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MAKING THE CASE AGAINST PARAGRAPH 218: NARRATIVE AND DISCURSIVE STRATEGIES IN ELSE KIENLE'S *FRAUEN: AUS DEM TAGEBUCH EINER ÄRZTIN*[*]

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ABSTRACT

This article analyses Dr Else Kienle's 1932 text *Frauen: Aus dem Tagebuch einer Ärztin* within the context of the debates around women's access to abortion in Weimar Germany. Access to abortion was a widely debated topic in Weimar Germany and public demonstrations against Paragraph 218 of the Weimar penal code, which outlawed abortion, occurred following the 1931 arrest of Dr Kienle. I argue that, as a non-partisan work written from the perspective of a practising doctor, Kienle's text offers an innovative contribution to these debates. While Kienle's arrest is frequently cited as a key moment in the Weimar abortion debates, her writing has received limited critical attention. My analysis of the literary and discursive strategies employed by Kienle in *Frauen: Aus dem Tagebuch einer Ärztin* reveals that Kienle goes beyond the arguments of the women's and socialist movements. Kienle's text should be read as an attempt to broaden the reach of the campaign against Paragraph 218. The book adopts an innovative and experience-led approach, which reveals the medical, psychological, and social implications of limiting women's access to abortion, and which only re-emerged in the Federal Republic of Germany in the 1970s.

Dieser Artikel untersucht Dr. Else Kienles Text *Frauen: Aus dem Tagebuch einer Ärztin* (1932) im Kontext der Debatte über den Zugang von Frauen zu Abtreibung in der Weimarer Republik. Der Zugang zu Abtreibung war ein breit diskutiertes Thema in der Weimarer Republik und es fanden nach der Verhaftung von Dr. Kienle 1931 öffentliche Demonstrationen gegen den Paragrafen 218 des Weimarer Strafgesetzbuches, der die Abtreibung verbot, statt. Kienles Text wird insofern als neuartiger Beitrag zu dieser Debatte betrachtet, als dass er ein überparteilicher, aus der Perspektive einer Ärztin geschriebener Text ist. Obwohl Else Kienles Verhaftung häufig als ein entscheidender Moment in der damaligen Abtreibungsdebatte genannt wird, hat ihr Buch wenig wissenschaftliche Beachtung gefunden. Anhand der Analyse der literarischen und diskursiven Strategien, die Kienle in *Frauen: Aus dem Tagebuch einer Ärztin* verwendet, wird im Folgenden gezeigt, dass Kienle über die Argumente der Frauenbewegung und sozialistischen Bewegungen hinausgeht. Aus diesem Grund kann Kienles Text als Versuch gesehen werden, den Einflussbereich der Kampagne gegen den Paragrafen 218 zu erweitern. Das Buch stellt eine neuartige, erfahrungsbezogene Form der Berichterstattung dar, die die gesundheitlichen, psychologischen und gesellschaftlichen Folgen des beschränkten Zugangs zu Abtreibung aufdeckt, und die erst in der BRD der 1970er Jahre wieder zum Vorschein kam.

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According to estimates, over one million abortions were performed in Germany in 1931.[1] Cultural references, as well as historical data, testify to the commonplace nature of abortion. Bestsellers such as Irmgard Keun's *Gilgi – eine von uns* (1931) and Vicki Baum's *stud. chem. Helene Willfüer* (1928), films including Slatan Dudow's *Kuhle Wampe* (1932), and high-profile theatre productions such as Friedrich Wolf's *Cyankali* (1930) and Marieluise Fleißer's *Fegefeuer in Ingolstadt* (1924) engage with public discussions of unplanned, extramarital pregnancies and abortion. The widespread termination of pregnancy during the Weimar era was in spite of Paragraph 218 of the penal code, which banned abortion in all instances except those in which there was a strong medical case against continuing the pregnancy.[2] While some women in Weimar Germany were able to obtain illegal abortions from qualified doctors, the costs associated were prohibitively high for many women, forcing them instead to resort to unsafe backstreet providers or attempts to terminate their pregnancy alone at home.

Paragraph 218 attracted opposition from a number of organisations during the Weimar era, with the campaigns coming to a head in 1931. As Atina Grossmann notes, early that year a coalition with representation from communist, independent, bourgeois, and pacifist women's organisations[3] was formed and the arrest of Dr Else Kienle and her colleague Dr Friedrich Wolf in February 1931 on the charge of providing illegal abortions acted as a catalyst for widespread demonstrations across Germany. Else Kienle's arrest attracted substantial media attention and, consequently, her name is frequently linked to the Weimar-era campaigns against Paragraph 218. In 1932 Kienle published *Frauen: Aus dem Tagebuch einer Ärztin*, which expands on her own experiences of and attitudes towards women's access to contraception and abortion. Yet, while Kienle's arrest was widely reported, her text, which appeared after the collapse of the 1931 campaigns and on the eve of the National Socialist seizure of power, failed to garner such widespread attention and is rarely remembered in discussions of the Weimar abortion campaigns.

To date, there has been some biographical interest in Else Kienle, most notably by Maja Riepl-Schmidt,[4] and Katja Patzel-Mattern has situated

[1] Cornelie Usborne, *Cultures of Abortion in Weimar Germany*, New York 2007, p. 3.

[2] Abortion was outlawed in Wilhelmine Germany and the law was carried over into the Weimar penal code. The law was amended in 1926 to reduce penalties for women choosing abortion and in 1927 to allow abortion on medical grounds. An overview of abortion laws in Germany from the Wilhelmine to post-unification period can be found in Usborne, *Cultures of Abortion in Weimar Germany* (note 1), pp. 4–6.

[3] Atina Grossmann, 'Abortion and Economic Crisis: The 1931 Campaign against Paragraph 218', in *When Biology Became Destiny*, ed. Renate Bridenthal, Atina Grossmann, and Marion Kaplan, New York 1984, pp. 66–80 (p. 72).

[4] Biographical studies of Else Kienle by Maja Riepl-Schmidt: Maja Riepl-Schmidt, 'Else Kienle', in *Frauen: Aus dem Tagebuch einer Ärztin*, Stuttgart 1989, pp. 157–70; Maja Riepl-Schmidt, *Wider das*

Kienle's personal involvement with the campaign against Paragraph 218 in the historical context of developments in abortion law and campaigning.[5] Detailed analysis of the contribution of *Frauen: Aus dem Tagebuch einer Ärztin* to the contemporary debates around Paragraph 218 has, however, been lacking. This article foregrounds Kienle's significant contribution to discussions around women's reproductive rights during the Weimar period by examining her own account of her experiences and those of her patients, as she reports them in *Frauen*. Kienle's writing sought to shape the conversation around women's reproductive rights in Weimar Germany. She employs a variety of literary and discursive strategies in her attempt to reach a wider audience, incorporating both reflective, political passages and narrative, short-story sections, and this – at times somewhat incongruous – combination of elements demonstrates the perceived urgency of the situation. Kienle's text differentiates itself from other publications in the anti-Paragraph 218 campaign through more extensive references to personal experience of this illegal procedure than was typical at the time, and by bridging medical, political, and feminist perspectives. This article situates *Frauen* in the context of these contemporary discourses, showing that *Frauen* resists alignment with one particular strand of the campaign and calls into question the polarisation of positions in the Weimar feminist landscape. *Frauen*, as will be shown, is an important, yet hitherto largely overlooked, contribution to the Weimar-era movement to legalise abortion, which anticipates the arguments put forward by feminists campaigning against Paragraph 218 in the Federal Republic of Germany in the 1970s.

The 1931 protests against the criminalisation of abortion represented a rare moment of collaboration between branches of the Weimar-era women's movements, which otherwise largely remained distinct from one another. The opposition to the abortion laws had two prominent strands represented on the one hand by left-wing individuals and organisations, backed by the Sozialdemokratische Partei Deutschlands (SPD) and Kommunistische Partei Deutschlands (KPD), which were both in favour of abolishing Paragraph 218, and on the other by radical feminists, for example, members of the Bund für Mutterschutz und Sexualreform (BfM). Left-wing campaigners focused on the financial hardship and poor living conditions that, they argued, prevented women from being able to mother. These arguments remained rooted in maternalism, leaving intact the assumption of women's desire to mother in more favourable social conditions.

verkochte und verbügelte Leben: Frauenemanzipation in Stuttgart seit 1800, Stuttgart 1990, pp. 255–65; Maja Riepl-Schmidt, 'Else Kienle (1900–1970): Die Verteidigung der Frauen gegen das Gesetz und das Gericht der Männer', in *Frauen im deutschen Südwesten*, ed. Birgit Knorr and Rosemarie Wehling, Stuttgart 1993, pp. 269–74.

[5] Katja Patzel-Mattern, 'Das "Gesetz der Frauenwürde". Else Kienle und der Kampf um den Paragrafen 218 in der Weimarer Republik', in *Bad Girls. Unangepasste Frauen von der Antike bis heute*, ed. Anke Väth, Konstanz 2003, pp. 177–99.

Women's right to determine their reproductive choices legally was emphasised both by left-wing intellectuals writing independently of the SPD or KPD[6] and the BfM.[7] While the BfM, which was founded in 1905, emerged from the pre-World War I bourgeois feminist movement, its radical views precluded it from membership of the conservative-dominated Bund deutscher Frauenvereine (BDF), the umbrella organisation of bourgeois feminist groups and, in fact, the BfM's aims overlapped substantially with those of the socialist movement in regard to access to abortion.[8] The BfM campaigned extensively for improved rights and protections for unmarried mothers and their children,[9] and was opposed to Paragraph 218.[10] While the various groups opposed to Paragraph 218 shared the same goal, the range of political affiliations and represented demographics resulted in a lack of extensive collaboration. Indeed, as Grossmann argues, the loss of momentum in the 1931 campaign can be explained by the wide range of groups involved and the consequent lack of cohesive strategy or leadership.[11]

Kienle began writing *Frauen: Aus dem Tagebuch einer Ärztin* at the height of the 1931 campaign, during the five weeks in which she was incarcerated in the Stuttgart women's prison following her arrest on 20 February 1931 on the charge of providing illegal abortions.[12] The book comprises a number of elements and literary styles, which Kienle interweaves in a chronologically non-linear, memoir-style text. *Frauen* begins by describing Kienle's present-tense experiences in prison in 1931, confounding the reader's expectation of an account of her professional activities implied by the book's title. She repeatedly returns to her own interrogations as a device for introducing the short narrative accounts of the cases of individual women patients she has treated. The book closes with twelve short chapters which take a political and philosophical approach to discussing the legal and social status of women in Weimar Germany, and the responsibilities and duties of doctors. Despite Kienle's medical background, *Frauen* is not a scientific text written for a specialist audience but rather a personal and

[6] Willem Melching, '"A New Morality": Left-Wing Intellectuals on Sexuality in Weimar Germany', *Journal of Contemporary History*, 25/1 (1990), 69–85 (75).

[7] Christl Wickert, Brigitte Hamburger, and Marie Lienau, 'Helene Stöcker and the Bund fuer Mutterschutz', *Women's Studies International Forum*, 5/6 (1982), 611–18 (611).

[8] *Ibid.*, 617.

[9] For further information about the history, priorities, and strategies of the Bund für Mutterschutz und Sexualreform (BfM), see Wickert, Hamburger, and Lienau, 'Helene Stöcker and the Bund fuer Mutterschutz' (note 7); Richard J. Evans, *The Feminist Movement in Germany 1894–1933*, London 1976; Kirsten Leng, 'Culture, Difference, and Sexual Progress in Turn-of-the-Century Europe: Cultural Othering and the German League for the Protection of Mothers and Sexual Reform, 1905–1914', *Journal of the History of Sexuality*, 25/1 (2016), 62–82.

[10] Wickert, Hamburger, and Lienau, 'Helene Stöcker and the Bund fuer Mutterschutz' (note 7), 613.

[11] Grossmann, 'Abortion and Economic Crisis' (note 3), p. 80.

[12] Riepl-Schmidt, 'Else Kienle' (note 4), p. 159.

political text, which, as Riepl-Schmidt identifies, is both a rational analysis of the impact of Paragraph 218 and an emotional appeal to the reader.[13] Indeed, the book ends with a direct call to action, echoing language familiar to those on the political left: 'Geht voran, kämpft für die andern! Nur durch Solidarität werdet ihr eure Ketten sprengen…'.[14]

The conversational, narrative style and inclusion of a variety of literary techniques suggests that through *Frauen* Kienle hoped to reach a large audience. The original publication of *Frauen* by the Gustav Kiepenheuer Verlag, a prominent left-leaning publishing house during the Weimar era that included among its published authors Marieluise Fleißer and Bertolt Brecht, testifies to the expectation that this book would reach a sizeable readership. While the book was reviewed in the SPD organs *Vorwärts* and *Die Genossin*, as well as in *Die neue Generation*, the magazine of the BfM,[15] it appeared after the 1931 action had lost momentum and failed to attract the same level of coverage as Kienle's arrest had done the previous year.

The text is polemical and Kienle's authorial voice is clearly present throughout the book, both as a first-person narrator and as an external commentator. Kienle's narration combines her position of authority and expertise as a doctor with a more vulnerable and personal account of the suffering she witnesses. Kienle implies that, as a woman, she is able to understand and relate to her female patients in a privileged way compared to her male colleagues and that her text can, therefore, offer deeper insights into the experiences of women choosing abortion. In *Cultures of Abortion in Weimar Germany*, Usborne asserts that the voices of women terminating their pregnancies have typically been lost, noting that women's voices are mediated through doctors' records or court reports.[16] While it is the case that Kienle mediates the voices of her patients in *Frauen*, she does so by foregrounding her understanding and empathy as a woman herself and the text presents a clear feminist stance. As Kienle describes in *Frauen*, she worked extensively in women's healthcare, beginning her career on a ward treating women suffering from venereal diseases. By highlighting her medical work with women, Kienle both emphasises her expertise as a doctor and underlines her profound understanding of the specific health challenges faced by women. Grossmann identifies Kienle with the feminism of the Weimar-era Sexual Reform movement, whose members spanned individuals and organisations representing liberal and left-wing political positions and medical perspectives, and which advocated greater sexual freedom and measures to improve sexual health. The Sexual

[13] Riepl-Schmidt, *Wider das verkochte und verbügelte Leben* (note 4), p. 259.
[14] Kienle, *Frauen: Aus dem Tagebuch einer Ärztin* (note 4), p. 155. All references to this book are taken from the second edition of 1989. Further references appear in the text.
[15] The same review by Dr Julian Marcuse was reproduced in *Die Genossin*, 9/10 (1932), 247, and in *Die neue Generation*, August–October 8/9/10 (1932), 153–4. *Frauen* was also reviewed in *Vorwärts*, see Fritz Baer, 'Erfahrungen um den §218: Aus der Praxis einer Aerztin', *Vorwärts*, 49/207 (1932), 5.
[16] Usborne, *Cultures of Abortion in Weimar Germany* (note 1), p. 22.

Reform movement both 'assum[ed] that female nature and sexuality could be truly fulfilled only in motherhood' and simultaneously 'insisted on women's right to sexual pleasure and control of their bodies'.[17] I show, however, that Kienle combined this feminist perspective with a socialist viewpoint, thereby resisting association with a single branch of the women's movement.

In *Frauen* Kienle introduces an explicitly left-wing analysis of the ways in which social and political factors limit women's reproductive choices and rights. The text avoids endorsements of any particular political party and indeed Kienle was a member of neither the SPD nor the KPD. *Frauen* remains, however, a highly political text and should be read as such in light of Kienle's activities during the Weimar era. The text is also interesting for its use of literary and discursive strategies and should be seen as an innovative contribution to the Weimar-era conversations around women's reproductive rights and a precursor to later protests against Paragraph 218 in the Federal Republic of Germany.

LITERARY TECHNIQUES IN *FRAUEN: AUS DEM TAGEBUCH EINER ÄRZTIN*

The opening passage of *Frauen: Aus dem Tagebuch einer Ärztin* is presented as a diary entry, beginning with a date: 'März 1931' (p. 17). Moreover, the short and broken sentences, for example: 'Wasserholen.' (p. 17) and 'Dann ein neues Klappern des Schlüsselbundes.' (p. 17) indicate informal, hurried writing. The use of the diary-style format invites the reader into the narrator's life, positioning the narrator as a confidante with whom the reader is personally connected. Kienle's inclusion of autobiographical and memoir-style passages in an account dealing with abortion was uncommon during the Weimar era. Despite appearing as a prominent theme in fiction, non-anonymised real-life accounts were rare due to the risk of arrest as well as the social stigma associated with an individual revealing that she had decided to terminate her pregnancy. Kienle's use of memoir-style text therefore represents an unusually honest attitude towards contributing to the debates around the abolition of Paragraph 218 during the Weimar era. By addressing the reader as a confidante, she renders the subject more personal and offers insight for readers who do not have first-hand experience of the matter.

While the opening chapter invites the reader to relate to the narrator on a personal level, it quickly becomes apparent that this book will be telling a collective rather than an individual story; indeed, the narrator switches from 'ich' to 'wir' at the beginning of the second chapter. Nevertheless, she is keen to retain the individuality of the women with whom she shares the prison van (p. 17), offering the reader individualised figures with whom

[17] Grossmann, 'Abortion and Economic Crisis' (note 3), p. 75.

they can identify. Kienle's refusal to lose sight of individual women's stories among shared gender and class experiences exemplifies the combination of left-wing and radical feminist perspectives in *Frauen*. Introducing a motif which continues throughout the book, Kienle writes: 'Jede von uns hat ihr Schicksal' (p. 17). The idea of 'fate' is repeatedly raised throughout *Frauen* in Kienle's critique of women's lack of personal and bodily autonomy. The notion of 'fate' allows Kienle to demonstrate how women face deep-rooted, structural inequalities. Kienle shows that a range of different events and experiences can lead women to a similar 'fate', thus combining individual stories which position women as subjects with a collective narrative that highlights the gendered challenges faced by all women.

Furthermore, the personal memoir-style account serves as a device for Kienle to introduce the stories, or 'fates', of the women whom she treats in her medical work. She returns repeatedly to recollections of her own interrogations, in which the investigator asks her about cases from her patients' medical records, to introduce the accounts of the individual women that appear throughout the text in narrative, short-story format passages. For example:

> Gestern zum Beispiel, – da hat [der Untersuchungsrichter] sehr nachdrücklich von seiner hohen Pflicht gesprochen, die Volksgesundheit zu schützen. Die Volksgesundheit… Ich hätte ihm als Antwort einen meiner Fälle erzählen sollen, der auch nicht unter denen ist, die den Richter interessieren. Eine alltägliche Geschichte, heute morgen fiel sie mir wieder ein. (p. 69)

These individual and everyday stories demonstrate her intention to broaden the reach and appeal of the pro-legalisation message. By presenting a range of scenarios, Kienle offers numerous identificatory possibilities and emphasises shared female experiences across class and age boundaries. Kienle's text thus reflects the strategies of fiction authors who sought to present relatable characters, such as Keun's eponymous Gilgi, explicitly identified in the subtitle of the novel as 'one of us', who found themselves in situations which pushed them to explore abortion options.

The case histories are more narrative than other sections of the book; the tone changes from the intimate first-person memoir to a short-story format, narrated in the third-person, in which new 'characters' are introduced. It should be noted that Kienle presents these stories as those of real-life patients; however, while she does not confirm this, it can be assumed that, at a minimum, identifying details have been changed. Yet it is also possible that some of the stories are more substantially fictionalised, especially in passages in which Kienle's narrator becomes omniscient, commenting on the motivations and desires of the women in the stories. For example, in the case of Marie, a woman who finds herself resorting to prostitution to earn money after leaving her cheating husband, Kienle's narrator reveals Marie's

thoughts to the reader: 'Sie war feige. Sie fürchtete das Ergebnis einer Aussprache. Lieber wollte sie warten' (p. 42). The change of narrative voice differentiates these passages from the memoir style of the opening chapters and the political polemic of the book's close. Kienle's use of her patients' case histories is less clinical than was typical in publications by doctors, most notably in those produced by psychoanalysts, including Freud, which used case studies to illustrate and develop theories. Kienle is empathetic and largely eschews technical medical language, thereby broadening the appeal of her text to a non-specialist audience.

A further technique included in *Frauen* to elicit empathy in the reader is the use of rhetorical questions. For example, Emma Molte terminates her pregnancy, which was the result of a single night with a former boyfriend, who, she later discovers, is now married:

> Menschen, Männer hätten über diesem Leben zu Gericht gesessen […] Wer aber durfte hier Richter sein, – der nicht selbst zwanzig Jahre lang ungeliebt nach Liebe gedurstet hatte? (p. 109)

Kienle implies that someone who has not experienced the loneliness of Emma Molte cannot pass judgement on her behaviour, thus challenging the reader to confront their own opinions about extramarital relationships. Similarly, in the case of pregnant Erna Kroll, whose boyfriend leaves her when he is presented with the opportunity to marry a woman from a wealthier family, Kienle asks: 'War denn ihr Tun verderblicher oder gemeiner gewesen als das des Mannes, der sie ins Elend gebracht hatte?' (p. 103). Kienle's use of these pointed questions encourages her readers to reflect on the unjust, gendered consequences of the existing abortion laws, which reveal the unequal standards to which men and women are held.

Kienle also uses suspense to hold her readers' attention. For example, in the opening passage she omits certain background details, such as why the narrator is in prison, thereby drawing the reader into the text (p. 17). Similarly, in the case of an unnamed woman who felt trapped in a loveless marriage, Kienle leaves the reader guessing the cause of the woman's unhappiness: 'Es dauerte Jahre, bis sie überhaupt merkte, daß ihr etwas fehlte. Was es war, wußte sie zunächst noch gar nicht' (p. 75). The reader's experience thus mirrors that of the unnamed woman who is herself unsure of the cause of her unhappiness. Kienle reveals that the woman comes from an upper-middle-class family: 'In jungen Jahren hatte sie eine der üblichen Gesellschaftsehen geschlossen. Ihren Mann hatte sie vor der Hochzeit kaum gekannt' (pp. 74–5). Demonstrating a class awareness, Kienle includes in *Frauen* stories of women from a range of social backgrounds to demonstrate how many people are impacted by Paragraph 218. Citing this case alongside examples of married women (for example, pp. 92–3), a teacher (pp. 120–2), and a housemaid

(pp. 99–101) seeking pregnancy terminations, Kienle demonstrates how wide-ranging the demand for abortion is during the Weimar period. She shows that married and unmarried women across all social classes can experience circumstances which lead them to seek to terminate their pregnancy, thereby dismantling assumptions about the demographics of women that require access to abortions and offering greater potential for readers from different backgrounds to relate to the scenarios presented.

Kienle's use of these various literary techniques has the effect of keeping the reader's engagement throughout the text and broadening the appeal of the book by bridging a number of styles and strategies. The combination of these techniques, however, also gives the impression of several different works stitched together, not always seamlessly. This reflects the urgency of the context in which Kienle wrote *Frauen*, first in custody then in the wake of widespread demonstrations in favour of legalising abortion, and against the backdrop of economic depression that, according to left-wing campaigners, was leading to increased demand for abortion.

DISCURSIVE STRATEGIES IN *FRAUEN: AUS DEM TAGEBUCH EINER ÄRZTIN*

The literary elements in *Frauen* are employed in support of the text's discursive strategies, which seek to persuade the reader of the social and moral need for liberalised abortion policies. There are strands of Kienle's argument which correspond closely to the arguments presented by other organisations and groups involved in the campaign against Paragraph 218, but she brings them to life through the stories of her patients. Kienle presents a 'social' case for abortion, which corresponds in many regards to the arguments presented by the left-wing campaigns to legalise abortion, alongside a 'moral' case, which reflects more closely the view of radical feminist groups, such as the BfM.

The 'social' argument in favour of legalising abortion is based on economic considerations and leaves intact the assumption of women's desire to mother. Kienle draws on the examples of women who already have children to underline that women do not terminate their pregnancies because they reject motherhood but rather because their circumstances render them financially, physically, and emotionally unable to have more children. One such example in *Frauen* is the case of Frau Rahmer, a mother of eleven children. Kienle argues that for Frau Rahmer to continue her twelfth pregnancy would have endangered the wellbeing of her older children:

> Sie wollte das Kind nicht. Und sie würde es nicht austragen. Um der elf anderen willen mußte das zwölfte beseitigt werden. Aber das Gesetz kümmerte sich nicht um diese elf anderen Kinder. Das Gesetz verlangte die zwölfte Mutterschaft unter allen Umständen. (p. 128)

Kienle seeks to portray the abortion laws as absurd; by giving an example of a mother who already has eleven children, she demonstrates that the law is unnecessary to protect population growth and thus seeks to dismantle the arguments of anti-abortion campaigners, who suggested that women were abandoning their perceived maternal duty. As Herr Rahmer is unemployed, the family is struggling financially and barely able to feed the children they already have (p. 128); Kienle suggests that it would be irresponsible for the Rahmers to have another child. She thus echoes the economic arguments in favour of legalising abortion that were put forward by the communist and socialist movements, which contest that women are prevented from continuing pregnancies by being unable to provide for their children. For example, in a 1924 article entitled 'Kindertränen/Müttertränen', which appeared in the SPD magazine *Frauenwelt* and is typical of the attitude towards abortion in the left-wing press during the Weimar period, the author, Hildegard Wegscheider, cites ongoing poverty after the First World War as a principal cause for women seeking abortions.[18] She claims that women's inability to feed their children and men's lack of financial means to marry their pregnant partners leave couples with no alternative but to terminate the pregnancy in an argument that betrays how widespread normative assumptions of gender roles remained in Weimar Germany.

Kienle emphasises the maternal qualities of women seeking abortions, dismantling the notion that women who terminate pregnancies are unmaternal and, by extension, unwomanly. For example, when Frau Dreyer, a baker's wife who works long hours in the family business, becomes pregnant with her fourth child, she decides that, due to her strenuous lifestyle, continuing this pregnancy is too great a risk to her health. Kienle's report emphasises the danger that this pregnancy could pose to the three older children:

> Vor allem konnten die kleinen, hilflosen Kinder sie nicht entbehren. Gerade ihretwegen durfte sie ihr Leben nicht gefährden. So beschloß sie, um der Lebenden willen auf das Ungeborene zu verzichten. Sie empfand das nicht nur als ihr Recht, sondern ausdrücklich als ihre notwendige Pflicht. […] Die Austragung dieses Kindes wäre ein Vergehen an ihren lebenden Kindern gewesen! (p. 91)

Frau Dreyer's attitude to abortion is mediated by Kienle's omniscient narrator, who emphasises Frau Dreyer's perception of her 'duty' towards her children, thereby portraying her in the language of the conventional model of a 'good' mother. Showing how limitations to abortion provision endanger living children, Kienle attempts to make abortion acceptable to opponents who viewed it as an attack on an unborn child by leaving unchallenged conservative assumptions of women's desire and, indeed, their duty to mother. This again mirrors the left-wing arguments from

[18] Hildegard Wegscheider, 'Kindertränen/Müttertränen', *Frauenwelt*, 21 (1924), 341.

the Weimar era and anticipates similar arguments presented by the campaigns to liberalise abortion laws in West Germany in the 1970s, which, as Claudia Roesch notes, stressed that 'women were not trying to avoid motherhood'[19] by demanding access to abortion. The use of such arguments by anti-Paragraph 218 campaigners represents a pragmatic approach to countering the arguments of anti-abortion activists influenced by conservative religious rhetoric,[20] but also leaves unchallenged deeply ingrained essentialist notions of gender underpinning opposition to the liberalisation of abortion laws.

Kienle's presentation of a social case for the legalisation of abortion includes explicit references to class and the disproportionate impact of the abortion restrictions on working-class women who are less financially able to raise children and may have had fewer resources than wealthier women to access contraception (p. 148). Kienle argues that abortion laws are socially unjust: 'Eine der bösartigsten Folgen des Paragraphen gegen die Abtreibung ist die, daß sich seine Schärfe von jeher beinahe ausschließlich gegen Angehörige der armen Stände, gegen Proletarierinnen richtete' (p. 131). By highlighting these class inequalities, Kienle's text demonstrates an explicitly left-wing political stance. Indeed, the *Vorwärts* review of Kienle's book positions the text as unambiguously socialist.[21] Kienle's inclusion of socialist themes certainly allows for such an interpretation; however, her political position is more nuanced. While she was a member of the Verein Sozialistischer Ärzte[22] and attended events organised by left-wing organisations,[23] Kienle was not a member of a political party and her stance towards the liberalisation of abortion laws also draws on radical feminist discourses.

Kienle uses examples from her patients' experiences to offer a 'moral' case which seeks to elicit an emotional response from the reader. This argument corresponds to the case presented by radical feminists, including by the BfM, which since the pre-war era had been arguing for women's rights over their own body.[24] In support of these more explicitly feminist arguments, Kienle offers cases of pregnancies resulting from rape as well

[19] Claudia Roesch, 'Pro Familia and the Reform of Abortion Laws in West Germany, 1967–1983', *Journal of Modern European History*, 17/3 (2019), 297–311 (309).

[20] The Catholic Church resisted liberalisation of abortion laws during the Weimar period (see Kienle, *Frauen: Aus dem Tagebuch einer Ärztin* (note 4), pp. 140–2); and during campaigns in the 1970s against Paragraph 218 (see Thomas Großbölting, *Losing Heaven: Religion in Germany since 1945*, tr. Alex Skinner, New York 2017, p. 145; Roesch, 'Pro Familia and the Reform of Abortion Laws in West Germany' (note 19), 304).

[21] Baer, 'Erfahrungen um den §218' (note 15).

[22] Patzel-Mattern, 'Das "Gesetz der Frauenwürde"' (note 5), p. 188.

[23] *Ibid.*, p. 190; M. G., 'Dein Körper gehört dir: Interview mit Dr. Else Kienle', *Der Weg der Frau*, 1/1 (1931), 2.

[24] For example, Paragraph 218 was discussed at the 1908 General Assembly of the BDF, with the principal arguments presented in favour of abolishing the paragraph emphasising women's right to bodily autonomy. The conservative dominated BDF ultimately voted to retain Paragraph 218 at the

as instances in which preventing a termination would result in the death of the mother and child. Kienle is highly critical of 'Zwangsmutterschaft'. As Grossmann observes, criticism of the notion of 'Gebärzwang' could be found in the arguments both of sexual reformers and left-wing feminists,[25] and Kienle's objection to women's lack of control over their reproductive choices thus locates her text within the broader context of Weimar feminism. In a chapter entitled 'Blutschande', Kienle narrates the case of a teenage girl who becomes pregnant after being raped by her own father when the repeatedly abused mother blockades the drunken father out of the marital bedroom. Kienle writes: 'Und nun würden sie alle drei nebeneinander auf der Anklagebank sitzen: der verbrecherische Vater, das halbe Kind, das nicht Mutter geworden war, und die Mutter, die ihr dabei geholfen hatte' (p. 111). Kienle's language makes it clear that only the father should be considered to have acted criminally; she emphasises the innocence of the daughter by underlining her young age and of the mother by stressing that she was protecting her daughter, thus painting the mother as conventionally maternal. By citing a case in which a pregnancy resulted from a criminal and incestuous attack, Kienle seeks to elicit the outrage of her readers on behalf of the daughter. Yet, by choosing this case to illustrate her argument, Kienle's book falls short of making a stronger case for women's bodily autonomy in all circumstances.

Kienle also gives examples of cases where women who have determined to terminate pregnancies themselves without medical assistance have lost their lives or suffered irreparable health consequences. Kienle thus argues that the liberalisation of abortion laws would save lives, and echoes the assertions of anti-Paragraph 218 campaigners across the political spectrum that legalisation would not increase the number of abortions as illegal abortions were already common. Kienle's medical background is also highlighted as she reflects the language of doctors who argued for the legalisation of abortion less out of an ideological stance than as a pragmatic attempt to end unregulated, amateur pregnancy terminations.[26] In one example, Kienle writes: 'Acht Stunden dauerte der Todeskampf. Dann brach der Körper in sich zusammen. Wie ein Tier warf sich der Mann über die Tote' (p. 126). The stark language that Kienle employs is intended to shock the reader and elicit an emotional response. In this case, the woman's husband, an artist, channels his anger into a political work of art, which he envisions as:

> das Bild der Frau, die nicht Mutter werden darf. Das Frauenschicksal dieser Zeit. […] Er würde der Gestalter von Millionen von Frauenschicksalen

1908 General Assembly. See Evans, *The Feminist Movement in Germany 1894–1933* (note 9), pp. 133–6 and 273–4.

[25] Grossmann, 'Abortion and Economic Crisis' (note 3), p. 68.

[26] Usborne, *Cultures of Abortion in Weimar Germany* (note 1), p. 8.

> sein. […] Es war das Grabmal der Unbekannten Frau, deren Anklage nicht weniger grauenvoll war als die der Millionen im Kriege gefallenen Soldatenbrüder, als das Grabmal des Unbekannten Soldaten. (p. 127)

By drawing a comparison between the deaths of women resulting from unsafe abortions and of soldiers killed during the First World War, Kienle implies that women's lives have been sacrificed to a pronatalist ideology which has lost sight of the individual. This is an example of how Kienle's text bridges the strategies of feminist and socialist campaigners. While the left-wing was keen to highlight the social conditions that lead to the collective suffering of working-class women, liberal feminists took a more individualised approach, emphasising women's rights to personal bodily autonomy. Kienle includes both perspectives in *Frauen*. She uses the death of one woman and the grief of the bereaved husband to widen the issue to a collective one without erasing the experiences of the individuals who form the collective. Kienle's comparison to the fallen soldiers of the First World War underlines the scale of the abortion issue in Weimar Germany. By arguing that strict abortion laws are responsible for preventable deaths and cause suffering to mothers and their children, Kienle asserts that the legalisation of abortion in all cases would, in fact, protect women and children. She thereby exposes the hypocrisy inherent in the existing approach to women's reproductive rights.

As well as reinforcing politically informed social and moral arguments for legalising abortion with the cases she presents, Kienle also engages with psychological ideas which attracted widespread interest during the early twentieth century. This represents an innovative element of Kienle's arguments which goes beyond the typical arguments of the left-wing and radical feminists. Psychoanalysis caught the public imagination in the early twentieth century, attracting significant lay as well as professional attention. The first book-length psychoanalytic study of women by Dr Helene Deutsch, as well as a number of other studies of women's psychological development by female psychoanalysts,[27] were published during the Weimar period in an effort to widen and nuance the discipline from a gender perspective. Kienle's use of psychological examples in *Frauen* reflects her medical background and positions her writing at the forefront of developments relevant to the abortion debate.

Kienle cites two cases in which pregnancy results in the deterioration of the women's mental health. In the first case, the woman's attempts to end her own life subside after her pregnancy is terminated (p. 93) and in the second case, the woman's mental wellbeing is harmed by her realisation of her husband's disregard for her as an equal: 'Alle seine Begeisterung, seine Freude richteten sich ausschließlich auf das zu erwartende Kind.

[27] For further information about women's contributions to early developments in psychoanalytic theories of women, see Janet Sayers, *Mothering Psychoanalysis: Helene Deutsch, Karen Horney, Anna Freud, Melanie Klein*, London 1992.

Über die Mutter ging er achtlos hinweg' (p. 78). Kienle uses these cases to reinforce the idea that women's mental as well as physical wellbeing must be protected by any legislation relating to reproduction. She shows how an individual's circumstances and environment can affect their psychological state, and that pregnancy can exacerbate pre-existing conditions of both mental and physical health. She maintains her individual, woman-focused approach to argue for more empathetic treatment of women and for abortion laws that reflect their experiences and needs.

KIENLE'S POLEMIC

Having provided examples based on first-hand experience in support of the principal arguments within the campaign against Paragraph 218, Kienle sets out her political position in the final chapters of *Frauen*. The narrative voice again changes, no longer presenting individuals' stories from the position of an omniscient narrator but rather adopting a more elevated academic tone to explain in philosophical and political terms the reasons behind Kienle's support for the abolition of Paragraph 218. In these passages Kienle addresses the reader directly and appeals more explicitly to her medical authority. The change in tone suggests she is addressing a different target audience here – possibly her colleagues – and hints at the perceived urgency of the situation leading her to include this range of literary styles, which are not always coherently linked to each other.

Addressing the role and responsibility of doctors, Kienle seeks to highlight how the provision of safe abortion falls within the obligations of medical professionals. For Kienle, the patient as a person must be at the centre of medical practice. She is critical of a former colleague whose interest in his scientific studies obscures the human element of medicine:

> Sein ganzes Interesse, ja, fast möchte ich sagen: seine Liebe galt den Gonokokken und Spirochäten, deren Leben er eifrig unter dem Mikroskop verfolgte. Er studierte Funktionen und Entwicklungen. Darüber vergaß er völlig die Patientin, von der diese Bakterien gerade stammten. Sie war ein Bazillenträger, ein gleichgültiges Wesen, dessen lebendiges Schicksal ihn nicht im geringsten kümmerte. (p. 34)

Indeed, Kienle believes: 'Der Arzt will und soll helfen' (p. 98) and the priority should be the wellbeing of the patient regardless of the politics or personal beliefs of the doctor treating her: 'Ist es überhaupt Aufgabe des Arztes, nach einer Schuld zu fragen? Darf der Helfer zugleich Richter sein? Die Antwort scheint klar, unzweideutig' (p. 120). Here Kienle employs again rhetorical questions to indicate the self-evident nature of the expected response to these considerations. Kienle argues that a doctor's moral duty to help a woman in need outweighs abstract debates around the morality of abortion in general.

Kienle, rather hypocritically given the subject matter and purpose of *Frauen*, suggests that doctors should avoid engaging in political debates or allowing their political beliefs to influence their medical practice. She stresses that doctors' treatment decisions should be guided by scientific data and professional experience rather than distorted by political or religious perspectives (p. 142). She lends authority to her writing through her insights as a doctor and through her proclaimed promotion of science free from ideological interference.

Yet Kienle somewhat undermines this argument by revealing her own political perspectives. In spite of her insistence on foregrounding individual experiences and reference to the arguments of radical feminism, the text adopts a broadly socialist political framework, although it refrains from party political endorsements. For example, in an interview with the communist women's magazine *Der Weg der Frau*, Kienle agrees with the claim that women's situation was better in the Soviet Union;[28] and in *Frauen*, she draws on the example of Russia to demonstrate how decriminalisation of abortion prevents avoidable deaths (p. 143). Due to the lack of progressive interventions in family planning in many other states, she would not have had numerous additional data sources upon which to draw, but her willingness to praise Russian policy cannot be seen as an apolitical example. Kienle's citation of statistics from Russia locates her work within a larger body of left-wing writing from the Weimar period, in which positive references to the policies of the Soviet Union were common.

Furthermore, Kienle criticises the self-serving political motivations of industrial leaders who oppose the liberalisation of abortion laws. She notes that the current economic system (she avoids using the word 'capitalist') is built on the exploitation of the working-classes: 'Der heutigen Welt ist der Wunsch nach möglichst zahlreichen Proletariern angeboren, einerlei, ob sie mit ihnen etwas anfangen, ob sie für sie auch nur notdürftig sorgen kann' (p. 139). Kienle focuses on the human cost of pronatalist policies, recalling her demand for the centring of patients as people in medical practice, but combines concern for the individual with drawing attention to the proliferation of poverty. She emphasises:

> Immer neue Menschenmassen werden in die Welt der Krise, des Arbeitsmangels, der Absatzlosigkeit hineingeboren, hineingepumpt. Und das bedeutet doch nichts anderes als eine fortwährende Verschärfung und wohl schon eine Verewigung der Arbeitslosigkeit. (p. 139)

Kienle thus argues that outlawing abortion contributes to the problem of social deprivation.

As well as criticising capitalist industrial leaders, Kienle denounces the leadership of the church for its ideological opposition to the provision

[28] M. G., 'Dein Körper gehört dir: Interview mit Dr. Else Kienle' (note 23).

of abortion. Referencing the 1931 Encyclical, Kienle writes: 'Bei allem Respekt vor der geistigen Kraft einer so alten und erfahrenen Institution, wie es die katholische Kirche ist: So können nur Männer reden und schreiben, die niemals die Fülle des grauenhaften Elends aus nächster Nähe gesehen haben' (p. 141). Kienle's critique of the Catholic Church in *Frauen* is not the first instance of feminist criticism of men's involvement in the development and application of reproductive policies. During earlier memoir-style passages describing her interrogation after her arrest in 1931, Kienle reflects on how difficult it may be for men to relate to the experiences of women. She thus underscores her greater insight into this issue as a woman. Describing the investigator's questioning of her based on her patient records, she writes: 'Jetzt suchen seine Finger achtlos in den Kartenstößen […], – wühlen in diesen Karten, die für mich lebendige Schicksale bedeuten. Für ihn sind es Namen, Verbrechen' (pp. 21–2). Kienle criticises the dehumanisation of the individual experiences recorded in her patients' medical records, reflected in the investigator's lack of care when handling the cards which represent each woman's story. Furthermore, Kienle implies that the investigator's inability, or perhaps refusal, to relate to these cases is heightened by his role as a state official, which leads him to view the cards merely as evidence of alleged crimes.

Recalling the arguments of the radical feminists in favour of women's bodily autonomy, Kienle asserts that the views of the Protestant Church are equally damaging for women as those of the Catholic Church: 'Alle Sonntage predigen auf Hunderten und Tausenden von Kanzeln Pfarrer gegen die, wie sie meinen, leichtfertige Sünde der Abtreibung und gegen den vermessenen Anspruch des Menschen, die Funktionen seines Körpers selbst zu regeln' (pp. 141–2). Criticism of religion is common in left-wing writing and, as Willem Melching comments, during the Weimar era many left-wing intellectuals objected to the extent of the church's societal influence.[29] Helene Overlach's ironically titled pamphlet 'Unser täglich Brot gib uns heute', produced in 1931 for the KPD, for example, underlines how the idealisation of women's motherhood is at odds with the reality of women's experiences. In line with her communist background, Overlach emphasises the economic hardship faced by mothers,[30] and does not include the additional, more feminist, reference to women's rights over their own bodies that can be found in Kienle's writing. Religious opposition to the liberalisation of abortion laws has continued throughout the twentieth century and into the twenty-first, and Kienle's criticism anticipates similar arguments made by later feminists. Alice Schwarzer, for example, who instigated *Stern*'s 1971 cover story 'Wir haben abgetrieben!', has declared that, in its opposition to reform, '[d]er Vatikan könnte nicht

[29] Melching, 'A New Morality' (note 6), 75.
[30] Helene Overlach, *Unser täglich Brot gib uns heute*, Berlin 1931, p. 8.

rigider und frauenfeindlicher argumentieren',[31] thus echoing Kienle's criticism of the disregard for women's lived experiences in this opposition. The *Stern* story, like *Frauen*, centred women's first-hand experiences of abortion and, as Ilse Lenz notes, sparked a level of mobilisation among women that is comparable to that which followed the 1931 arrest of Else Kienle.[32]

In the final chapter of *Frauen*, Kienle proposes a number of measures to improve the status and rights of women. While her suggested changes do not include the radical restructuring of society demanded by some socialist and communist writers during the Weimar era, Kienle's proposals espouse many left-wing and feminist principles. For example, she argues that laws must reflect the contemporary lived reality and take into account the extreme financial hardship which had become a common experience in the later years of the Weimar Republic. She asserts that divorce should be easier, that there should be legal, free access to contraception, and that women undergoing an abortion should receive the same rights and financial compensation as women on maternity leave (pp. 153–4).

While these proposals emphasise the rights of women, they remain rooted in ideas of gender difference. For example, Kienle refers to women's 'besonder[e] körperlich[e] Aufgaben' (p. 154) and 'Mutterinstinkt' (p. 95), thereby leaving notions of women's inherent maternal nature unchallenged. In this biological essentialism, Kienle mirrors perspectives prevalent in both the mainstream of the socialist movement and the bourgeois women's movement during the Weimar era. This stance represents a continuation of the maternalism of the pre-First World War feminist movement and prefigures arguments made in the West German protests against Paragraph 218 in the 1970s. These arguments, as Roesch notes, suggest that women who wish to abort their pregnancies must be experiencing personal crisis and continued to limit women's agency.[33] Recalling the 1970s campaign, Schwarzer writes: 'es [ging] ja nicht etwa um die Propagierung der Abtreibung, sondern es ging um die Humanisierung der *Umstände unvermeidbarer Abtreibungen*'.[34] This reveals an assumption that women want to mother, and Schwarzer's emphasis on the final three words underscores the idea that women only reluctantly terminate pregnancies. Kienle similarly emphasises the conflicted feelings of women seeking abortion:

> Jede Frau, die ihr Kind nicht austragen will, aus welchen Gründen auch immer, behält in der Tiefe ihres Bewußtseins ein Gefühl dafür, daß sie in den natürlichen Lauf der Entwicklung eingreift. Sie empfindet das als

[31] Alice Schwarzer, '6. Juni 1971: 40 Jahre "Wir haben abgetrieben!"', *EMMA*, Spring 2011, 48–51 (51).
[32] Ilse Lenz, *Die Neue Frauenbewegung in Deutschland*, 2nd edn, Wiesbaden 2010, p. 71.
[33] Roesch, 'Pro Familia and the Reform of Abortion Laws in West Germany' (note 19), 308.
[34] Schwarzer, '6. Juni 1971: 40 Jahre "Wir haben abgetrieben!"' (note 31), 51.

> dunkle, schicksalhafte Not und Verstrickung. Manchmal wohl auch als bittere, unentrinnbare Schuld. Jede von ihnen, auch die oberflächlichste, spürt etwas von der Notwendigkeit, ihre biologische Aufgabe als Frau zu erfüllen. (p. 63)

Kienle asserts that women perceive abortion as going against their natural role. Indeed, Kienle writes: 'Und es ist wahr, daß sie mit der Abtreibung ein Verbrechen begeht. Aber nicht gegen den Staat und die Gesellschaft. Sondern gegen sich selbst. Gegen ihren Körper' (p. 133). Kienle thus conflates women's biological capacity for childbirth with a psychological predisposition to mothering. This gender essentialism appears somewhat at odds with her strong advocacy of the legalisation of abortion. However, within the context of Weimar Germany it was not inconsistent with arguments made by other individuals and groups campaigning against the outlawing of abortion, who argued that external hardship and social factors override women's inherent desire to mother. Moreover, Kienle was writing *Frauen* in the wake of her arrest on the charge of providing illegal abortions. She may therefore also have taken additional care in the book to avoid accusations of immoral behaviour and to signal the importance of motherhood, presenting abortion as a last resort.

CONCLUSIONS

Else Kienle's *Frauen: Aus dem Tagebuch einer Ärztin* is a polemic in favour of abolishing Paragraph 218 of the Weimar penal code. Kienle's book represents an innovative contribution to the Weimar-era movement to legalise abortion by bridging radical feminist, left-wing, and medical perspectives. Kienle's 1931 arrest, which acted as a catalyst in widespread anti-Paragraph 218 demonstrations, gained considerable media attention, yet the publication of *Frauen* on the eve of fascism and the reintroduction of profoundly misogynistic reproductive policies has led to Kienle's text being, to date, largely overlooked. *Frauen* should, however, be reintegrated into the canon of literature associated with the Weimar abortion campaigns as a text which employed a range of literary and discursive strategies, such as addressing the reader directly via rhetorical questions, appealing to socialist and radical feminist discourses, and drawing on a large volume of examples from the stories of Kienle's patients. In doing so, Kienle's text addressed the question of abortion rights from women's individual perspectives as the people whose lives and health are most directly affected by Paragraph 218. By basing the text's arguments on individual women's encounters with restrictive reproductive laws and Kienle's own first-hand experiences as a doctor and woman, her book is a precursor to the famous cover of *Stern* in 1971 that declared 'Wir haben abgetrieben!'. Indeed, Kienle's approach in *Frauen* anticipates that of the 1970s campaigns against Paragraph 218: Kienle signals her authority and unique insight as a female doctor and

makes the case for women's rights to control their reproductive choices, yet her medical, psychological, and social analysis leaves the expectation of women's desire to mother intact. Kienle's important contribution to debates about women's reproductive rights thus employed approaches which re-emerged again only in the Federal Republic of Germany around forty years later and, as an increasingly vocal 'pro-life' movement seeks to challenge the rights for which feminists campaigned throughout the twentieth century and into the twenty-first, her text remains relevant today.