Invitation to Committee Meeting to Repeal Paragraph 175 (Law against Homosexuality) (1929)

Abstract

In this letter, the Wissenschaftlich-humanitäres Komitee (Scientific-Humanitarian Committee), or WhK, invited members of the Reichstag from the center-liberal German Democratic Party to visit its Institute for Sexual Science, in order to learn more about homosexuality, to meet with gay men in person, and to hear their concerns. The Reichstag's committee on criminal law was in the midst of a debate in 1929 over modifying or repealing the German law known as Article 175, which criminalized sexual acts between men, and the WhK hoped that this meeting might sway political opinion in favor of repeal.

Founded in 1897 by the pioneering sex researcher and political reformer Magnus Hirschfeld, the WhK helped to launch the homosexual emancipation movement in Germany and to make that country a world center for research, publishing, and advocacy on issues related to what we know today as LGBTQ+ issues. Hirschfeld's motto, "through science to justice," expressed his belief that research would pave the way toward a broader acceptance of sexual minorities by proving the innateness of their natures. He established the Institute for Sexual Science in 1919 in order to share scientific findings on homosexuality and transgenderism with a larger public, and the WhK's invitation to Reichstag members to visit the Institute fit perfectly with his philosophy that enlightenment would reshape policy.

Throughout the 1920s, Hirschfeld, his Institute, and the WhK collected signatures on petitions and gathered people together to push for a repeal of Article 175. The law declared that "Unnatural fornication, whether it is committed between persons of the male sex or between humans and animals, is punishable by imprisonment and can result in the loss of rights." Germany's criminal code did not prohibit sex between women, however, nor did Article 175 prevent Germany in the 1920s from developing the most vibrant queer urban subculture that the world had yet seen, including bars, social organizations, and nearly two dozen newsletters and magazines with nationwide circulations.

Officials could nevertheless use the law to justify arresting and imprisoning men, often causing them to lose their jobs, friends, and family; and its existence stigmatized and marginalized otherwise peaceful, productive, and law-abiding members of society. Article 175 also enabled blackmail, with Hirschfeld estimating that one-third of gay men had been the target of blackmail at some point in their lives, and the press regularly publishing stories on suicides by blackmail victims. For these reasons, the WhK and other gay-rights organizations, along with a number of human-rights and legal-reform groups, and the Social Democratic (SPD) and Communist (KPD) political parties, all advocated revising the law or eliminating it altogether.

After the May 1928 elections produced a new left-center coalition government, the moment looked right for the Reichstag to take a new look at this legal reform. The committee on criminal law had 28 members, exactly half of them from parties on the left and center-left, including the SPD, the KPD, and the German Democratic Party (DDP). This initiative by WhK aimed at ensuring that the DDP members joined their SPD and KPD colleagues in voting to remove or revise the law when it came up for a vote. When the committee finally voted on the measure on October 16, 1929, over six months after the March meeting took place at the Institute for Sexual Science, all of the DDP members serving on it did, indeed, join their fellow KPD and SPD colleagues in voting to strike Article 175 from the books. One other member also voted to do so: the committee's chair, Wilhelm Kahl, who came from the center-right German People's Party (DVP). Kahl had moral misgivings about male homosexuality, but he believed in an adult's right to his own body, as long as it did no injury to third parties, and he also hoped that the law's repeal would

actually diminish the gay movement, since repealing the law seemed to be the primary animating force behind its organizations and magazines. Kahl's vote gave the measure the majority it needed to move out of the committee and go to a general vote in the Reichstag.

The measure never did come to that general vote in the Reichstag, though, since the government first presented it to a different committee whose task was to the make the German legal code more compatible with the Austrian, in anticipation of some closer arrangement between the two nations. As the Depression set in and the September 1930 election produced a more right-leaning Reichstag, lawmakers simply tabled the proposed revisions to the legal code, and Article 175 stayed on the books.

Source

Mr. Katter
Berlin-Britz
Muthesiushof

As you doubtless know, the penal code committee, in whose hands the future fate of the homosexuals in criminal law lies, is currently meeting. The most important thing at the moment is to convince the key individuals of the rightness of our decades-long demands.

To this end we have turned to the members of the parliamentary delegation of the German Democratic Party with the request to make the acquaintance of homosexuals because this naturally affords them a far better opportunity to understand the matter than even the best publications.

We have invited the members of the Reichstag to come to the Institute of Sexual Science on
Friday, March 15, 1929, at 11 am.

Because of the extraordinary importance of this meeting, we request your personal attendance, and we would be grateful if you could call us on the telephone as soon as possible.

With all best wishes and friendly esteem, we remain,

yours ever,

The Scientific-Humanitarian Committee e.V.

Source of original German text: Magnus-Hirschfeld-Gesellschaft (It was reprinted on an informational postcard that the MHG produced.)

Translation: Pam Selwyn

Recommended Citation: Invitation to Committee Meeting to Repeal Paragraph 175 (Law against Homosexuality) (1929), published in: German History in Documents and Images, <https://germanhistorydocs.org/en/weimar-germany-1918-1933/ghdi:document-5430> [November

19, 2026].