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The Parallel Lives of Liddy Bacroff: Transgender (Pre)History and the Tyranny of the Archive in Twentieth-Century Germany*

Bodie A. Ashton

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In March 1946, the chief inspector of the Hamburg Prosecutor's Office sent a request to his opposite numbers in the Criminal Police in Ludwigshafen, an industrial town across the Rhine from Mannheim. This transaction between departments was not out of the ordinary. In the aftermath of the Second World War, German administration had splintered and collapsed on every level. The Allied occupying forces were left to administer their zones of occupation as they saw fit and with varying degrees of will and success. In the northern British Zone, to which Hamburg belonged, the high-minded ideals espoused by British authorities—identified by Kurt Jürgensen as 'political re-education, responsible government, the federation of Germany and European partnership'[1]—were forced to take a back seat to the reality that the German cities were suffering critical and immediate problems of food scarcity, a near-total lack of fuel and other serious material shortages.[2] Under these circumstances, the higher authorities of the occupying powers were distracted in the long term by plans for the remaking of Germany and in the short term by the urgent necessity to feed, clothe and shelter a starving and beaten civilian population in cities that had been flattened by high explosives and burned from the inside out by the incendiaries of thousand-bomber raids. Relatively arcane matters of the bureaucracy of the organs of civil order were left to

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[1] K. Jürgensen, 'Elemente britischer Deutschlandpolitik', in C. Scharf and H.-Jürgen Schröder (eds), *Die Deutschlandpolitik Grossbritanniens und die Britische Zone 1945–1949* (Wiesbaden, 1979), pp. 103–27. Translation of this quotation, and of all others in this article, is my own unless otherwise indicated.

[2] M. Black, *A Demon-Haunted Land: Witches, Wonder Doctors, and the Ghosts of the Past in Post-WWII Germany* (New York, 2020), pp. 26–8; R. Bessel, *Germany 1945: From War to Peace* (New York, 2010), particularly pp. 169–210; L. Feigel, *The Bitter Taste of Victory: In the Ruins of the Reich* (London, 2016). See also A. Weinreb, '"For the Hungry Have No Past nor Do They Belong to a Political Party": Debates over German Hunger after World War II', *Central European History*, 45, 1 (2012), pp. 50–78; M. J. Enssle, 'The Harsh Discipline of Food Scarcity in Postwar Stuttgart', *German Studies Review*, 10, 3 (1987), pp. 481–502.

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functionaries—many, ultimately, who had performed similar tasks in the Third Reich—who coordinated with their colleagues across the fractured country.

It was in this context that Chief Inspector Neuer wired the Ludwigshafen Criminal Police for assistance in locating a former prisoner. The Prosecutor's Office, he wrote, was determined to contact a certain 'Mrs Charlotte Habitz *née* Rummer, since 1938 resident in Ludwigshafen, Schlachthofstr. 5'. The reason for contacting Mrs Habitz, Neuer continued, had not to do with her but rather with her son Heinrich, who had been arrested frequently in the 1930s for offences relating to homosexuality and who, as a result of this 'habitual' criminality, had been sent to the concentration camp at Mauthausen from the custody of the Hamburg Prosecutor's Office in November 1942. Evidently, the office had lost track of the prisoner and now, forty-one months later, Neuer wanted to know when Charlotte Habitz had last heard from her son.[3]

At first glance, and in the context in which this inquiry was conducted, it may appear as though Neuer and his superiors in the Prosecutor's Office were searching for victims of the Nazi state's regime of repression and terror, or perhaps to find witnesses to war crimes. Mauthausen had earned a fearsome reputation as the last resting place for over 100,000 '"enemies" of the National Socialist state'; moreover, Mauthausen's gas chambers were the last in operation prior to the total collapse of that state.[4] The horrors of the camp would result in a trial conducted unilaterally by the American military occupation forces and held in Dachau a few months after Neuer's inquiry. Perhaps, therefore, it would have come as no surprise to Neuer when his Ludwigshafen counterpart replied, some three weeks later, to report that Heinrich Eugen Habitz had died in Mauthausen on 6 January 1943, appending the basic, sober death certificate that had been issued by the registrar three years earlier.[5]

Evidently, however, the Prosecutor's Office *had* expected a different answer. Among the notes compiled in 1946 (and presumably prior to the response from Ludwigshafen) was a memo by someone within the office that outlined the known facts about 'the preventative detainee Habicht [*sic*]', detailing that the prisoner had been sent to Mauthausen because the courts had declared him to be 'a dangerous habitual criminal'. Ultimately, the author concluded, 'The question is now to be decided, whether H. should again be pursued and taken into custody.'[6]

On its face, Neuer's pursuit of Habitz simply constitutes another early example of the continuities of anti-homosexual prejudices in post-National Socialist Germany. The notorious 'sodomy law', which prohibited 'unnatural indecency committed between people of the male sex or by a person upon an animal', was not new Nazi legislation, but had existed in the national law books since 1872. It had, however, been strengthened in 1935, and it was this more strict wording that persisted after the end of the war.[7]

[3] Staatsarchiv der Freien und Hansestadt Hamburg (henceforth StAHH) 213-11 Nr. 56273, Oberstaatsanwalt bei dem Landgericht Hamburg [Neuer] to the Kriminalpolizei, Ludwigshafen, Hamburg, 4 Mar. 1946.

[4] T. Jardim, *The Mauthausen Trial: American Military Justice in Germany* (Cambridge, MA, 2012), p. 3.

[5] StAHH 213-11 Nr. 56273, Ludwigshafen Kriminalpolizei to Oberstaatsanwalt bei dem Landgericht Hamburg, Tgb. Nr. 1716/46, Ludwigshafen am Rhein, 23 Mar. 1946; StAHH 213-11 Nr. 56273, Standesamt Mauthausen II, Sterbeurkunde, Nr. 535/1943, Mauthausen, 4 Mar. 1943.

[6] StAHH 213-11 Nr. 56273, Oberstaatsanwalt bei der Landgericht Hamburg, memorandum, n.d.

[7] K. Storkmann, *Tabu und Toleranz: der Umgang mit Homosexualität in der Bundeswehr 1955 bis 2000* (Berlin and Boston, 2021), p. 117. For an apposite discussion of the circumstances surrounding the strengthening of §175

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The attempted enforcement of this law demonstrates Clayton Whisnant's assertion that homosexuality continued to be perceived 'as a sign of criminality, a mark of effeminacy, a sickness of the mind and body, and an inner corruption that threatened the nation'.[8] Habitz thus would have been another case of those persecuted as homosexual under the Nazis being returned to imprisonment shortly after their liberation. Yet the example is complicated somewhat by the fact that the 'dangerous habitual criminal' and 'preventative detainee' Heinrich Eugen Habitz existed, for all intents and purposes, only in the mountains of bureaucratic paperwork of the state's security apparatus, the incomplete remnants of which Neuer and the Prosecutor's Office now contended with less than a year after the war's end. Instead, while court records, police reports, residency registration cards and other official paperwork all listed 'Heinrich Eugen Habitz', the person they referred to had lived for at least half of her life as a woman and had adopted the name 'Liddy Bacroff'. When a memorial 'stumbling block' (*Stolperstein*) was unveiled in Hamburg's St Pauli district in 2004, uniquely it listed both names.

The case of Liddy Bacroff, and her belated memorialization, demonstrates a curious but increasingly important issue in our historical understanding of lives that deviate from established heterosexual and cisgender norms. The archival traces of her life, which are extensive, rely mostly on official records. As these records unfold and are underpinned by the security rationales not only of the inter-war state but ultimately of the Nazi dictatorship, they are of increasingly dubious reliability. They present a picture of an incorrigible petty criminal, a gay man who traded in sex and often theft, leading inexorably to prison and ultimately death. This portrayal stands at odds with personal materials and echoes of the life lived, which by happenstance have also been (in part) preserved. These illustrate a person exploring the boundaries of her sexual identity, recognizing herself as transgender before the term existed and experiencing her life as a person whose vitality and humanity are totally absent from the records that owing to their provenance and rationale sought to portray her as someone different from her everyday identity.

Liddy Bacroff is therefore an exemplar of the need to reconsider how we as historians use the archives to explore queer histories and calls into question what we consider to be 'an archive' in the most elemental sense. Untethered from the early explorations of queerness of Weimar Berlin that have tended to be championed in the extant body of work, Liddy Bacroff calls for a synthesis of the official and the eccentric, the individual and the collective, and, as much as is possible, the known but asserted and the unknown but inferred.

I. Towards a Transgender Prehistory

When the Memorial to the Persecuted Homosexuals under National Socialism was unveiled in Berlin in 2008, it caused no small degree of controversy in relation to both its

and the case of Ernst Röhm, see D. Siemens, *Stormtroopers: A New History of Hitler's Brownshirts* (New Haven and London, 2017), pp. 157–79.

[8] C. J. Whisnant, *Male Homosexuality in West Germany: Between Persecution and Freedom, 1945–69* (Houndmills, 2012), pp. 15–16; B. Gammerl, *Anders fühlen: Schwules und lesbisches Leben in der Bundesrepublik. Eine Emotionsgeschichte* (Munich, 2021), pp. 46–7.

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form and its function. The latter concern was exemplified by Israel Gutman, historian at the Yad Vashem Institute, in Jerusalem, Israel, who took issue with the placement of the memorial in close proximity to the Memorial to the Murdered Jews of Europe. Reflecting a wider discourse of difference, Gutman claimed that the new memorial demonstrated that the Germans no longer 'understood the immense scope of the crime of the Holocaust which they had committed' and argued that if visitors to Berlin came away with 'the impression that there was not a great difference between the suffering of Jews and those [*sic*] of homosexuals', then this would constitute nothing less than 'a scandal'.[9]

In recent years the growing acceptance of queer history as legitimate and relevant to the discipline has occasioned the sorts of reappraisals that Gutman considered scandalous a decade and a half ago. As so often for German historiography focusing on the twentieth century, much of the emphasis has been on reading the National Socialist era, in this instance through the prism of queerness—or, rather, reading queerness through the prism of National Socialism. Where once queer histories were used only as cautionary tales designed to distinguish the Nazis as both sexually and gender-deviant Others, increasingly historians are returning to the 'doubly unspeakable' intersection of sexuality and Nazism with a critical eye.[10] The formative works of Dagmar Herzog have been joined by those of, to name but a few, Jennifer V. Evans, Samuel Clowes Huneke, Laurie Marhoefer, Katie Sutton and Sébastien Tremblay, each of whom has not just contributed to the queer history of the National Socialist period, but also contextualized it through the history that both preceded and followed it.[11] The research of Anna Hájková, exploring women's same-sex relationships within the confines of the Theresienstadt ghetto and the apparatus of the concentration and extermination camps, prompted the curation of a Special Issue of this very journal.[12] Yet these works have also emphasized both the breadth and the limitations of German histories viewed through a non-heteronormative lens. According to Gutman's criticism, the victims commemorated by the Memorial to the Persecuted Homosexuals under National Socialism

[9] M. Fulbrook, *Reckonings: Legacies of Nazi Persecution and the Quest for Justice* (Oxford, 2018), pp. 4 and 365–6; 'Holocaust Academic Pans Monument to Nazis' Gay Victims', *Deutsche Welle*, 29 May 2008, *www.dw.com/en/holocaust-academic-pans-monument-to-nazis-gay-victims/a-3368183*.

[10] E. Heineman, 'Sexuality and Nazism: The Doubly Unspeakable?', in D. Herzog (ed.), *Sexuality and German Fascism* (New York and London, 2005), pp. 22–66.

[11] See Herzog, *Sexuality and German Fascism*; D. Herzog, *Sex after Fascism: Memory and Morality in Twentieth-Century Germany* (Princeton and Oxford, 2005); J. V. Evans, *Life among the Ruins: Cityscape and Sexuality in Cold War Berlin* (New York, 2011); S. C. Huneke, 'Heterogeneous Persecution: Lesbianism and the Nazi State', *Central European History*, 54, 2 (2021), pp. 297–325; K. Sutton, *The Masculine Woman in Weimar Germany* (New York and Oxford, 2013); K. Sutton, '"We Too Deserve a Place in the Sun": The Politics of Transvestite Identity in Weimar Germany', *German Studies Review*, 35, 2 (2012), pp. 335–54; L. Marhoefer, *Sex and the Weimar Republic: German Homosexual Emancipation and the Rise of the Nazis* (Toronto, 2015); S. Tremblay, '"Ich konnte ihren Schmerz körperlich spüren": die Historisierung der NS-Verfolgung und die Wiederaneignung des Rosa Winkels in der westdeutschen Schwulenbewegung der 1970er Jahre', *Invertito —Jahrbuch für die Geschichte der Homosexualitäten*, 21 (2019), pp. 179–202.

[12] See A. Hájková, *Menschen ohne Geschichte sind Staub: Homophobie und Holocaust* (Göttingen, 2021); A. Hájková, *The Last Ghetto: An Everyday History of Theresienstadt* (Oxford, 2020); A. Hájkova, 'Sexual Barter in Times of Genocide: Negotiating the Sexual Economy of the Theresienstadt Ghetto', *Signs*, 38, 3 (2013), pp. 503–33; A. Hájková, 'Between Love and Coercion: Queer Desire, Sexual Barter and the Holocaust', *German History*, 39, 1 (2021), pp. 112–33. See also the articles within the same issue.

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are separated from the victims memorialized at the Memorial to the Murdered Jews of Europe by far more than the width of the Ebertstraße: Jews were victims and homosexuals were a different type of victim, and never the twain shall meet. Hájková notes that 'understanding sexuality renders people in the Holocaust more human, and real', but in a very real sense, remembrance remains stratified; the stigmatization of studies of sexuality with reference to the crimes of the Nazis 'has a function' in that 'it endows that topic with an established meaning'.[13] Mary Fulbrook has identified the stigma attached to sexuality within the memory gaps in Germany's *Erinnerungskultur* (culture of remembrance), with the result that 'in a perverse and paradoxical twist, previously marginalized groups were marginalized once again'.[14] The crucial point of this stigmatization is that an intersectional approach is all but impossible under existing historiographical and epistemological conditions.

Crucially, the hierarchy of victimhood is not merely an external force imposed from the outside but also a systemic and structural problem of the existing archival resources—living and otherwise—that make up the internal structure of the discipline. Abram Lewis has shown that the very nature of a 'queer archive' presents the historian of queerness with difficult and perhaps intractable problems: on the one hand, materials that fall outside a cisgender homonormative baseline carry 'eccentric and recalcitrant properties' that could enrich our historical engagement with queerness, but, on the other, the establishment of such a cisgender homonormative queer baseline means that even 'progressive historiographies' render the eccentric and the diverse 'incidental'.[15] Put another way: the foundations of all archives rely upon existing, tangible materials, which in turn requires that those materials be produced. In most instances of queerness—certainly prior to the latter twentieth century—that production has been beholden to the rigours of officialdom and the regulation of that queerness within the public sphere. The inevitable result is twofold: first, the *existence* of certain archival sources will allow the historian to focus on *some* privileged queer identities, while, secondly, the *absence* of archival sources pertaining to *other* more marginalized queer identities will, in conjunction with the first outcome, obscure those existences and experiences from view.

It is for this reason that the reconstruction of historical transgender experiences presents the historian of queerness with significant challenges. To be sure, these historians are not the first to seek the ubiquitous grey areas and room for speculation that subjects leave in their archival traces. The search for marginalized peoples within the archives of the privileged or the oppressors—pioneered by Gayatri Chakravorty Spivak in her 1992 essay 'Can the Subaltern Speak?' and expanded upon by Saidiya Hartman—has tended to be postcolonial in nature, seeking to provide voice (or, indeed, to assess whether providing voice is possible) to enslaved and colonized peoples of the imperial past.[16] Subalternity, however, presents numerous challenges. Crucially, Spivak seeks the

[13] A. Hájková, 'Introduction: Sexuality, Holocaust, Stigma', *German History*, 39, 1 (2021), pp. 1–14, here p. 1.

[14] Fulbrook, *Reckonings*, p. 366.

[15] A. J. Lewis, '"I am 64 and Paul McCartney Doesn't Care": The Haunting of the Transgender Archive and the Challenges of Queer History', *Radical History Review*, 120 (2014), pp. 13–34, here p. 14.

[16] G. C. Spivak, 'Can the Subaltern Speak?', in P. Williams and L. Chrisman (eds), *Colonial Discourse and Post-Colonial Theory* (New York, 1992), pp. 66–111; S. Hartman, 'Venus in Two Acts', *Small Axe*, 26 (2008), pp. 1–14; S. Hartman, *Wayward Lives, Beautiful Experiments: Intimate Histories of Social Upheaval* (New York and London, 2019).

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limits of postcolonial discourse and emphasizes the fraught place of the active engagement of the subaltern within that discourse (that is to say, 'speaking'). But, as J. Maggio posited in 2007, 'all actions offer a communicative role', and it is the task of the historian to listen for those communicative traces.[17] Put another way: traces of the marginalized may not be actively imparted throughout the archive, but they are often there nonetheless; the challenge facing the historian is to interpret them in a meaningful way.

Those challenges are as readily apparent in queer history as they are in postcolonial theory. Kit Heyam has recently noted that it is usually assumed that 'there is no better metric by which to judge a historical person's gender than their own voice', but this presumes that their voice is present within the archive, that it has access to a vocabulary that observers can understand after the fact and that the testimony provided by that voice is not made under duress.[18] In fact, when faced with coercive state structures, such voices are fleeting, if in fact they are present at all. Such problems of *finding* a subaltern to speak, let alone in conditions that allow for them to exercise their agency to speak, are identified by Jules Gill-Peterson, who summarizes the problems faced in such circumstances with the lament that 'we have almost nothing in the way of reference points'.[19]

This lack of reference points has consequences not only for recounting and reconstructing histories, but also for how transgender individuals and communities are perceived in the present. In recent years, especially as transgender issues have become more prominent in contemporary media, concerted reactionary backlashes have often focused upon the supposed 'illegitimacy' of transgender lives. Many of these critiques are based specifically on the lack of archivally traceable transgender histories, effectively arguing that a community without a history cannot stake a claim to community. Such issues had plagued queer studies of the past even before they turned their attention to transgender studies; as Robert Deam Tobin has explained, even Michel Foucault, 'one of the foundational thinkers of queer history', problematized historical readings of male-male homosexuality by siting its birth merely a century prior to his own writings. 'Foucault's statement that the homosexual was born in 1870', Tobin explains, 'has traumatised many queer commentators who wish to work on texts written before the nineteenth century.'[20] Pioneering works, including Tobin's own, have done much to provide an antidote to Foucault's less than rigorous polemic. Yet these too have only given us fragmentary pictures. Much as Lewis predicted, they have tended towards male-male homosexuality and are dominated by prominent figures. The 'eccentricity'

[17] J. Maggio, '"Can the Subaltern Be Heard?": Political Theory, Translation, Representation, and Gayatri Chakravorty Spivak', *Alternatives*, 32 (2007), pp. 419–43.

[18] K. Heyam, *Before We Were Trans: A New History of Gender* (London, 2022), pp. 1–31.

[19] J. Gill-Peterson, *Histories of the Transgender Child* (Minneapolis and London, 2018), p. 5.

[20] R. D. Tobin, *Warm Brothers: Queer Theory and the Age of Goethe* (Philadelphia, 2000), p. 5. Foucault's attitude is gleaned from his tracing of modern homosexual identity to the neurologist Carl Friedrich Westphal and in particular Westphal's article 'Die conträre Sexualempfindung'. Tobin notes, somewhat caustically but justifiably, that Foucault quotes the year of publication incorrectly; in Tobin's subsequent work, he also points out that Foucault cites the wrong journal. M. Foucault, *Histoire de la sexualité*, vol. 1: *La volonté de savoir* (Paris, 1976), p. 43; see also Tobin, *Warm Brothers*, p. 5, and R. D. Tobin, *Peripheral Desires: The German Discovery of Sex* (Philadelphia, 2015), p. 18; C. F. O. Westphal, 'Die conträre Sexualempfindung: Symptom eines neuropathischen (psychopathischen) Zustandes', *Archiv für Psychiatrie und Nervenkrankheiten*, 2, 1 (1869), pp. 73–108.

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and 'recalcitrance' identified by Lewis are largely absent, and queer history is queer in aspirational name only.

If the transgender archive is fragmentary and its reconstruction faces challenges similar to those confronted by earlier historians of homosexuality, then the search for a transgender prehistory will tend to default to the same trends as gay history. This certainly has been true in general. It is also significant that just as gay historiography searched for its precedent in the German sexological theorists of the late nineteenth and early twentieth centuries—such as Carl Friedrich Westphal, Karl Maria Kertbeny, Karl Heinrich Ulrichs, Richard von Krafft-Ebing and, ultimately, Magnus Hirschfeld—so too has transgender historiography taken this approach. Of primary importance here is Hirschfeld, who came to prominence as the head of the homosexual-rights–oriented Wissenschaftlich-humanitäres Komitee (Scientific Humanitarian Committee, WhK) and who in 1919 founded and then acted as principal researcher at the Berlin-based Institut für Sexualwissenschaft (Institute for Sexual Science). The crucial importance of Hirschfeld to an emergent transgender history cannot be overstated.[21] It was Hirschfeld who, in 1910, published his treatise *Die Transvestiten* (The Transvestites), a meditation on people who, by his early estimation, experienced an 'erotic drive to cross-dress'. Initially, Hirschfeld conceived of *Transvestiten* as heterosexual people who found pleasure in dressing as members of the opposite sex; men who were sexually interested in women could, he surmised, nevertheless present as women, and vice versa.[22]

Here Hirschfeld contradicted the conventional wisdom of the time, which saw heterosexual relations as determined by both sex and presentation. If men normatively pursued sex with women, then a man dressing as a woman must, through his presentation, be attempting to solicit sex from men. In essence, he would thus be 'playing' the female 'part'; though the police were concerned chiefly with the behaviour of those they understood to be men, people who were assigned female at birth but were observed presenting as male in public also faced similar scrutiny.[23] In presenting in a 'deviant' way in public, therefore, the individual was potentially committing multiple breaches of public order, should the authorities decide to pursue them. Sexual activity need not be witnessed, since the mere existence of the person in their presentation implied that activity. If the subject was read by the authorities to be a man (and thus seeking male-male sex), then they were in breach of §175 of the Imperial Criminal Code (*Reichsstrafgesetzbuch*, RStGB), which governed 'unnatural indecency' and criminalized sexual acts between men. In addition, by soliciting for sex, as the police assumed by dint of the public nature of such gender-transgressive presentation, the person could also be subject to prosecution under §180 RStGB (prostitution). Finally, the aforementioned public display also

[21] D. B. Hill, 'Sexuality and Gender in Hirschfeld's *Die Transvestiten*: A Case of the "Elusive Evidence of the Ordinary"', *Journal of the History of Sexuality*, 14, 3 (2005), pp. 316–32, here p. 316.

[22] M. Hirschfeld, *Die Transvestiten: eine Untersuchung über den erotischen Verkleidungstrieb* (Berlin, 1910). An illustrated volume was published two years later; see M. Hirschfeld and M. Tilke, *Der erotische Verkleidungstrieb (Die Transvestiten)* (Berlin, 1912).

[23] Hirschfeld himself had described 'cross-dressing' as a specifically homosexual act some ten years earlier. By the time he wrote *Die Transvestiten*, however, his selected 'case studies' were all people whom he deemed to be 'heterosexual'—that is, sexually interested in people of the sex other than that to which the subject was assigned at birth. See R. Herrn, *Schnittmuster des Geschlechts: Transvestitismus und Transsexualität in der frühen Sexualwissenschaft* (Giessen, 2005), pp. 57–9.

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made the person liable to be charged with *grober Unfug*—roughly, breaching the public peace—in the sense of §360 RStGB.

Hirschfeld's formulation of the *Transvestiten*, experimental and exploratory as it was, offered a form of rebuttal to these charges. If *Transvestiten* were heterosexuals, continued to experience their gender as assigned at birth and merely *assumed* the trappings of a different gender, as Hirschfeld argued, then they were not seeking same-sex liaisons and they were not taking part in sex work, and since these assumptions were the foundation of the claim that cross-dressing was a breach of public decency, they were also not guilty of *grober Unfug*. Such reasoning compelled Hirschfeld to suggest a means by which authorities could differentiate between 'legitimate' *Transvestiten* and those who were engaged in prostitution. Accordingly, in 1909 Hirschfeld began issuing *Transvestitenscheine* ('*Transvestit* licences') to those whom he had examined and found to be *Transvestiten* 'in the clinical sense' (*im klinischen Sinne*).[24]

These early forays into explaining and dignifying *Transvestiten* identities are notable for a number of reasons. In the first instance, they were reliant upon empirical observation. Hirschfeld was not inventing a category of people, but instead was formulating a series of normative characteristics for a term he had coined in order to describe people whose existences he had observed. This approach had consequences that are crucial to the remainder of this article: first, Hirschfeld's understanding of the *Transvestit* would change over time, as he continued his observations and altered his hypotheses in line with the evidence he accrued. In subsequent years, Hirschfeld revisited his initial assumptions about *Transvestiten*—namely, their innate heterosexuality and their desire only to assume external vestiges of the opposite sex—and modified them.[25] Thus, whereas in its earliest usages the term could be considered the equivalent to the later English term 'transvestite' (in the sense of essentially referring to the action of cross-dressing), it almost immediately took on a much broader and deeper meaning, in that it 'proposed on the one hand a medical diagnosis, and on the other hand encompassed specific concepts of identity and lifestyles'.[26] Tentatively, therefore, the term *Transvestit* might be considered roughly analogous to the modern term 'transgender', insofar that it often (but not always) pointed towards innate characteristics of the self. In this way, it transcended mere sexual kink and engaged with a far more elemental understanding of the human being as a person experiencing and inhabiting a gender identity. It would be incorrect to equate *Transvestitismus* and being transgender, but Hirschfeld's evolving definition of *Transvestitismus* incorporated elements that would not be out of place in modern trans discourses.

Secondly, and more importantly, Hirschfeld was neither the first person to recognize a distinctive identity of the *Transvestiten* nor the only contemporary figure to work on doing so. His case studies used for *Die Transvestiten* were selected from a much broader pool, and they were by no means limited to Germany. In the illustrated companion

[24] R. Herrn, M. T. Taylor and A. F. Timm, 'Magnus Hirschfeld's Institute for Sexual Science: A Visual Sourcebook', in M. T. Taylor, A. F. Timm and R. Herrn (eds), *Not Straight from Germany: Sexual Publics and Sexual Citizenship since Magnus Hirschfeld* (Ann Arbor, 2017), pp. 37–79, here p. 44.

[25] M. Hirschfeld, *Sexualpathologie: ein Lehrbuch für Aerzte und Studierende*, vol. 2: *Sexuelle Zwischenstufen: das männliche Weib und der weibliche Mann* (Bonn, 1918), esp. pp. 139–78.

[26] Herrn, *Schnittmuster des Geschlechts*, p. 20.

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edition, Hirschfeld presents photographs of 'the American Miss Emma Carus' and 'the Russian author Zinaide Hippius' as examples of international *Transvestiten*, as well as a number of depictions of 'a *Transvestit* from the Caucasus'.[27] Included among these illustrations was a *Transvestit* woman named Jenny O., who was also one of Hirschfeld's case studies in the 1910 work.[28] Jenny O. lived in San Francisco, where her status as a woman was suppressed by the 'arbitrary actions of the police'.[29] San Francisco's anti-crossdressing laws were a reaction to a perceived widespread subversion of gender and sexual norms within the Californian city. In 1918, when Hirschfeld revisited his previous work on *Transvestiten* for a medical textbook, he began theorizing about identities that exceeded the gender binary altogether, and he hypothesized that there might well be *Transvestiten* who were neither men nor women, so, in modern parlance, 'non-binary'. He was hardly the first to have considered this possibility. In 1890, when prosecuted under San Francisco's cross-dressing laws, Mamie Ruble had declared in court, 'I'm neither a man nor a woman and I've got no sex at all.'[30]

Magnus Hirschfeld was not himself a *Transvestit*. Rather than writing from personal experience, he was relaying and analysing his empirical observations of the people he studied. It stands to reason, therefore, that he took many of his theoretical cues not from a purely academic, sexological realm but from how his subjects described how they saw and understood themselves. These subjects formulated their own understanding of self and their own means of expressing their identities, sometimes with the input of what they had gleaned from Hirschfeld's studies and sometimes helping frame those studies themselves, but also often independent of Hirschfeld and the institute. This 'self-identification', as we might term it, remains a largely elusive element within the 'eccentric and recalcitrant' queer archive, in that the individualized self rarely leaves a significant archival paper trail. As a prolific writer and a prominent figure, Hirschfeld is, by comparison, an exemplary archival figure. Much of his own work and that of his institute was lost when the latter was raided following the Nazi ascent to power in 1933, but even in their absence these materials have gained an almost legendary place within queer historical thought—a lamented Library of Alexandria, that might have provided clear answers to questions of historical queerness that persist to this day. The fact that they did *not* survive provides them with a mythic quality that encourages us to overlook not only the obvious shortfalls in this material but also the truth that many of the institute's holdings and research findings did in fact survive, disseminated in libraries, collections and other institutions across the world.[31]

It is in the sense of archival traces that the example of Liddy Bacroff is instructive and illustrative. That she was a *Transvestit* is a matter of historical record—but only

[27] Hirschfeld and Tilke, *Der erotische Verkleidungstrieb*, plates XV–XXI.

[28] Hirschfeld, *Die Transvestiten*, p. 100; Hirschfeld and Tilke, *Der erotische Verkleidungstrieb*, plate XXII.

[29] C. Sears, *Arresting Dress: Cross-Dressing, Law, and Fascination in Nineteenth-Century San Francisco* (Durham and London, 2015), pp. 74–81. Rainer Herrn also refers to the case study of Jenny O., but uses her birth name, 'John'; see Herrn, *Schnittmuster des Geschlechts*, pp. 56–7. Sears demonstrates convincingly that Jenny O.'s authentic self was that of a woman—indeed, she only presented as male in public so as to avoid being arrested—and it is this guide that I use to refer to her in the feminine.

[30] Cited in Sears, *Arresting Dress*, p. 146.

[31] Laurie Marhoefer appositely explores at length the complex legacy of the Institut, and Hirschfeld in general, in their pathbreaking *Sex and the Weimar Republic*.

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because she herself left behind materials that make this case explicitly. Had the institute's archive survived undamaged and complete, we would probably not have found her name among its papers, as there is no evidence that she visited it or even was aware of its existence. She was never issued a *Transvestitenschein*, and so was never 'officially' a *Transvestit*, though she clearly knew the term *Transvestit* and understood what it meant, as she would ultimately sign her name as 'Liddy Bacroff, Transvestit'. Whether she was cognisant of Hirschfeld's theorization of existences such as hers is unknown, though also relatively unlikely. Here, then, is a case study that falls outside the bounds of our standard, rigid archival fare: the 'lost' Queer Library of Berlin would have offered us no assistance here. Instead, the documents we have to reconstruct this life, or rather this existence, bring with them supreme difficulties: police records and court filings of a bigoted instrument of terror, and the creative non-fiction semi-autobiographical musings of Liddy Bacroff herself. Limited in scope and covering only a brief period of her life, the latter are of entirely dubious accuracy, but they provide us with the only authentic re-creation of parts of her being and with tools to help us read and recast the official records. It is the eccentricity of these scattered remnants that enables the historian to make sense of the official archive, to which we are so closely wedded.

II. The Paper Heinrich Habitz and the Flesh-and-Blood Liddy Bacroff

German bureaucracy of every era has earned a reputation for meticulous documentation. This productivity can prove to be both a boon and a hindrance for the historian. The archival paper trail that documents the life of Heinrich Habitz exemplifies both the value and the limitations of the formalized archive. Here I wish to note that my references to the official records will refer to my subject with male pronouns and with the birth name 'Heinrich Habitz'. This approach is problematic for a number of reasons, not least of which being that it prioritizes the interpretation of the oppressed person by their oppressor. Yet this paper identity had real-world consequences: the persecution and eventual fate of Liddy Bacroff were predicated upon her being understood by the authorities as a cisgender homosexual man. Consequently, while the remainder of this article engages extensively with the sorts of 'eccentric' materials Lewis implores us to use in order to create a transgender 'archive', it cannot be ignored that at least part of Liddy Bacroff's story, and the framing if not the substance of her existence, was inscribed upon her, and it was this official narrative that guided the hand of the authorities who interacted with, persecuted, and ultimately murdered Bacroff.

According to registry records—information that was then repeated in a multitude of arrest records and court filings—Heinrich Habitz was born on 19 August 1908 in Ludwigshafen, then still part of the Bavarian Palatinate. He was an illegitimate child and as a result of either his insecure family situation or his temperament, he ended up in a youth home for a year between 1925 and 1926.[32] It was noted that his parents were

[32] The 1930 report notes that Bacroff was sent to the Schwarzacherhof care home in Aglasterhausen, because 'he was frivolous with spending money'. A later report, issued by Bacroff's legal aid in a 1936 court appearance, implied that this tenure at Schwarzacherhof occurred during Bacroff's childhood. Bacroff's indictment in that same year by the Hamburg Prosecutor's Office further muddied the waters by implying that Bacroff was 'at times' housed at Schwarzacherhof (as opposed to only once), and that this occurred some time prior to 1924 as a result of Bacroff being 'difficult to educate'. StAHH 242-4 Nr. 339, 'Kriminalogischer Bericht und Befundbogen über

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'good-natured', 'conscientious in child-raising' and married 'harmoniously', and their community reputation was described as 'good'. It was also noted that the man serving as Heinrich Habitz's father was in fact his adoptive father and was known to drink (he appeared in some records as an alcoholic). In 1930 Habitz's unnamed biological father was characterized by a psychologist employed by the prosecutor's office as 'bisexual and strongly erotic, so-called "skirt-chaser"'.[33] Six years later, a report to the Hamburg Prosecutor's Office identified the biological father as a soldier named Mülleck who had been killed in the First World War. This report described Mülleck as 'very frivolous and a womanizer'.[34] As a child Heinrich Habitz was notably popular with girls, which was understood by his mother and other parents as a possible sign of his future virility ('Yes, Mrs Habitz, seven girls lost themselves to your "Heinerle"!', Bacroff herself would later write).[35] According to both the psychologist and Bacroff, Liddy/Heinrich 'always played with dolls as a child, preferring them to boys' games, as the boys were too rough for him and for him, a dollhouse was preferable to a rocking horse'. His popularity among the girls came as a result of his 'enjoying sewing dolls' clothes' for them.[36]

Habitz's first encounter with the law came in 1924, when, as a sixteen year old, he was arrested and sentenced to six weeks in custody for 'indecent conduct' with a person under fourteen, although the sentence was not carried out.[37] By 1926 Habitz had moved across the Rhine from Ludwigshafen to Mannheim, taking up work as an office clerk and errand boy. This employment continued until 1929, during which time he lived with his parents. In 1929, Habitz was once again arrested, and this time he was charged under §175 RStGB, for engaging in sex with a man. This charge resulted in another prison sentence—two months—which Habitz served. Upon being released, he left Mannheim and briefly travelled to Berlin before settling in Hamburg.

While Hamburg offered Habitz a new home, it did not offer him a new start. He was nearly immediately in trouble with the local police in the Hamburg district of St Pauli, first for petty theft (for which he was sentenced to two months in prison), and subsequently, in August 1930, for trespass. A year later, Habitz was again charged under §175 and served four months. Similar charges followed in 1933 (six months) and 1934 (ten months). On New Year's Eve 1935 he was accused by a sailor named Georg Otto Meyer of stealing twenty Reichsmarks, a charge that was soon supplemented with another charge under §175—or, to be more exact, §175a Subsection 4, which decreed that 'a man who professionally commits indecency with men or who allows himself to be misused by men for the purposes of indecency, or who offers

den Gefangenen Eugen Heinrich Habitz', H 3157, Hamburg, 1930, p. 4; StAHH 213-11 Nr. 52251, Gerichtshilfe für Erwachsene to Oberstaatsanwalt bei dem Landgericht Hamburg, 4 Js. 69/36b, Hamburg, 25 Jan. 1936, p. 1; StAHH 213-11 Nr. 5225, Staatsanwaltschaft in Hamburg, 'Anklageschrift gegen den Artisten Heinrich Eugen Habitz', 4 Js. 69/36b, Hamburg, 13 Feb. 1936, p. 2.

[33] 'Kriminalogischer Bericht und Befundbogen über den Gefangenen Eugen Heinrich Habitz', p. 3.

[34] Gerichtshilfe für Erwachsene to Oberstaatsanwalt bei dem Landgericht Hamburg, Hamburg, 25 Jan. 1936, p. 1.

[35] StAHH 242-4 Nr. 339, Liddy Bacroff [Transvestit Liddy Habitz], 'Aus meinem Liebesleben!', unpublished manuscript and typescript, 1931, p. 1. The handwritten text and the typed version (presumably created by the State Prosecutor's Office) are both in the file, as is also the case for writings cited in subsequent notes.

[36] 'Kriminalogischer Bericht und Befundbogen über den Gefangenen Eugen Heinrich Habitz', p. 16; Bacroff, 'Aus meinem Liebesleben!', p. 1.

[37] The actual arrest record in this case seems no longer to exist, and it is difficult to judge the merits of the arrest and conviction—though the sentence was ultimately vacated. The specific law in question was §176/3.

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himself to this end' was liable for up to ten years' imprisonment.[38] Following his trial in March 1936, Habitz was sentenced to two years' imprisonment, to be followed with three years' parole. By 1936, the judicial system had recognized Heinrich Habitz as an incorrigible felon.

With the rise to power of the Nazis in 1933 and the subsequent strengthening of §175 RStGB, the consequences of being charged according to its delicts became increasingly grave. It is possible that Habitz was aware of the danger of his position, but having earned a reputation in Hamburg either would not or could not escape the attention of the police by behaving more discreetly. His increasing eagerness to evade the authorities is evident in the fact that upon his release from Bremen-Oslebshausen in January 1938, he registered his residence as Davidstraße 3 in St Pauli but, using forged papers, lived in Eckernförderstraße, 500 metres north and on the other side of the Reeperbahn. For two months he avoided police surveillance, resulting in a warrant being issued for his arrest.[39] In March 1938, an informant reported to the municipal police that Habitz was at a local bar, 'sitting with another man at a table'.[40] He was once more arrested, and in August 1938 the district court sentenced him to three years in prison, again because of 'commercial unnatural indecency'. While the sentence was not as severe as the law permitted, the determination that Habitz was a 'dangerous habitual criminal' boded ill.[41] Indeed, until being transferred to Bremen-Oslebshausen once more in October 1938, Habitz was briefly in the custody of the Gestapo. In October 1941, instead of being released at the conclusion of his sentence, Habitz was transferred to the prison at Rendsburg. A year later, he was transferred again, this time to the concentration camp at Mauthausen, where, on 6 January 1943, he was murdered.[42] In 1946, when Chief Inspector Neuer attempted to track down the former prisoner, the Ludwigshafen Criminal Police reported his cause of death as 'suppuration of the rectum'. This cause of death had indeed been registered in the Mauthausen death book that had been captured by occupation authorities, but it was not included on the death certificate the police sent to Hamburg, and it is unclear how the investigating officer in Ludwigshafen had come to this conclusion.[43]

[38] RStGB §175a.

[39] StAHH 213-11 Nr. 56273, Bereitschaftsdienst, arrest report, Hamburg, 26 Mar. 1938. The residency paperwork is included in the archival folder: StAHH 213-11 Nr. 56273, Polizeibehörde Hamburg Abt. VII (Melde- u. Paßpolizei), Meldeschein, Heinrich Eugen Habitz, Hamburg, 10 Dec. 1935.

[40] StAHH 213-11 Nr. 56273, Lohmann (4948), 'Bericht: Habitz trägt Frauenkleidung und trifft sich mit Leyendecker im öffentlichen Lokal', arrest report, Hamburg, 25 Mar. 1938.

[41] StAHH 213-11 Nr. 56273, Oberstaatsanwalt bei dem Landgericht Hamburg, 'Anklageschrift gegen den Artisten Heinrich Eugen Habitz', 2 Js. 2662/38c, Hamburg, 14 July 1938.

[42] Bacroff's date of death was confirmed in 1946 through the investigations of Chief Inspector Neuer. See StAHH 213-11 Nr. 56273, Oberstaatsanwalt bei dem Landgericht Hamburg [Neuer] to the Sicherungsanstalt Rendsburg, Hamburg, 8 Feb. 1946; the reply from Rendsburg is appended to the request.

[43] Several other death certificates and notices were issued in later years. In 1948 the Central Names Index of the International Tracing Service created an index card for Heinrich Habitz, listing the cause of death as 'ulcerous colitis', and the source as 'Death Book Gusen 1943 Nr. 332', even though the death book lists 'rectal suppuration'. The same would be the source for the certificate issued by the Special Registry in Arolsen in 1958. International Tracing Service/Arolsen Archives (ITS/AA), Bad Arolsen, 0.1/23960649, CNI Index HABITZ Heinrich, Mauthausen, No. 4547 BV; ITS/AA 0.1/23960649, Sonderstandesamt Arolsen, Kreis Waldeck, Sterbeurkunde Habitz, Heinrich, 6706 Abt. M, 23 Dec. 1958.

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In this brief recounting, the life of Liddy Bacroff is reduced to static waypoints, stations that were relevant to the Hamburg authorities but said little of the person. Through its lack of emotion, this inventory feigns an objectivity that is buttressed by the certainty of place names: Ludwigshafen, Eckernförderstraße, Reeperbahn, the prison in Bremen-Oslebshausen, the custodial facility at Rendsburg, the concentration camp at Mauthausen. These places inscribed a certain meaning in the paper files of Heinrich Habitz, identifying him as a habitual thief and 'rent boy' (*Strichjunge*) who periodically came to the attention of the authorities. Indeed, while psychological studies of Habitz were commissioned twice, once in 1930 and again in 1938, they were seeking not to investigate Bacroff's identity, but instead to identify the source of Habitz's 'criminality', which would help determine how he should be punished for that same criminality. The authorities had little interest in Liddy Bacroff.

Paradoxically, the first psychological profile, composed in 1930 and thus predating the Nazification of the police and the strengthening of §175, does offer a glimpse into the world of Liddy Bacroff. In spite of operating within the confines of the carceral state, the relevant experts took the opportunity to encourage Bacroff to express herself both during examinations and through her personal writings. These sources were collated and transcribed. Only this extraordinary material enables a reckoning with Liddy Bacroff as a historical person rather than an assemblage of bureaucratic minutiae.

In March 1930, Bacroff was arraigned on charges of theft, for allegedly she 'had out of necessity stolen from another *Transvestit* a coat and a dress out of a wardrobe and removed it [*sic*]'.[44] This event occasioned the psychological examination by the Office of the Hamburg State Medical Officer, whose observations were meticulous and covered such esoterica as the breadth of Bacroff's forehead (15.5 centimetres), whether her feet perspired (no), and her political interests ('completely indolent').[45] Though he consistently referred to his subject as he/him, the unnamed examiner records a number of characteristics that identified Bacroff as 'feminine'. Under Section IV of the examination report ('Expressive Functions'), the psychologist notes that her speech is 'lively and garrulous like a magpie' and her gesticulation 'youthfully girly'. In the writing sample he includes in the report, he had his subject sign the name 'Heinrich Habitz', under which she has added, in square brackets, 'Litty'. His description of her facial expressions is particularly revealing; she is, he explains, 'mischievous as a *Backfisch*'.[46] ('Fried fish' might seem incongruous—although perhaps fitting for Hamburg—but it is a slang term for an adolescent girl.) Elsewhere, Bacroff was noted as having a 'lightly lilted voice' and a naturally higher tone, a preoccupation with love affairs, a propensity for 'continuously coquettish gestures' and a 'theatrical mien'. As part of her cognitive examination, Bacroff was also asked to describe a bicycle, whereupon the examiner noted that she was 'too absent-minded' to do so but 'naturally owns a woman's bicycle'. In explaining Bacroff's background, the examiner notes that 'he earned his wages as a dancer [*Tänzerin*]', using the female form for her occupation.[47]

[44] 'Kriminalogischer Bericht und Befundbogen über den Gefangenen Eugen Heinrich Habitz', p. 5.
[45] *Ibid*., pp. 9, 16–17, 19.
[46] *Ibid*., pp. 9, 12.
[47] *Ibid*., pp. 13–16.

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Even more notable than the psychological profile undertaken in 1930 is the series of texts penned by Bacroff while in custody. Others have drawn attention to the importance of her longest works, 'Freiheit! Die Tragödie einer homosexuellen Liebe' (Freedom! The Tragedy of a Homosexual Love), of 19 March 1930, and 'Ein Erlebnis als Transvestit: Das Abenteuer einer Nacht in der Transvestitenbar Adlon!' (An Experience as a *Transvestit*: The Adventure of a Night in the *Transvestit* Bar Adlon!), of August 1931.[48] In fact, Bacroff wrote at least ten distinct but often interwoven works of creative semi-autobiography.

Beginning with 'Freiheit!', Bacroff recounted the upbringing of 'Heinz', a clerk in a firm in 'the large and industrial city L. on the Rhine' and a thinly veiled analogue of Bacroff herself.[49] Bacroff's case notes reported that she 'was an office clerk at 17' and 'fell in love at 16 years old with a 21-year-old young man, by whom he was spurned'; so too the fictitious Heinz falls in love with 'the beautiful, deep eyes, blue like the sky in these summer days' of the young machinist Otto, whose flirtatious advances are made all the more effective by playing into Heinz's feeling that his own 'being, action, and demeanour were much too woman[ly].'[50] Otto's insistence on referring to Heinz as *Fräulein* (Miss) on the telephone is only a first step in convincing Heinz that his path to happiness and fulfilment—including that he might 'possess this man, this Otto'—could only be attained through realizing his true self. Otto informs Heinz, 'You know, this story with the telephone was just a bit of fun, after I found out that *you* were the so-called Miss!', and Heinz responds, 'Well, Otto, perhaps I really *am* a little Miss.'[51] Later, after appearing at a masquerade in the guise of 'die Tänzerin', Heinz resolves to adopt the name 'Litty' and seduce Otto, even though, 'Oh, he will not recognize me, not suspect, that he, my Otto, will be falling in love with me, boundlessly in love in me, "the dancer Litty".' Yet as the story evolves, the pretence that 'Litty' is simply a deception falls away, as 'Heinz' disappears into the background, with the body and existence instead inhabited by Litty, thus fulfilling Heinz's initially petulant declaration that he is truly a 'little Miss'.[52]

The semi-autobiographical aspects of 'Freiheit!' are readily apparent, from the doomed love for a co-worker to details about Heinz/Litty's life with her mother in 'L. on the Rhine', which is clearly intended to be Ludwigshafen. The denouement, in which Litty rushes to another lover, Willy, and is 'heartily welcomed' by his parents, only for Litty and Willy to die in a Romeo-and-Julietesque lovers' pact, is a creative invention on the part of the author.[53] Yet, by the same token, it is clear that Bacroff intended her readership—perhaps limited by intent only to herself—to identify the author with the subject.

[48] See, for instance, B. Rosenkranz, U. Bollmann and G. Lorenz, *Homosexuellen-Verfolgung in Hamburg 1919–1969* (Hamburg, 2009), pp. 63–5.

[49] StAHH 242-4 Nr. 339, Liddy Bacroff [Litty (Heinrich Habitz)], 'Freiheit! Die Tragödie einer homosexuellen Liebe', unpublished manuscript and typescript, 1930, p. 1.

[50] 'Kriminalogischer Bericht und Befundbogen über den Gefangenen Eugen Heinrich Habitz', pp. 4, 16; Bacroff, 'Freiheit!', p. 2.

[51] Bacroff, 'Freiheit!', p. 8.

[52] *Ibid.*, pp. 11–12. As the subtitle of the story would suggest, there is sadly no happy ending for 'the dancer Litty'.

[53] *Ibid.*, pp. 26–7.

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It is no coincidence that she signed the story 'Litty'. 'Freiheit!' is the first part in what seems to be a portfolio of self-identification, in which Bacroff not only explored through the medium of creative writing her own identity, but also experimented with different names. While she had been presenting outwardly as a woman since her arrival in Hamburg in 1929 and at least for a significant proportion of her time in Mannheim and brief tenure in Berlin, unlike her semi-fictitious counterpart she appeared not to have decided on a name to replace her masculine birth name. The story of the doomed Litty, Otto and Willy afforded her the opportunity to try out the name 'Litty' as her own. It seems to have struck a nerve. In her next work, perhaps intended as a short addendum to 'Freiheit!' and written as a letter to Willy, Bacroff reminisced about adventures and misadventures in Berlin, including at the infamous queer nightclub Eldorado and her affair with 'the pretty, black Edmond [who was] naturally very surprised by my secret, but even so he loved me sincerely, Edmond often came to me and he was a cavalier as he always was with girls'.[54] Upon signing the 'letter', 'Litty' now included a surname: 'van Monty'.[55] This experimentation with the name would continue over the course of two years. Beginning with 'Die Liebe!' (undated, though filed in such a way that it appears to have been written immediately after 'Liebster Willy!' in 1930), in which Bacroff meditated on the meaning of love and (perhaps ironically) reflected on the stupidity of writers such as Friedrich Schiller for tying romance and love to tragedy, she signs as 'Liddy Bacroff, Transvestit'. With two exceptions, this was her habitual signature from this point onwards: 'Aus meinem Liebesleben!' (From My Love Life!, May 1931), which appears to act as the closest approximation of a general memoir of her life, is signed 'Transvestit Liddy Habitz', maintaining the description of herself as a *Transvestit* as well as her by now customary given name while returning briefly to her family surname, while her last story, 'Gademaro's Opfer' (Gademaro's Sacrifice, August 1931) reclaims 'Bacroff' as her surname while dropping the qualifier 'Transvestit' completely.[56]

In other instances, her identification with her femininity and womanhood is implied through word choices, indicating that Bacroff did not consider herself simply to be 'cross-dressing' or 'pretending' to be a woman, but held herself actually to be one. A memoir of her occupation as a sex worker—'Tragödien und komische Zwischenfälle aus dem allgemeinen Dirnentums! [*sic*]' (Tragedies and Comical Incidents from Harlotry as a Whole!, August 1931)—begins by referring to the profession as harlotry (*Dirnentum*) and refers to herself as having enjoyed 'whore's luck' (*Hurenglück*). Explaining this 'luck', Bacroff emphasizes the feminine: 'for the superstition among us harlots is very great and can quite often lead to great spitefulness towards our colleagues', with Bacroff using for 'colleagues' the feminine *Kolleginnen* in place of the more customary generic masculine *Kollegen*.[57]

[54] Liddy Bacroff [Litty van Monty], 'Liebster Willy!', unpublished manuscript and typescript, 1930, pp. 2–4. StAHH 242-4 Nr. 339.

[55] *Ibid*., p. 5.

[56] StAHH 242-4 Nr. 339, Liddy Bacroff [Liddy Bacroff, *Transvestit*], 'Die Liebe!', unpublished manuscript and typescript, 1930?, pp. 1–2; Bacroff, 'Aus meinem Liebesleben!', p. 1; StAHH 242-4 Nr. 339, Liddy Bacroff, 'Gademaro's Opfer', unpublished manuscript and typescript, 1931, pp. 1–2.

[57] StAHH 242-4 Nr. 339, Liddy Bacroff [Liddy Bacroff, *Transvestit*], 'Tragödien und komische Zwischenfälle aus dem allgemeinen Dirnentums!', unpublished manuscript and typescript, 1931, pp. 1–3.

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Bacroff recognizes her sex work as providing her with opportunities to express her femininity in ways that she otherwise could not. In doing so, she deviates distinctly from Magnus Hirschfeld's understanding of *Transvestitismus* and his certification of 'legitimate' *Transvestiten*. Hirschfeld saw prostitution as a 'degeneration' that was 'forced' upon homosexuals and *Transvestiten*, leading to 'the deadening of the normal feeling of shame' and a decline in morals. (Indeed, Hirschfeld argued that homosexual prostitutes were not homosexual at all, but instead were likely heterosexual and using sex work as a gateway to a 'secondary, criminal purpose'—most often blackmail.)[58] The goal of the *Transvestitenschein* was to free public *Transvestiten* from the perception that they were sex workers. But Liddy Bacroff, far from looking to be liberated from her sex work, instead saw it as the driver of her liberation and the means by which she found community. Though she recognized that her life in 'harlotry' was governed by 'vices, that force us all as *Transvestiten* more or less to travel this path, and to live by it!', it also brought her into contact with a variety of people who recognized her femininity.[59] Some of these people were clients: Edmond, for example, treated her with the same chivalry he demonstrated with other women, while Rolf, a radioman from the steamship the SS *Hamburg*, was 'a really fine person, highly decent and solicitous to me', who 'saw and loved only the feminine in me!'[60] Others existed in the spaces around her: her *Kolleginnen* in harlotry, for example, with whom she shared a sex workers' camaraderie. Having migrated to Hamburg to ply her trade around the red-light district of the Reeperbahn, she declared,

> It has now been two years […] and I cannot leave Hamburg, the Reeperbahn, the singular St Pauli. Here I have all that which for me was desire—and is now fulfilment. [I] have good friends or fleeting acquaintances of the night—they come and go—either such who know me as '*Transvestit*'—or the others, who [know] me as 'harlot', and address me just like every other in our street![61]

III. Liddy Bacroff before the Courts

Liddy Bacroff's intricate formulation of her own identity demonstrates a far more elemental and dynamic engagement with the self than historiographical orthodoxy would have us expect. The laws of the Imperial Criminal Code, under which Bacroff was habitually prosecuted, were predicated largely upon actions. In some cases, she was probably guilty, as when she was arrested for stealing the coat of another *Transvestit*—the case that initiated the psychological profile from the medical officer—or when, in

[58] Marhoefer, *Sex and the Weimar Republic*, pp. 126–7. Marhoefer connects Hirschfeld's anti-sex work views to his eugenicist leanings. A more extensive investigation into the eugenic and racial underpinnings of Hirschfeld's sexological work in general is to be found in L. Marhoefer, *Racism and the Making of Gay Rights: A Sexologist, his Student, and the Empire of Queer Love* (Toronto, 2022). Hirschfeld was very concerned with the problem of blackmail within the gay community, so much so that it became the key plot element in the 1919 'social hygiene' film *Anders als die Andern*, which is often erroneously considered the first gay film. See Ervin Malakaj, *Anders als die Andern* (Montreal, 2023), *passim*.

[59] StAHH 242-4 Nr. 339, Liddy Bacroff [Liddy Bacroff, *Transvestit*], 'Ein Erlebnis als Transvestit. Das Abenteuer einer Nacht in der Transvestitenbar Adlon!', unpublished manuscript and typescript, 1931, p. 3.

[60] *Ibid.*, p. 3; Bacroff, 'Liebster Willy!', p. 4.

[61] Bacroff, 'Aus meinem Liebesleben!', p. 11.

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1935, she lifted twenty Reichsmarks from the wallet of Georg Otto Meyer on New Year's Eve.[62]

In others instances, however, Bacroff faced punishment for crimes predicated upon her being the man the authorities's files insisted she was and not the woman she lived as. Here she was both unapologetic and uncompromising. Bacroff's writings offer a near real-time self-commentary on her development of her gender identity, and they were likely composed for an audience of one. However, given that they were written while under police supervision, they also serve as a confession of sorts, providing damning testimony of her gender nonconformity. Indeed, the fact that they were collected, transcribed and inserted in typewritten form into Bacroff's police file is evidence of the continued police interest. Certainly, the police sometimes played a long game. In July 1935, for example, the *Transvestit* Fritz Kitzing was denounced in Berlin, leading to the Gestapo raiding their apartment. While no charges were filed, the police took custody of 'a suitcase with his vestments'. When Kitzing was subsequently arrested, the suitcase was unpacked by officers who forced Kitzing to pose for photographs in the women's clothing seized nearly nine months earlier. The evidence against Kitzing had been collected in 1935, but the police bided their time before, in March 1936, branding Kitzing a *Transvestit* 'of the worst kind'.[63]

Like Kitzing's women's clothing, Liddy Bacroff's texts constituted an extraordinary risk to her personal safety. They explicitly drew attention to her sex work, her sexual practice and her gender performance, and once committed to paper by pen (and subsequently by typewriter), they would endure in her official records. Bacroff could not have been ignorant of the danger in which she was placing herself by producing such texts, even in the pre-Nazi period. They therefore bear witness to a profound, evolving and continued act of self-discovery, one that resisted official demands for a gendered normativity to which she, by her very existence, did not adhere. Laurie Marhoefer has written about the calculus of risk and discovery that influenced how sexually marginalized individuals were treated by the National Socialist repressive apparatus.[64] In Liddy Bacroff's case the risk that she ran—not just by presenting openly as a *Transvestit* but also by writing about her adoption of that identity—inevitably drew attention in the increasingly authoritarian atmosphere of the 1930s.

Yet far from attempting to moderate her behaviour, Bacroff embraced it. Her 'secret', as she referred to it in the case of the 'pretty, black Edmond', was not that she was a man but that she was a woman in possession of masculine genitalia. Consequently, she often made sure to keep her genitals obscured from her clients who for all intents and purposes believed her to be the cisgender woman she appeared to be. This concealment was usually accomplished by offering to receive oral sex and less often achieved by allowing her client to have sex with her anally, mostly in darkness. Meyer, the sailor whose wallet was pilfered in 1935, was apparently unaware of the nature of her genitals, and indeed the opportunity for the theft came about because Meyer was preoccupied

[62] StAHH 213-11 Nr. 52251, Busack (5688), 'Bericht: Seemann Georg Otto Meyer', statement to the Schutzpolizei 13./4288/35, Hamburg, 31 Dec. 1935.

[63] J. V. Evans and E. Mailänder, 'Cross-dressing, Male Intimacy and the Violence of Transgression in Third Reich Photography', *German History*, 39, 1 (2021), pp. 54–77, here pp. 60–1.

[64] L. Marhoefer, 'Lesbianism, Transvestitism and the Nazi State: A Microhistory of a Gestapo Investigation, 1939–1943', *American Historical Review*, 121, 4 (2016), pp. 1167–95.

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with 'being satisfied, by [Bacroff] taking his sexual organ in the mouth'. The record continues, 'At this opportunity [Bacroff] took the wallet of Meyer, which contained a 20 Mark note, from his trouser pocket.'[65] The theft notwithstanding, Bacroff's stock in trade was therefore not simply a means to an end, but also a protective measure designed to satisfy and confirm the perception of her womanhood.

In writing about her love life, Bacroff lamented that although she enjoyed a steady relationship with a man at the same time as she pursued her sex work, she believed that 'one day the end of this love will come, suddenly and unexpectedly!' Their relationship would cease, she believed, not because her partner would leave her but because she would leave him 'at some unknown hour'. Bacroff assumed her departure would probably be a result of 'the nature of my being', but she added a caveat: 'I feel that one cannot make me responsible for that!'[66]

But she was held responsible. Even though the state medical officer had felt apparently compelled, subconsciously or otherwise, to interpret Liddy Bacroff in effeminate terms—as someone with 'girly' affect, who resembled a 'magpie', spoke with a high lilt and a mild lisp and was as playful as a teenage girl—he still represented an authority that saw Liddy Bacroff as Heinrich Habitz and thus criminalized her many love affairs as examples of 'unnatural indecency' on par with bestiality. Bacroff's existence as a *Transvestit*, which she would have classified as 'the nature of my being' for which she could not be answerable, was understood instead as an eccentric oddity and increased her visibility as a nonconformist living within a system that demanded rigid adherence to normative behavioural standards. In the eyes of the law, Bacroff's gender-nonconformity made her more criminal and more perverse. After the Nazis assumed power in 1933, and particularly after the strengthening of §175 RStGB after the Röhm Affair in 1934, this became a self-fulfilling liability.[67] When Liddy Bacroff was arrested in 1938 under §175, she was once more the subject of a medical-psychological examination, ordered by the Office of the State Prosecutor and undertaken by the state medical officer Wilhelm Reuss. This examination proceeded, however, under different assumptions from the first. The 1930 report appears to have been a genuine attempt (albeit with caveats) to understand Liddy Bacroff as a person; the 1938 report was made after Bacroff, fearful of more stringent punishment under the Nazified authorities, petitioned the court for voluntary castration.

Sterilization and castration were mooted by some actors within the state as a means to stamp out the 'menace' of homosexuality, not 'in order to reform homosexuals [so that they will become] heterosexuals', as Carl-Heinz Rodenberg wrote in 1942, but 'to completely disengage their perverse desire or to dull the strength of the desire so much that they demonstrate no more of inclination to practise their perverse desire

[65] StAHH 213-11 Nr. 52251, Liddy Bacroff [Heinrich Eugen Habitz], statement to Dezernat F 36, Schutzpolizei, Hamburg, 9 Jan. 1936; StAHH 213-11 Nr. 52251, Landgericht Hamburg, Große Strafkammer 2, decision, 4 Js. 69/36b (32) 22/36, 31 Mar. 1936, p. 3.

[66] Bacroff, 'Aus meinem Liebesleben!', p. 11.

[67] For a brief accounting of the textual changes to §175, and what these meant in practical terms, see H.-G. Stümke and R. Finkler, *Rosa Winkel, Rosa Listen: Homosexuelle und 'Gesundes Volksempfinden' von Auschwitz bis heute* (Hamburg, 1981), pp. 212–17.

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in punishable offences'.[68] In volunteering for the procedure, Bacroff hoped to gain at least some sympathy from the court and thereby ameliorate her sentence. It had the opposite effect. Reuss, proceeding from the tacit insistence Bacroff was a man, pointed to Bacroff's 'passive pederasty' as a continuing issue. The fact that Bacroff was never the penetrating sexual partner effectively meant that 'an emasculation would not therefore with absolute certainty lead to curative results'. Indeed, Reuss strongly suspected that castration would conversely embolden Bacroff and act as a signifier of Bacroff's 'sexual perversion', 'sexual psychopathy' and 'moral defects', rather than a cure.[69] The court concurred. In its judgement of 22 August 1938, the Third Criminal Chamber of the State Court of Hamburg declared that Bacroff's offer of voluntary castration merely proved her to be an incorrigible criminal. Bacroff's threat was that 'he can, through sex with him, entice non-homosexually inclined young people into homosexuality, once they notice that he is a man'. 'There exists the danger', the court declared,

> that the castration of the defendant will only facilitate his criminal drive. It would make the hiding of his sexual organ from his partners in indecency even easier. He himself has apparently made this application with this point of view in mind. For almost in the same breath he explained to the official expert that one cannot seal his anus. This declaration, too, shows how little the defendant thinks of giving up his desires and how important it therefore is to remove him from the national community [*Volksgemeinschaft*].[70]

Bacroff died in January 1943, some four-and-a-half years later. Nevertheless, this judgement, and Reuss's report that informed the court's decision, acted as a de facto death sentence. The danger her existence posed to the moral integrity of the young men of the Third Reich necessitated her removal from the body social of the Nazi state, an objective hardly accomplished by the two-year sentence imposed upon her by the criminal court. Her transfer into preventative custody upon the completion of this sentence and ultimately her transportation to the Mauthausen concentration camp were waypoints on the inexorable path that led to her murder.

* * *

Liddy Bacroff has not been lost to history. That much is clear by the existence of her *Stolperstein*. Yet even this act of memorialization carries problematic elements. The impetus for the *Stolperstein* came from the historian Bernhard Rosenkranz, whose research, along with that of Ulf Bollmann, had uncovered Bacroff's story. The *Stolperstein*, however, prioritizes Bacroff's birth name, Heinrich Habitz, and relegates her chosen name to a secondary position, under the aforementioned identity, in a smaller typeface and surrounded by quotation marks—effectively an alias, not her real name. With the official record of birth and death registries, court documents and the vast array

[68] C.-H. Rodenberg, 'Zur Frage des kriminaltherapeutischen Erfolges der Entmannung homosexueller Sittlichkeitsverbrecher', *Deutsche Justiz*, 104 (1942), pp. 581–7, here p. 586. Claudia Schoppmann shows that Rodenberg was a major proponent of forced castration from about 1942 onwards, though hardly the first; see C. Schoppmann, *Nationalsozialistische Sexualpolitik und weibliche Homosexualität* (Pfaffenweiler, 1997), pp. 218–23.

[69] HStAHH 213-11 Nr. 56273, Gesundheitsverwaltung der Hansestadt Hamburg to Oberstaatsanwaltschaft bei dem Landgericht in Hamburg, 'Untersuchung des Habitz, Heinrich, Eugen', Hamburg, 10 June 1938, pp. 2–4.

[70] StAHH 213-11 Nr. 56273, Landgericht Hamburg, Große Strafkammer III, decision, (33) 2 KLs. 119/38 99/38, 22 Aug. 1938, pp. 7–8.

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of paperwork generated by bureaucracy held to be the gold standard of the historical archive, this presentation is an understandable decision. No official record registers the existence of Liddy Bacroff beyond one or two notations, and in these cases the name is treated precisely as the police and courts saw it: as a pseudonym adopted in the service of a criminal goal. Heinrich Habitz, by contrast, had his life recorded throughout its thirty-four-and-a-half years, from the birth registry in Ludwigshafen to the death book of Mauthausen and, even later, to the death certificate reissued in Bad Arolsen through the efforts of the International Tracing Service in 1958.

Furthermore, the extensive official records pertaining to the apparent 'habitual criminality' of 'Heinrich Habitz' return us to the classic problem of subalternity and the archive. Saidiya Hartman's article 'Venus in Two Acts' presents the problem that

> we stumble upon her [her subject, the 'Black Venus'] in exorbitant circumstances that yield no picture of the everyday life, no pathway to her thoughts, no glimpse of the vulnerability of her face or of what looking at such a face might demand.[71]

It is tempting to apply this lament to Liddy Bacroff: we know of her only because of her torment, and the insights we gain into her existence are not examples of the ordinary life of a woman and *Transvestit* but extraordinary by dint of her persecution. The records of, chiefly, the Hamburg police were not designed to offer a microhistory of the everyday life of an individual; they were intended to damn someone set apart as a criminal, incorrigible and irredeemable in the eyes of the regime that had deemed her to be this person. Her existence was judged to be a threat to the moral integrity of the young men of the ethnostate. Such was her extraordinariness, then, that the relevant authorities sought to remove her from the *Volksgemeinschaft* as a whole—first by indefinite detention and ultimately by murder.

Yet the story presented here is not just a narrative dictated by officialdom briefly elevating an invisible life to archival visibility for its own nefarious reasons. Liddy Bacroff was much more than a name. She was an identity, one that emerged over time and went through processes of invention, alteration and reinvention, as does every comparable personal and communal identity. The paper identity of Heinrich Habitz may benefit from significant records, but it is lifeless, devoid of the person herself. By endorsing it, we implicitly elevate the interpretation of Liddy Bacroff by her oppressors over her understanding of herself, thus fulfilling Hartman's argument that 'the archive is […] a death sentence, a tomb, a display of the violated body, an inventory of property'.[72] This external view certainly guided the hand of Inspector Neuer in 1946, when he began his search for a prisoner of whom his office had lost track. 'Heinrich Habitz' was a checkbox on an administrative inventory; once 'his' death was confirmed, the Prosecutor's Office withdrew its interest in the person it had been pursuing—precisely because the bureaucracy had sought not the *person* but the *category* that person represented.

This tension between identities has led to some uncomfortable compromises. Rosenkranz and Bollmann, for example, initially wrote about Bacroff in a book focusing on 'homosexual persecution in Hamburg', and in order for Bacroff to fit into

[71] Hartman, 'Venus in Two Acts', p. 2.
[72] *Ibid.*, p. 1.

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this template of homosexuality, they referred to her as 'Heinrich Habitz' and with masculine pronouns. Their concession to the Bacroff identity is the title they gave to the subchapter devoted to her, 'Liddy Bacroff—Hure' (Liddy Bacroff—Whore), though Bacroff never used this normally pejorative description of herself, preferring *Dirne* (harlot) or *Tante* (literally 'aunt').[73] The biography included on the City of Hamburg's *Stolperstein* registry, written by Rosenkranz and Bollmann, tends to refer to Liddy Bacroff by name, but still uses he/him pronouns for her life before 1929.[74]

The answer is not, however, as simple as ignoring officialdom or scratching the name 'Heinrich Habitz' from the *Stolperstein*. In charting the history of transgender childhood in the United States, Jules Gill-Peterson argues that the available archive—she is focusing here on medicalized rather than carceral authority—is inherently 'compromised by the limited perspective of its rationality and its overrepresentation of white, middle-class trans life'. Nevertheless, as Gill-Peterson's study shows, there are indeed avenues available whereby the historian's work 'contests and carefully rereads the normative […] archive', thereby 'making trans life intelligible'.[75] Ultimately, then, the historian is left to find a holistic but often precarious balance between, on the one hand, the situated knowledge of authority, which elides the lived experiences of marginalized people, and, on the other hand, the often 'ephemeral', 'anonymous' and 'unknowable diversity' of those marginalized people.[76]

A similar process of knowledge-bargaining and aggregation is to be found here, in the case of Liddy Bacroff. The National Socialist regime's reading of transgender and gender-diverse people was broadly inconsistent, and its understanding and description of Liddy Bacroff are unreliable, to say the least.[77] However, that understanding, in the form of official records, arrest reports, court transcripts and registry files, does provide a wider picture than her vibrant and insightful but ultimately time-limited writings do. It is also pertinent that Liddy Bacroff's persecution came precisely *because* successive law enforcement regimes interpreted her as the homosexual male sex worker Heinrich Habitz, and not as the heterosexual female sex worker Liddy Bacroff. Ultimately, the example of Liddy Bacroff demonstrates the need for synthesis, a holistic engagement with both the traditional archive and the eccentricity of Lewis's queer archive. Official records anchor Bacroff's existence within the wider context of her era, while her own esoterica allow us to engage with her humanity in ways the bureaucracy was never intended for, and indeed is incapable of. Without both, crucial elements of a case study of transgender prehistory are erased or obscured. In sum, Liddy Bacroff demands that we view her through the window of the 'nature of my being'—in order to do that, it is imperative that we acknowledge who she was, in terms of both the identity she inhabited and performed and the identity that was imposed upon her. The subaltern in this case has spoken—clearly, emphatically and, as her earlier psychological assessor would have

[73] Rosenkranz, Bollmann and Lorenz, *Homosexuellen-Verfolgung in Hamburg*, pp. 63–5.

[74] B. Rosenkranz and U. Bollmann, 'Heinrich Habitz gen. "Liddy Bacroff" *1908', *Stolpersteine Hamburg* (2014), *www.stolpersteine-hamburg.de/?MAIN_ID=7&BIO_ID=791*, accessed 18 July 2021.

[75] Gill-Peterson, *Histories of the Transgender Child*, pp. 17–21.

[76] *Ibid*., p. 23.

[77] This internal inconsistency has been highlighted most recently by Zavier Nunn, who terms the fraught position of transgender people in the Nazi terror apparatus 'trans liminality'; see Z. Nunn, 'Trans Liminality and the Nazi State', *Past & Present*, 260 (2023), pp. 123–57, *https://doi.org/10.1093/pastj/gtac018*.

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it, 'lively and garrulous as a magpie', and indeed in such a way that even this examiner reflexively described her in feminine terms.

Approximately a month after Reuss delivered his final report to the judges, and just over a month before they delivered the verdict that would ultimately lead to Mauthausen, Liddy Bacroff submitted a statement in her own defence—a *Selbstverteidigung*—to the court. If her intention was to beg for mercy, however, then it took an unusual and provocative form. Instead of confessing her crimes and demonstrating penance, Bacroff summoned her skills as a writer. 'The following record', she wrote, 'is more a picture of my life, which depicts love, vice and passion.' Far from being silent, this extraordinary woman implored a Nazi court to view her life through a lens of beauty and desire, through a section of her statement entitled 'Die Liebe!' (The Love!).[78] In doing so, she—knowingly or otherwise—returned to her own ruminations of almost a decade earlier, in a text of the same name, in which she contemplated the mortality of love. It is left to us to wonder whether knowing that her fate rested in the hands of the judges and perhaps understanding the futility of defending herself before the regime on the grounds of passion, Liddy Bacroff remembered her conclusion to that previous text, in which she had declared, 'What is now an unbreakable conviction is that love is, remains, and will always be mortal, […] for death cannot kiss!'[79]

Abstract

Pursued by authorities throughout the 1930s, Heinrich Habitz left behind a significant paper trail of official documentation, arrest warrants and imprisonment records. As Germany slipped further under National Socialist oppression, Habitz's status as a homosexual man who sold sex marked him as a target of police repression. Even after the end of the war, the Hamburg Prosecutor's Office attempted to locate and again prosecute him under the infamous §175 'sodomy law'. By rights, the study of Habitz should provide insights into the continuities of anti-queer repression between authoritarianism and democracy, but for one key point: 'Heinrich Habitz' existed only as a paper identity in official bureaucracy, and the 'man' authorities repeatedly persecuted was, in fact, a self-identified woman named 'Liddy Bacroff'. Through a series of semi-autobiographical writings, alongside official paperwork, Liddy Bacroff presents the value of but also the difficulties facing the (re)construction of queer and, in particular, transgender (pre)histories. In this instance, the historian is not just faced with the problem of how this life, and others like it, should be represented in historiographical terms. We are left also with the question of how this victim of National Socialist barbarity should (or rather, can) be remembered: as the paper identity that provided a succession of carceral authorities with the justification to persecute and ultimately murder a cisgender gay man, or as the lived experience of a woman whose unique self-understanding allowed her to carve out her place in a society that otherwise relegated her to its margins.

University of Erfurt, Germany
bodie.ashton@uni-erfurt.de

[78] StAHH 213-11 Nr. 56273, Liddy Bacroff [*Transvestit* Heinrich Eugen Habitz], *Selbstverteidigung* to Amtsgericht Hamburg, 33 99/38, Sicherungsgefängnis Hamburg-Stadt, 16 July 1938, p. 1.

[79] Bacroff, 'Die Liebe!', p. 2.

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