

## **TIMELINE OF GERMAN LGBT HISTORY**

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**98** – The Roman historian Tacitus reports that the Germanic tribes execute homosexuals (*corpores infames*, “those who disgracefully abuse their bodies”) and sink them into swamps. Remains of several such corpses have been found in the peat bogs of Denmark and northern Germany and are now exhibited in museums. Some had been strangled to death prior to being sunk in the bogs, while others were apparently drowned alive.

**ca. 500** – The Germanic tribes living south of Scandinavia gradually convert to Christianity and find their homophobic outlook confirmed by the Roman Catholic condemnation of homosexuality. Yet the Germans do not adopt the church- inspired edicts promulgated in 342 and 390 by Christian Roman emperors, who had called for burning homosexuals at the stake. Instead, the Germans maintain their own legal practices, which rely on oral tradition.

**ca. 800** – Invoking biblical sources, several admonitions and injunctions against homosexual acts are promulgated in the Holy Roman Empire established by the Frankish king Charlemagne. His son and successor Louis the Pious is especially homophobic, blaming Noah’s Flood on homosexuals and endorsing St. Paul’s call for the death penalty (Rom.1:27-32).

**ca. 900** – In still-pagan Viking society, calling a man a homosexual (*arg*, “effeminate, cowardly”) is a slur that requires the offended individual to challenge his insulter to a duel. Failure to respond to the libel brings not just dishonor but also the legal status of “outlawry,” which allows anyone to stalk and slay the insulted man without penalty.

**1328** – Paragraph 132 of the German *Law Book for Town and Country* calls for burning at the stake all lesbians and gay men (“those who mix with the same sex”). In practice, a milder sentence is at times meted out, especially to aristocrats: rapid execution (decapitation by sword) followed by burning. In most cases, all documents concerning the trial are also burned to expunge every trace of the deed, whose very mention is labeled sinful. Sodomy, a word not to be uttered among Christian folk, is linked with heresy.

**1530** – Burning at the stake is confirmed as the punishment for “unchasteness against nature, man with man, woman with woman” in the *Carolina*, the first printed German criminal code that aspires to the comprehensiveness of ancient Roman law. Enforced throughout the Holy Roman Empire, the *Carolina* (named for the emperor Carl V) coincidentally contributes to the wave of witchcraft trials that mark the era 1580-1680, leading to the execution of hundreds of thousands of innocent women and men.

**ca. 1790** – Austria and Prussia respond to the spirit of the Enlightenment by reducing the penalty for homosexual acts to harsh prison sentences at hard labor and subsequent banishment. The new Austrian law code (1787) totally eliminates capital punishment.

Its provision on homosexuality applies to both lesbians and gay men, whereas the new Prussian sodomy statute (1794) drops any reference to women and applies solely to men. The Prussian omission is motivated not by leniency but instead by concern that mentioning lesbian practices could backfire by inciting women to them. Beyond Austria and Prussia, the *Carolina*'s death penalty by fire remains in force in numerous other German states.

**1810** – Following Napoleon Bonaparte's conquest of the Holy Roman Empire, the Napoleonic Code is imposed upon Prussia, Austria, and all other German states. Inspired by the Enlightenment principle of separating church and state, the Napoleonic Code distinguishes between private and public spheres and completely decriminalizes same-sex practices between consenting adults in private.

**1813** – Napoleon is defeated at the Battle of Leipzig, and the Napoleonic Code is repealed throughout the new German Confederation, which comprises Prussia, Austria, and 33 other states. While Prussia reverts to its civil code of 1794, Bavaria's new penal code of 1813 adheres to the Napoleonic example by completely decriminalizing homosexual acts between consenting adults in private – a measure that a number of other German states will later follow, including Württemberg (1839), Brunswick (1840), and Hanover (1840).

**1851** – Prussian revises its penal code, halving the minimum prison sentence for “unnatural indecency between men” from one year to six months. The maximum is changed from “several” to four years.

**1864** – The Hanoverian lawyer Karl Heinrich Ulrichs (1825-1895) publishes the first of a series of twelve books on “male-male love” that call for the social acceptance and legal equality of “Uranians” (*Urninge*) – a term he coins for gay people. He argues that the natural, innate quality of homosexuality means that prosecuting it is unjust and pointless, and he compares the persecution of homosexuals with that of witches in earlier centuries. Ulrichs is the first author to characterize homosexuals as a social “minority” with “inalienable civil rights,” including the right to enter marriage-like “love bonds.” He seeks to found the first gay periodical, unite his readership network into a full-fledged “Uranian League,” launch a national petition drive in favor of gay rights, and address the 1867 Congress of German Jurists. When Prussia invades and occupies Hanover in 1866 as an opening foray in Bismarck's grand strategy to unite the German states, Ulrichs joins the resistance and is briefly jailed. Truly a man ahead of his times, he sees his writings repeatedly censored and is discouraged by a lack of supporters. He finally abandons the struggle, emigrating to Italy in 1880.

**1869** – The German-Hungarian author Karl Maria Kertbeny (1824-1882) calls for the repeal of the Prussian anti-sodomy law in a brochure that he publishes anonymously. This text is the first to contain the word “homosexuality” (*Homosexualität*), a term Kertbeny coins. In a later publication, he also creates the word “heterosexuality” (*Heterosexualität*).

**1872** – Following Bismarck's unification of 34 states into the German Empire in 1870/71, its government promulgates a new penal code based on Prussia's 1851 code. The anti-sodomy statute is slightly revised. Judges may now sentence convicted sodomites to prison terms lasting from one day to four years. Under the number Paragraph 175, the law goes into effect throughout Germany, once again criminalizing homosexual acts in states where they have not been prosecuted for decades, such as Bavaria, Ulrichs' homeland Hanover, and newly annexed Alsatia.

**1895** – The Berlin police force shifts policy, allowing gay bars to exist while keeping them under surveillance. Heretofore, it immediately shut down any pub that came to its attention as a haven for homosexuals. The capital's gay underworld begins to develop into a metropolitan gay community, gathering in cafes and pubs and holding costume balls. In Leipzig, Max Spohr (1850-1905) founds a publishing house with a focus on gay themes.

**1897** – In Berlin, the physician Magnus Hirschfeld (1868-1935) founds the Scientific-Humanitarian Committee, the world's first organization in what he terms "the homosexual emancipation movement." The group launches a petition campaign to reform Paragraph 175 by decriminalizing homosexual acts in private between consenting men, with the same age of consent as for heterosexuals: 17. Swiftly signed by a number of prominent opinion leaders in law, medicine, education, and the arts, the petition is submitted in 1897 to the German parliament (Reichstag), where it is debated in 1898 and receives strong support from the left-wing Social Democratic Party. Hirschfeld lectures frequently throughout Germany on "What People Must Know about the Third Sex," and branches of the Committee soon form in several German cities.

**1899** – Hirschfeld launches the world's first sexological journal, the *Yearbook for Sexual Intermediates*, which appears under his editorship uninterrupted up to 1923. The journal focuses on intersexualism and transgenderism, including hermaphroditism, transvestism (a word coined by Hirschfeld), as well as lesbian virility and gay effeminacy. His research rankles some gay men who resent any imputation of femininity, and they suspect that his medical training predisposes him to view homosexuality as pathological. Hirschfeld, a Jew, maintains that homosexuality is neither a sickness nor a sin, and he compares German society's present homophobia to its past anti-Semitism, optimistically arguing that gay people will achieve full social equality in the twentieth century, just as German Jewry has emerged from the ghetto in the nineteenth century.

**1903** – A second gay rights organization, the Community of the Special, is founded in Berlin by Adolf Brand (1874-1945). While Hirschfeld's group advocates 17 as the age of consent, is staunchly pro-feminist, and finds its support on the political left, the Community spurns any age of consent, is anti-feminist and anti-Semitic, and advocates a libertarian-anarchist position emphasizing individual freedom. Hirschfeld's motto is "Justice through Advancing Scientific Knowledge," whereas the Community favors a strategy of outing closeted homosexuals. The Community's journal, *The Special*, prints nude photos, and some issues are banned by state censorship.

**1907** – A scandal erupts concerning the homosexuality of Prince Philipp zu Eulenburg (1847-1921), Count Kuno von Moltke (1847-1923), and Chancellor Bernhard von Bülow (1849- 1929), three prominent aristocrats in the entourage of Kaiser Wilhelm II. Adolf Brand is jailed for eighteen months for outing Bülow, and Hirschfeld appears in court to testify against Moltke. No fewer than five highly publicized trials for slander and perjury unfold over three years, leading to increasing homophobia in public opinion. In 1909, the German parliament considers criminalizing lesbian acts but decides against it.

**1918** – Germany's defeat in World War I and the abdication of the Kaiser, followed by the founding of the Weimar Republic in 1919, lead to a renewal of activism on the part of the Scientific-Humanitarian Committee and the Community of the Special as well as the opening of a large number of gay and lesbian cultural institutions (especially bars) that contribute to Berlin's reputation as a hotbed of avantgarde cosmopolitanism.

**1919** – Hirschfeld founds in Berlin an Institute for Sexology, the first of its kind in the world. Featuring a lecture hall, library, and museum-like displays, it is a center for public education visited by tens of thousands of people. In addition, it houses counseling and treatment facilities, and gender-reassignment surgery is pioneered here. The Scientific-Humanitarian Committee moves its office to the Institute.

**1919** – Hirschfeld plays himself in a feature-length film entitled *Different from the Others*, the story of a gay violinist who is driven to suicide after being publicly exposed by a blackmailer and serving a jail sentence under Paragraph 175. Directed by Richard Oswald (1880-1963) and starring Conrad Veidt (1893-1943) and Reinhold Schünzel (1888-1954), all three of whom will leave Germany for major Hollywood careers after Hitler comes to power in 1933, this is the world's first explicitly gay-themed film and concludes with a call for the repeal of Paragraph 175. Banned in the southern German states and Austria, it plays to large audiences in northern Germany and the Netherlands for one year before being withdrawn nationally by film censorship. Screenings in Berlin and Hamburg are occasionally picketed and disrupted by members of the emergent Nazi Party, who attack the film as a Jewish slur on German manhood. (In addition to Hirschfeld, Oswald and Schünzel are also Jews.)

**1919** – The first weekly paper for homosexuals, entitled *Friendship*, is launched in Berlin and appears up to 1933. Due in part to censorship, the content of the journal changes over time but generally includes announcements, news reports, fiction, poetry, reviews, opinion pieces, historical articles, personal ads, and photos. During the 1920s, 35 different journals for lesbians and gay men are published in Berlin, and the cultural milieu is also enriched by gay and lesbian cabaret and theater performances.

**1919** – Drawing on the readership of *Friendship*, the Berlin Friendship League is founded to advance the social, political, and legal interests of homosexuals. It joins with groups in other cities to form the German Friendship League (1920) and finally changes its name to the League for Human Rights (1923). With 30,000 members in the late 1920s, it is by far Germany's largest gay rights organization, and its chairman, Friedrich Radszuweit (1876-1932), founds a publishing house, opens a gay bookstore, and figures as the movement's most published spokesman in his role as editor of several journals for gay men and lesbians.

**1920** – The Scientific-Humanitarian Committee, the Community of the Special, and the German Friendship League join forces in an Action Committee that publishes an appeal for support to Germany's homosexuals authored by Kurt Hiller (1885-1972) and resubmits to the German parliament a petition to reform Paragraph 175, now with 6,000 prominent signatories. The Action Committee is dissolved in 1923, and in its place emerges a new Cartel for the Reform of Sex-Related Penal Law, which aims at the reform not just of Paragraph 175 but also Paragraph 218, the ban on abortion, as well as other laws. The Cartel includes feminist organizations and groups focused on contraception as well as marital law reform along with Scientific-Humanitarian Committee, which leads to bickering with the two other gay rights organizations.

**1928** – Hirschfeld founds the World League for Sexual Reform, which includes the call for the repeal of anti-gay statutes worldwide with a wide range of other demands, including contraception and abortion rights and rights for children born out of wedlock. The group holds congresses in Copenhagen (1928), London (1929), Vienna (1930), and Brno (1932). In his Berlin gay and lesbian newspapers, Radszuweit charges Hirschfeld with damaging the reputation of the gay rights movement by calling for the repeal of the law against male prostitution.

**1928** – In response to a poll of political parties conducted prior to national elections, Germany's two leftist parties, the Social Democrats and the Communists, affirm their support for reform of Paragraph 175, while the Nazi Party excoriates homosexuality as fundamentally un-German. The Nazis' adamantly anti-gay stance is a major theme of reporting and editorializing in the gay press in the following years. Radszuweit increases his criticisms of Hirschfeld for being "out of touch" and "unsuited for leadership in Germany in these times" and finally calls for his resignation.

**1929** – By a slim majority, the German parliament's Committee on Penal Law votes to eliminate Paragraph 175 and to decriminalize homosexual acts between consenting adults in private, with an age of consent set at 21. At the same time, the penalty for sexual relations with individuals under 21 is to be heightened. This draft law more closely aligns with the particulars of Radszuweit's law reform proposal than Hirschfeld's. Yet this draft will not be passed into law. Delayed by deliberations on unifying the penal codes of Germany and Austria, the draft is held in abeyance and never brought to a full parliamentary vote. The nearly simultaneous stock market crash in New York has international repercussions, and the German national election hastily called in 1930 leads to a sevenfold increase in the Nazi mandate, nullifying any chance of repealing Paragraph 175.

**1929** – After lengthy disputes about his leadership style and vision for movement strategy, Hirschfeld is voted out of office as chair of the Scientific-Humanitarian Committee and succeeded by the psychiatrist Otto Juliusburger (1867-1952). In 1930, Hirschfeld embarks upon a world lecture tour that takes him to New York, Chicago, Detroit, Los Angeles, and San Francisco before continuing on to Japan, China, Indonesia, India, Palestine, and Greece. Because of the concurrent rise of the Nazi Party, he is warned by friends and colleagues that his life would be in danger were he

to return to Germany. He goes into exile in Switzerland in 1932 and moves to France a year later, where he dies in 1935. He is buried in Nice.

**1930** – The daily paper of the Nazi Party, nominally edited by Adolf Hitler, rants that “all the base instincts of the Jewish soul” are united in homosexuality. Gay men must therefore “be dealt with by the law for what they really are, as gross Syrian aberrations, as the most heinous criminals who are to be punished by the noose and by deportation.”

**1931** – Social Democratic journalists out the chief of the Nazi stormtroopers, Ernst Röhm (1887-1934), a confidante of Hitler, in an attempt to turn potential voters against Hitler’s party.

**1933** – The Nazi Party is voted into power, and Hitler becomes German chancellor, rapidly imposing the dictatorship he had promised. The Scientific-Humanitarian Committee is the first homosexual rights organization to dissolve itself, and the others quickly follow suit (the sole exception: a group in Switzerland). All gay and lesbian journals cease publication (again, with one exception in Switzerland), and gay bars and cafes are closed by police order. Kurt Hiller is arrested, tortured, and interned in the Sachsenhausen concentration camp north of Berlin. Released in 1934, he moves to London.

**1934** – To resolve a power struggle between Heinrich Himmler’s elite SS guard and Ernst Röhm’s roughneck SA stormtroopers, Hitler chooses to have Röhm shot in a massacre known as the “Night of the Long Knives.” In a speech before the Nazi-controlled parliament, Hitler uses Röhm’s homosexuality – “this plague” – as the rationale for his deed. A “clean-up campaign” against homosexuality is launched within the Nazi Party, and parliamentary deliberations on strengthening Paragraph 175 are accelerated. The Gestapo (secret police) starts compiling a national list of homosexuals, and beginning in 1935, homosexuals are sent in substantial numbers from prisons to concentration camps.

**1935** – A revised Paragraph 175 goes into effect. Its drafters debate at length broadening its scope to include lesbian acts, but decide against it. Heretofore, “unnatural indecency” has been construed by judges to mean only “intercourse- like acts” and not, for example, masturbation. Now, any homosexual act whatsoever – a kiss, a touch, even a lustful gaze – is potentially punishable. In addition, a new Paragraph 175a is added for the “protection of youth.” An adult man who has sex with a male minor (under 21) can be sentenced to 10 years in prison, as can a man who exploits a position of authority to pressure another man into sexual compliance. The youth or exploited man is also guilty under the law. The number of court convictions rises dramatically. Repeat offenders are at times given the choice of castration or concentration camp internment.

**1936** – A “Reich Central Office to Combat Homosexuality and Abortion” is established on the secret order of Heinrich Himmler, chief of the German police. It will ultimately set up files on 41,000 homosexuals. In all, some 100,000 homosexual suspects are arrested during the Third Reich, of whom 50,000 are brought to trial and convicted. Between 5,000 and 15,000 homosexuals are sent to concentration camps, where they

wear the pink triangle on their uniforms. Most of them perish through the policy of “Extermination through Labor.”

**1938** – Heinrich Himmler delivers a speech to SS officers in which he emphasizes the importance of eradicating homosexuality in Germany “root and branch, just as the ancient Germans did.” An SS newspaper proclaims that while there are millions of homosexuals in Germany, only the “incorrigibles” must be exterminated, while those who have been “seduced” or who have “strayed” into same-sex acts can be reintegrated into society. At the German Institute for Psychological Research and Psychotherapy in Berlin, efforts are made to cure homosexuality through talking therapy. A few years later, experiments on curing homosexuality through hormone implants in the groin are conducted at the Buchenwald concentration camp.

**1939** – With the outbreak of war, instances of homosexuality among officers and enlisted men are to be handled by military justice according to the same standards as civilian law. Some 7,000 men are convicted, and after serving out their prison sentences, those considered incorrigible are dispatched to “cannon fodder” military units where death on the battlefield is virtually certain.

**1941** – In a secret decree, Hitler orders that any policeman or SS-officer found guilty of homosexuality is to be executed.

**1945** – With the defeat of Nazi Germany, the conquering Allies – the US, the USSR, Britain, and France – order the liberation of all concentration camp survivors, including homosexuals. However, the Allies leave it to German courts to determine whether released homosexuals may be set free, and in many jurisdictions the German authorities arrest released pink triangle survivors and force them to finish out their sentences in prison. The Allied Control Council recommends dropping the Nazi Paragraph 175a and restoring Paragraph 175 to its pre-Nazi version but leaves the decision to the individual German states.

**1947** – As the Cold War heats up and Germany is increasingly polarized into eastern and western zones, psychiatrist Rudolf Klimmer (1905 -1977), who had known Hirschfeld personally, emerges as the foremost spokesman of gay activism in eastern Germany. His memoranda calling for law reform are echoed by a 1948 gathering of 600 gay men in the eastern city of Leipzig who urge the repeal of Paragraph 175. In 1948, the Soviet-backed Association of Persons Persecuted by the Nazi Regime denies pink triangle survivors the status of victims.

**1949** – West Germany (the Federal Republic of Germany) and East Germany (the German Democratic Republic) are founded. West Germany maintains the Nazi versions of Paragraph 175 and 175a, whereas East Germany drops the Nazi language and reverts to the law that prevailed from 1872 to 1935. Gay activism in West Germany is headed by psychiatrist Hans Giese (1920-1970), who establishes an Institute for Sexological Research in Frankfurt and revives Hirschfeld’s legacy by founding a Scientific-Humanitarian Committee. Some 25 gay periodicals are published in the early years of West Germany. Gay organizations and periodicals are banned in East Germany.

**1951** – In response to a challenge by the gay movement, the Supreme Court of West Germany upholds the validity of Paragraphs 175 and 175a as formulated in the Nazi era

**1953** – All West German homosexual groups unite in the Society for Human Rights, which seeks restitution for homosexual concentration camp survivors. These efforts are initially rebuffed by all government bodies in East and West Germany. West Germany joins the European Convention on Human Rights. In 1956, this organization upholds the validity of anti -sodomy statutes throughout Europe. In West Germany, arrests and convictions of homosexuals occur at a pace that nearly matches the Nazi era. In East Germany, there are far fewer prosecutions, but sex educators declare that homosexuality is a symptom of bourgeois decadence that will fade away with the full establishment of communism.

**1957** – West Germany's new War Reparations Law permits homosexuals to submit claims, but only 23 do so. Of roughly 18 billion dollars disbursed over the years under this law, just \$125,000 goes to homosexuals. In response to another challenge by the gay movement, the top West German court again upholds the validity of Paragraphs 175 and 175a. A clamp down against homosexuality leads many activists to cease publications and to dissolve their organizations.

**1968** – Following many years of debate among experts but no real public discussion or visible gay activism, the East German government abolishes Paragraph 175, legalizing homosexual acts between consenting adults in private. However, under Paragraph 151, the age of consent for homosexuals is set at 18, whereas that for heterosexuals is 16. State authorities grudgingly tolerate a small number of gay bars and cafes in a few major cities of East Germany, but gay organizations and publications remain entirely banned.

**1969** – Responding to the measures in East Germany as well as the repeal of anti-sodomy statutes in many western European countries, West Germany reforms Paragraph 175 by legalizing homosexual acts between consenting adults in private, with the age of consent set at 21. (It is 18 for heterosexuals.) As in East Germany, this shift is based largely upon deliberations among legal experts and a limited public discussion, not on gay activism. West Germany has just two gay periodicals at this time.

**1971** – The gay liberation movement becomes an international phenomenon, leading to the formation of many new gay organizations throughout West Germany, especially among university students, who broadly challenge heterosexism and call for the complete abolition of Paragraph 175.

**1973** – East Germany's first gay organization is founded in East Berlin with the goal of bringing gay men and lesbians together for comradeship while increasing homosexual visibility and public acceptance. It organizes activities until it is denied official recognition by the state authorities and disbands in 1979.

**1981** – The outbreak of AIDS mobilizes heightened gay activism in West Germany, which is increasingly oriented on the model of the gay community in the United States, as evidenced in ACT UP, a short-lived wave of outing prominent gay men, and annual gay pride marches as well as gay sports teams, choruses, and entertainment. East German



authorities respond haltingly to the AIDS epidemic, clinging to the notion that the Wall will prevent its spread from West to East. Not until 1987 is AIDS viewed as a significant concern in East Germany.

**1982** – Gay and lesbian activism emerges in East Germany under the protection of the Lutheran Church, which provides meeting places in numerous cities and towns. There are no nationally distributed gay periodicals, but internal newsletters are circulated among the church-linked groups, conferences and dances are organized, and homosexuality develops into a topic of public discussion.

**1988** – West Germany amends its War Reparations Law of 1957 to provide additional benefits to individuals suffering from hardship. Over the next five years, applications are submitted by 17 former pink triangle prisoners, of which 10 are granted and 7 denied. Over the next five years, additional Hardship Funds are granted by a number of northern German states (Berlin, Hamburg, Bremen, Lower Saxony, Schleswig-Holstein, North Rhine Westphalia, Hessen) that are dissatisfied with low level of federal benefits. Seven pink triangle survivors submit applications for state funds.

**1989** – With the collapse of the Wall, concern is raised about imposing the West German penal code upon East Germany. Following unification in 1990, a moratorium is declared, during which Paragraph 175 remains in effect in Germany's 10 western states, while there is no such law in the 6 eastern states.

**1994** – In May, after a history of 122 years, Paragraph 175 is entirely abolished. The key issues for the LGBT movement are achieving recognition of domestic partnerships and reducing everyday forms of discrimination and right-wing anti-gay violence.

**2000** – Actuarial statistics suggest that in 2000, there are in Germany only 5 pink triangle survivors with an average age of 94.

**2001** – The German government passes a law recognizing Life Partnerships of gay and lesbian couples.

**2002** – The German parliament officially pardons all men who wore the pink triangle as homosexuals interned in concentration camps.

**2008** – On May 27, a Memorial to the Homosexual Victims of Nazi Persecution is dedicated at a prominent site in Berlin, two blocks south of the Brandenburg Gate and directly facing Germany's national Memorial to the Murdered Jews of Europe.

**2013** – German's highest court rules that if one partner in a same-sex relationship has adopted a child, the other partner shall be recognized as a legal parent.

**2013** – German law states that children who are born intersex may have their gender marker left blank, rather than being categorized male or female.