. However, here too, one must tread carefully. Frau G. seems to have been distraught by her daughter’s alleged activities with Margot Scholz. But it is also possible, unlike the blithering busybodies whose denunciations of Ilse Totzke Laurie Marhoefer discusses in her recent article, that Frau G. feared a charge of *Kuppelei*.¹²⁸ That is, she could have been charged

124 H. Butterfield, ‘Toleration in Early Modern Times,’ *Journal of the History of Ideas* 38, 4 (1977), 573.

125 I. Berlin, *The Crooked Timber of Humanity: Chapters in the History of Ideas* (Princeton, NJ 2013), 261.

126 See, e.g., K. Schreiner, ‘Toleranz,’ in Otto Brunner, Werner Conze, and Reinhart Koselleck (eds), *Geschichtliche Grundbegriffe: Historisches Lexikon Zur Politisch-Sozialen Sprache in Deutschland* (Stuttgart 1990); R. Forst, ‘Toleration,’ in E.N. Zalta (ed.), *The Stanford Encyclopedia of Philosophy*, Summer 2012, available at: <https://plato.stanford.edu/entries/toleration/> (accessed 24 March 2017); L. Thomassen, ‘The Inclusion of the Other? Habermas and the Paradox of Tolerance,’ *Political Theory*, 34, 4 (2006), 439–62.

127 G. Borradori, *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida* (Chicago, IL 2003), 128.

128 Marhoefer, ‘Lesbianism, Transvestitism, and the Nazi State,’ 1183.

with enabling her daughter's lesbian romance. I mention this not to suggest this was the case, but rather to point out that in the moral landscape of Nazi Germany, warped as it was by the terror of knowing that anyone could denounce anyone else at any time for any number of reasons, one cannot hasten to impute motivations or attitudes to individuals who appear in police records.

Likewise, Frau Klein of the AEG labor camp: although she asserted that she had disapproved of Marie and Lucienne's romance from the start, her later statements to the police indicate she was reluctant to see either woman punished. The denunciatory practices make it difficult to argue simply by virtue of the fact that these women were denounced for homosexual acts that lesbians were persecuted in Nazi Germany, any more than one could argue that adulterers constituted an oppressed class. Indeed, these files serve well as evidence for Marhoefer's argument that lesbians, and gender non-conforming women, rather than facing persecution, were simply at a heightened risk for denunciation.¹²⁹

Beyond their simple existence, the most significant facet of the files is that despite the denunciations, interrogations, and findings that seven of the eight accused women were lesbians, police, prosecutors, and judges found in each case that no illicit act had taken place. Even in cases – such as those of Martha Halusa, an acknowledged prostitute; Margot Holzmann, a Jewish lesbian with a tenuous claim on the protections of foreign citizenship; or Anneliese Klopsch, a mentally impaired woman who freely admitted to loving women and having had sex in public – in which the police would have had no difficulty finding a reason to lock the accused away without so much as trial, inspector M. declined to press charges. The findings of non-criminality, moreover, were often couched in formal, legalistic language. In the case of Ursula G., for instance, the state's attorney wrote to Frau G., 'fornication between women cannot be punished under to the criminal code. . . . I do not see myself capable of intervening.'¹³⁰ Judge R. used virtually identical language when writing to Frau Klopsch of his inability to proceed. Accepting the letter of the law meant relying on austere interpretations of existing statute. As a practice this contradicted the National Socialists' desire to build an organic system of justice founded on the 'popular instinct' instead of the rule of law.¹³¹

Because these files rest primarily on the findings of a single detective, it is impossible to draw any broad conclusion. M. might simply have been less zealous than other officers or other police divisions. Nonetheless, the corroboration of his lenient views by a state's attorney and a judge suggest that the judicial system generally lacked the tools or will to persecute lesbians and perhaps even tolerated their existence. In fact, these cases bear certain resemblances to the better-known experiences of Ruth Roellig, a lesbian author who had been quite prominent in Weimar, and survived the Nazi period without incident, in spite of living with her girlfriend.¹³²

129 Ibid., 1192.

130 LAB, A Rep. 358-02, Nr. 43311, 7.

131 Broszat, *The Hitler State*, 338.

132 Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität*, 173–4.

Equally striking are the record cards compiled for each of the seven women M. deemed to be lesbian. Although we have no way of knowing the nature of the catalogue in which these *Karteikarten* were indexed, their existence implies that some branch of the police force had created a centralized register of lesbians, which in turn would imply a desire to regulate, harass, or perhaps eventually exterminate the women who appeared on it. M.'s aside that Margot and Martha 'were not previously registered as lesbians,'¹³³ indicates that the police actually used the catalogue when investigating women. Oddly, this evidence of persecution serves too as evidence of tolerance, of 'scrutinized hospitality.' The police kept tabs on Germany's lesbian population, but as a general rule did not intervene in it.

The women's statements themselves also underscore the apathy with which the police regarded lesbianism. Unlike interrogations of male homosexuals, which routinely involved torture and in which victims were made to recount the minutest details of their sexual lives and divulge the names of lovers, these interrogations appear to have been relatively civil affairs.¹³⁴ For example, one judgment against a gay man, now held in the *Landesarchiv Berlin*, contains 10 pages of explicit description of the accused's sex life, detailing acts, positions, and orgasms.¹³⁵ Another file offers a long personal history before quoting extensively from confiscated letters.¹³⁶ It is thus significant that none of the lesbians' files contain any sexual histories or descriptions of sexual acts, aside from the story which Anneliese Klopsch volunteered.

While M. may not have cared much about their sex lives, there is still ample evidence that many of these women were terrified. The consistency with which they denied any homosexual attachments or feelings, even when the evidence clearly contradicted them, came, I think we are safe to assume, from fear. Margot Holzmann and Martha Halusa's plaintive attempts to convince M. that they only had sexual relations with men suggest that they believed they would face censure and possibly much worse if found to be lesbians. Yet, the scarce interest on the part of the police in their sexual acts and the absence of coercion implies an

133 LAB, A Rep. 358-02 Nr. 30847, 15.

134 It seems worthwhile here to quote Eric Johnson in full. His study of the Gestapo contains an excellent analysis of Gestapo practices in service of the persecution of male homosexuals. He writes that accused men were made to:

divulge full details about their sexual experiences dating back to their earliest childhood, sometimes as far back as to the age of three, and to betray all those with whom they had had relations. These confessions did not pour out voluntarily. That they came as the result of beatings, threats, and other forms of torture becomes obvious when one observes that the interrogations were broken off time and again and then resumed with by-now familiar phrases like 'I confess,' 'after having been warned,' and 'I must correct myself.' Finally, the graphic details of the sexual experiences that the accused were compelled to provide – how they 'sucked,' 'blew,' 'fingered,' and 'fondled' until the 'discharge of semen' resulted – at times take on such a pornographic cast that one begins to ponder whether [the] Gestapo officers in charge of these cases were merely eager to uncover objective facts or whether their penetrating questioning and unrestrained authority had aroused other interests in them. (Johnson, *Nazi Terror*, 292.)

135 LAB, A Rep. 358-02, MF-Nr. 2781, Nr. 67067.

136 LAB, A Rep. 358-02, MF-Nr. 2857, Nr. 79476.

attitude towards these women that rests somewhere on the spectrum between apathy and tolerance.

Curiously, the one place where these stories do begin to parallel the regime's interest in male homosexual cases is in the assertion that Marie P. and Minna Kehrli were predatory seductresses. Although Nazi officials never reached a consensus on the causes of homosexuality, many, including Heinrich Himmler, believed the number of true male homosexuals to be relatively small and that the majority had been recruited, seduced at a young age. For this reason, Nazi prosecutions under §175 frequently made a distinction between the seducer and the seduced, punishing the former more harshly for the threat that he ostensibly posed to the German *Volk* and to the Nazi power apparatus.¹³⁷ This distinction rarely appears in cases brought against lesbians.

It is thus striking that the AEG averred, Marie had 'brought [Lucienne] under her influence' and put her in a 'position of total submission.'¹³⁸ Similarly surprising is Frau Klopsch's proclamation that, 'my daughter stands totally under Kehrli's influence.'¹³⁹ Marie and Minna were each clearly accused of seducing a younger woman, of turning her into, as the AEG wrote of Marie, a 'devotee of so-called lesbian love.'¹⁴⁰ Though this language draws on long-established stereotypes, which painted lesbians as aggressive, masculine seductresses,¹⁴¹ it did not arise particularly frequently in cases of lesbianism in the Nazi Era.

Significantly, the two files here in which the language does appear are precisely those in which the women concerned were laborers. In fact, a similar case appears in Schoppmann's work, in which two female colleagues, Helen Treike and Hildegard Wiederhöft, were denounced for lesbianism. Upon investigation, the police decided that Treike was the 'male part' and therefore Hildegard's 'seducer.'¹⁴² That is, application of a seducer/seduced dichotomy seems to have occurred to denouncers or to the police when the accused lesbians were laborers, thus having left the female domains specifically demarcated by Nazi policy and entered the male sphere of employment. In the realm of gender, it was perhaps less a matter of performance and more the question of where one so labeled fit into the socio-political hierarchy that mattered to the regime.

137 Giles, "'The Most Unkindest Cut of All,'" 50; Johnson, *Nazi Terror*, 289; Oosterhuis, 'Medicine, Male Bonding and Homosexuality in Nazi Germany,' 189.

138 LAB, A Rep. 358-02 Nr. 113129, 2.

139 LAB, A Rep. 358-02, Nr. 53909, 2.

140 LAB, A Rep. 358-02 Nr. 113129, 2.

141 See E. Newton, 'The Mythic Mannish Lesbian: Radclyffe Hall and the New Woman,' *Signs*, 9, 4 (1984), 560ff; E.B. Freedman, 'The Prison Lesbian: Race, Class, and the Construction of the Aggressive Female Homosexual, 1915-1965,' *Feminist Studies*, 22, 2 (1996), 397-423; L. Duggan, 'The Trials of Alice Mitchell: Sensationalism, Sexology, and the Lesbian Subject in Turn-of-the-Century America,' *Signs*, 18, 4 (1993): 792ff; Vicinus, "'They Wonder to Which Sex I Belong,'" 467, 474-5; L. Hart, *Fatal Women: Lesbian Sexuality and the Mark of Aggression* (London 1994); V.L. Eaklor, 'The Kids are all Right but the Lesbians Aren't: The Illusion of Progress in Popular Film,' *Historical Reflections / Réflexions Historiques*, 38, 3 (2012), 155.

142 Schoppmann, 'Zwischen strafrechtlicher Verfolgung und gesellschaftlicher Ächtung,' 36.

This correlation bolsters Schoppmann's contention that the politics of homosexuality had more to do with gender than sexual identity. Yet, it also implies that National Socialists were more interested in maintaining gender-determined social relations than they were concerned with the hurdle homosexuality might pose to pronatalist policies. That is, Nazis most feared the potential for same-sex social domains to cultivate homosexuality. When women were given the opportunity to work, those fears perhaps began to translate from the male case to the female. The National Socialists, this reading would imply, were uninterested in female homosexuality less because of their apathy toward female sexuality and more because they had effectively excluded women from the public sphere, from social, economic, and political power.

Indeed, that fear oozes from the AEG's letter, which denounced Marie P. The (male) managers concluded that, because 'the laborers witness all events, even the most intimate, which are vigorously discussed and copied,' the police were compelled to make a 'chilling example' of Marie.¹⁴³ They worried that if left unpunished, Marie's actions would open the door to widespread recruitment of other young working women to the ranks lesbianism. These concerns imply that had the war continued, or had more women been able to enter the work force, the government or German society might have taken the threat female homosexuality posed to the *Volksgemeinschaft* more seriously.

The most interesting aspects of these files, however, and the most convincing evidence of tolerance, are their silences. Reading against the grain in such a fashion may still be a controversial practice, but the lesbian historiography exists in large part because scholars were willing to read the 'silence, invisibility and denial' which is too often the truck of historians of sexuality.¹⁴⁴ As Martha Vicinus elegantly put it, one must examine 'the "not said" and the "not seen" in order to discover women's sexual lives in the past. ...Silence is not empty, nor is absence invisible.'¹⁴⁵

With these words in mind, I would return to the openness with which these women either discussed or were alleged to have practiced their sexuality. To begin, Lucienne, Marie, and Anneliese all appeared perfectly content to announce their lesbianism to whomever cared to listen. Frau Klein of the AEG informed the police that 'already in her first days here,' Marie had declared to other workers that, 'she was homosexually inclined.'¹⁴⁶ Lucienne too seems to have felt little compunction in telling the police that she had first entered a same-sex relationship as a teenager in Paris, that she and Marie had been in a same-sex relationship, and that they had flouted the AEG's ban 'because we love each other.'¹⁴⁷ These are not the words of a woman terrorized. Likewise, Anneliese Klopsch not only informed the police that

143 LAB, A Rep. 358-02 Nr. 113129, 2.

144 R. Jennings, *A Lesbian History of Britain: Love and Sex between Women since 1500* (Oxford 2007), xi.

145 M. Vicinus, 'The History of Lesbian History,' *Feminist Studies*, 38, 3 (Fall 2012), 575.

146 LAB, A Rep. 358-02 Nr. 113129, 3.

147 Ibid., 4.

she knew herself to be attracted to women, but also gave them a detailed account of the one sexual encounter she had had on Christmas with an anonymous man in Berlin's Tiergarten.¹⁴⁸

The women's indifference to sexual mores indicates that their other friends, coworkers, and possibly even family members knew of their proclivities. In the case of Marie P., we know Frau Klein heard stories of Marie discussing her homosexuality with other female workers. Frau Klopsch too claimed to have heard of her daughter's lesbianism from other sources. Yet, none of these potential witnesses appear in the police reports. The detectives never interrogated them – which, in Lucienne and Marie's case is doubly curious, as the AEG had accused them of causing a public nuisance in the sense of §183. And those anonymous, faceless, silent women – and perhaps a few men – never denounced these three women, which we can infer from the fact that record cards previously existed for none of them. The evidence in these files thus indicates that others knew of Lucienne, Marie, and Anneliese's homosexuality and never went to the police.

Likewise, if one accepts that the other four women were lesbians (excluding Minna Kehrli, who, on the balance of the evidence, appears to have been genuinely heterosexual), they too were all remarkably forthright about their sexual proclivities. Although each feigned heterosexuality when faced with the prospect of police intervention, none was particularly concerned to hide their activities before being denounced. Margot Scholz admitted to having kissed Ursula G. multiple times in front of her husband, who nonetheless steadfastly refused to believe Frau G.'s accusations and was never interrogated by the police.

Similarly, Martha Halusa and Margot Holzmann lived with numerous landladies – Frau A., Frau St., Frau Kr., and Frau S. – in the course of a year and appear to have been entirely nonchalant about sleeping with each other. When a detective questioned Frau St.'s 12-year-old daughter, the girl told him that Margot 'was with her girlfriend, Halusa,' and that, Margot 'is occasionally there, but sleeps over with her girlfriend Halusa for the most part.'¹⁴⁹ Likewise, between her marriage on 2 November 1941, and moving in with Chi on 1 December 1941, Margot slept with Martha in her room rented to her by the family S.¹⁵⁰ The final police report also noted, 'that the prostitutes in Berlin's West say of Halusa and Liu that they entertain an intimate relationship.'¹⁵¹ A significant number of Berliners must have known of Martha and Margot's relationship.

As in the cases of Marie, Lucienne, and Anneliese, none of these women – whether prostitutes or landladies – were called by the police to provide evidence of, as police detective K. initially phrased it, 'the considerable complaints' aroused by Margot and Martha's relationship. Moreover, we know that no one had previously accused Martha or Margot of being lesbians.

148 LAB, A Rep. 358-02, Nr. 53909, 7.

149 LAB, A Rep. 358-02 Nr. 30847, 5.

150 Ibid., 4.

151 Ibid., 14.

When Martha applied for recognition as a victim of fascism a few years later, she did not argue that she had been persecuted because of her sexuality. Indeed, although her statement freely described the romantic relationship between her and Margot, it devotes only two sentences to Margot's husband and does not even note that the two were denounced for lesbianism.¹⁵² When the Gestapo caught Martha and Margot in 1945, the agents responsible for their arrest were aware of their lesbian relationship, yet there too Martha never mentioned any charge related to lesbianism.¹⁵³ That is, despite the fact that Martha Halusa experienced extremely violent forms of oppression as an antifascist and a Jewish sympathizer, she did not understand herself to have been persecuted because of her sexuality.

The lack of denunciation in these women's lives is particularly striking when contrasted with the frequency with which Germans denounced gay men, such as the over one hundred eighty surviving denunciations of gay men in Hamburg under the Nazis.¹⁵⁴ As in the cases of Lucienne, Marie, and Anneliese, these conspicuous silences, coupled with the police's vast indifference to pursuing cases against them, paints a picture of moderate tolerance, even while other lesbians experienced undeniable persecution. These files are curious not merely because of the striking ambivalence society and the police showed lesbian desire, but also because they illustrate the ease with which tolerance and persecution thrived in each other's company.

Ultimately, the dichotomy of tolerance or persecution may be inadequate to capture the lives of certain social outsiders in Nazi Germany, or, for that matter, under any regime. When enforced only by a grim promise of violence, apathy can be mistaken for tolerance, just as tolerance can be construed as apathy or even persecution. Rather, tolerance – contrary to the ideal of toleration that has dominated enlightened thinking since the Reformation – is no virtue. It becomes a tool in the interests of oppression, or, more precisely said, a bar to the further progress of freedom, insofar as it proscribes its own limits, thereby making nascent demands for greater liberty, wider acceptance, and new forms of life all the more impossible. When viewed thus, these four files point to an unmistakable and thoroughgoing toleration of lesbianism in Nazi Berlin. This is not to say that the eight women above did not face persecution as well, nor to argue against Schoppmann's characterization of lesbianism in the Third Reich. Rather it should throw into sharper relief the duplicity of tolerance that has characterized societies' views of female sexuality for centuries and was the bedrock of the lesbian experience in Nazi Germany.

152 LAB, C Rep. 118-01, Nr. 302, 4.

153 Ibid., 5.

154 S. Micheler and P. Szobar, 'Homophobic Propaganda and the Denunciation of Same-Sex-Desiring Men under National Socialism,' *Journal of the History of Sexuality*, 11, 1/2 (2002), 119; Geoffrey Giles notes that the police relied upon spontaneous denunciations to find homosexual men, as does Burkhard Jellonek. Giles, 'The Institutionalization of Homosexual Panic in the Third Reich,' 244; Jellonek, *Homosexuelle unter dem Hakenkreuz*, 328ff.

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