

20 November 2024

HIST 133C

### Attitudes and Policies Regarding Homosexuality in the GDR

“Interview von Kurt Starke mit Eduard Stapel (SVD) am 19. April 1994” [“Interview with Eduard Stapel (Gay League of Germany, SVD) by Kurt Starke, April 19, 1994”] reprinted in Kurt Starke, *Schwuler Osten. Homosexuelle Männer in der DDR* [*The Gay East. Homosexual Men in the GDR*]. Berlin, 1994, pp. 91-110.

Eduard Stapel (30 May 1953 – 3 September 2017), [https://ghdi.ghi-dc.org/docpage.cfm?docpage\\_id=1890](https://ghdi.ghi-dc.org/docpage.cfm?docpage_id=1890)

Eduard Stapel (1953-2017), a prominent gay rights activist in the GDR, is featured in this 1994 interview discussing the gay rights movement in the GDR. Stapel was a founding member of the church opposition movement and gay movement in the GDR. Stapel’s role in gay activism would take place in Leipzig, where he studied journalism and theology and was seen as the main organizer of the gay rights movement.<sup>1</sup> He explains the role of the Protestant church as a space for activism and briefly discusses how the Stasi infiltrated the movement. Stapel also discusses the question of why the GDR was so adamant about not opening opportunities for homosexuals such as the refusal of the FDJ to open to homosexuals and the difficulty of creating meeting places. He states that he never had an answer to those questions and blamed it on the stupidity and prejudice of the GDR.

But as Stapel implies in this interview, boiling down the inaction by the SED as purely the fault of incompetence is not a satisfying answer. From this short interview, I wanted to explore the policy decisions by the GDR regarding homosexuality and the attitudes towards homosexuality in the SED political apparatus. A brief observation of the policy decisions would probably bring most people to the conclusion that the GDR was somewhat progressive regarding its treatment of homosexuals with Paragraph 175, which criminalized homosexual relations, being repealed in 1968. While Paragraph 175 was struck down, Paragraph 151, which was also implemented in 1968, would criminalize homosexual relationships between adults and those under 18 years old. This created an unequal age of consent between homosexuals and heterosexuals as the age of consent for heterosexuals was set at 14 years of age. The age of consent would only be equalized in 1989 following the adoption of paragraph 149. But upon

---

<sup>1</sup> [https://de.wikipedia.org/wiki/Eduard\\_Stapel](https://de.wikipedia.org/wiki/Eduard_Stapel)

further analysis, the everyday life of a gay individual in East Germany was not much different from West Germany despite East Germany having more progressive laws.<sup>2</sup>

It seems to be that the reason for this discrepancy between the policies of the GDR that granted gay individuals rights and the fact that the everyday life of a gay East German was not much different from a gay West German was because these policies, especially during the 80s, did not come from altruism, but from fears of gay individuals subverting the state. As Stapel points out in his interview, the Stasi listened to everything and read everything. There was a fear within the party leadership that gay activists were more susceptible to Western influence which was the primary motivation of the GDR to attempt to integrate homosexuals into East German society. Furthermore, Stapel notes how a lot of the inaction by the East German public institutions had to do with prejudice. Personal accounts reveal these homophobic attitudes were present in state officials which shows that while the East German government may have at least put some effort into addressing the legal inequality that gay individuals faced, there was widespread societal homophobia that was unaddressed.<sup>3</sup>

---

<sup>2</sup> Huneke, Samuel Clowes. "Equivocal Animus: Homosexuality and Socialism in East Germany." In *States of Liberation: Gay Men between Dictatorship and Democracy in Cold War Germany*, 63–80. University of Toronto Press, 2022.

<sup>3</sup> Johnson, Jason. "Homosexual People Do Not Stand Outside of Socialist Society: Eingaben and the History of Homosexuality in East Germany." *German Politics and Society* 40, no. 1 (2022): 41–57

### **Annotated Bibliography in Chronological Order**

Hillhouse, Raelynn J. “Out of the Closet behind the Wall: Sexual Politics and Social Change in the GDR.” *Slavic Review* 49, no. 4 (1990): 585–96. <https://doi.org/10.2307/2500548>.

This article from 1990 focuses on the rise of gay and lesbian movements in the GDR in the 80s and the SED’s response to those movements and the reasons behind their responses. A 1985 study that was presented to Honecker’s Politburo outlined three major concerns that resulted from the lack of social policy on homosexuality including the absence of state-sponsored social services and the Evangelical church’s extensive outreach programs led homosexual citizens to the only institutional rival in the GDR, the GDR’s disregard of the needs of gay and lesbian citizens contributed to the emigration problem, and homosexual men’s difficulties in finding partners along with societal intolerance encourages indiscriminate sexual behavior and the spread of AIDS. The Politburo accepted these arguments and recommended the integration of homosexuals in GDR society. The study also suggested a two-fold approach for implementation of this directive including helping homosexuals integrate into socialist institutions and eliminating public prejudice, accomplishing these goals through legal reform, continued research, the creation of gay/lesbian clubs, and the expansion of public services and media campaigns.

Grau, Günter. “Return of the Past: The Policy of the SED and the Laws Against Homosexuality in Eastern Germany Between 1946 and 1968.” *Journal of Homosexuality* 37, no. 4 (1999): 1–21. [https://doi.org/10.1300/J082v37n04\\_02](https://doi.org/10.1300/J082v37n04_02).

This article from 1999 describes the political and social conditions which caused the repeal of Paragraph 175 to be delayed from 1952 till 1968. A 1952 draft of a new Penal Code, which was

never looked at or voted on the by the Volkskammer would have decriminalized “mere” homosexuality while continuing the criminalization of “requisite facts” such as “coercion, sexual acts with minors, and prostitution” along with a paragraph criminalizing “acts of public gross indecency” which was written vaguely and showed that homosexuality was not becoming socially acceptable. Members of the SED controlled *Walter Ulbricht German Academy of Political Science and Jurisprudence* commented in 1955 on the penal laws concerning “crimes against the person” adopted the epithet of “the offense against the moral sensibilities of the working people” regarding homosexuality. The author makes an important point that the decriminalization of homosexuality was not a result of liberal attitudes towards sexuality becoming more prevalent or the party becoming “enlightened”, but rather it is because the SED leadership achieved enough stability that the continued persecution of homosexuality was no longer deemed necessary. In other words, the SED felt that once they repealed Paragraph 175, they no longer needed to concern themselves with the situation of gays and lesbians in the GDR.

Taylor, Greg. “The East German Contribution to Equal Gay and Lesbian Rights in Germany.” *The American Journal of Legal History* 54, no. 3 (2014): 303–50.

<http://www.jstor.org/stable/24465414>.

This article from 2014 analyzes an East German Supreme Court decision from 11 August 1987 regarding homosexuality and the motives for such a court decision. The case concerned a thirty-one-year old man was accused of engaging in sexual acts with a seventeen year-old who was two months short of his eighteenth birthday. The case resulted in suspended sentence of four months imprisonment and a yearlong probationary period. Using the logic that if this case happened with a young lady instead of a young man, there would have been no case in the first place as the general age of consent for heterosexual individuals was 14, the Court declared that the prohibition applying to homosexual relationships should be read down in the interests of equality, and the convictions were quashed. The author lists a few possible reasons why the East German government changed directions regarding homosexuality in the late 80s: To show that East Germany was a better and more progressive version of German society, there was a genuine change of heart within the East German leadership, East Germany was trying to reduce the

pressure from the social unrest brewing within the country, the influence of the global AIDS crisis, the high regard in East German society towards science and scholarship which helped create an atmosphere conducive to change, and a possible contribution to this change from the Stasi as discussed by Herr Wolfgang Schmidt, an officer of the MfS.

Josh Armstrong. “Homosexuality Under Socialism in the German Democratic Republic.” *Oxford Research Encyclopedia of Politics*. Oxford University Press, 2020.

<https://doi.org/10.1093/acrefore/9780190228637.013.1264>

This article from 2020 reveals that the motives of the SED regarding the July 1988 decision to strike Paragraph 151 and replace it with Paragraph 149 which equalized the age of consent between straight and gay couples, effectively erasing all discriminatory mentions of homosexuality in the GDR legal code, was not motivated by altruism. Rather, Stasi archives and other documentation shows that the GDR feared that the Stasi would be a source of subversion of the state. The recognition of gay activism by the SED was motivated through a desire to control what they feared was a destabilizing force. The author also touches on the role of the Protestant church as a shelter for marginalized groups and activists such as Eduard Stapel. They detail how in 1983, some of these gay working groups worked together to bring the conversation about homosexuality to the public during the Martin Luther anniversary celebrations and how they succeeded. A Stasi report regarding these events took an aggressive tone against these actions calling the events “manifestations of underground activity” which need to be “constrained, oppressed and...neutralized.”

Huneke, Samuel Clowes. “Equivocal Animus: Homosexuality and Socialism in East Germany.”

*In States of Liberation: Gay Men between Dictatorship and Democracy in Cold War Germany*, 63–80. University of Toronto Press, 2022.

<http://www.jstor.org/stable/10.3138/j.ctv2902g1h.10>.

Chapter of a book discussing the policies, practices, and animus regarding homosexuality in East Germany led to a confounding situation in which despite having more progressive laws than West Germany, the everyday life for gay men did not change. Special attention is paid to the 50s and 60s. Provides commentary on policies implemented during the 50s and their impacts (or lack of impacts) such as the 1957 Supplementary Criminal Code mandating that no crime existed if

there were no “injurious consequences for the GDR” which could apply to acts of homosexuality. Data between 1957-59 shows that West Germany annually convicted more than five times as many men per capita than East Germany under Paragraph 175, but convictions per capita under Paragraph 175(a) were roughly equal. Paragraph 175(a) was one of the sections added by Nazi Germany which made prostitution with another man and having sexual relations with a male under the age of twenty-one illegal. East German courts maintained this section arguing that it “would protect East Germans from the twin specters of male prostitution and the seduction of youth.”

Johnson, Jason. “Homosexual People Do Not Stand Outside of Socialist Society: Eingaben and the History of Homosexuality in East Germany.” *German Politics and Society* 40, no. 1 (2022): 41–57. <http://dx.doi.org.proxy.library.ucsb.edu/10.3167/gps.2022.400103>.

This article from 2022 provides personal accounts of homosexual individuals in East Germany through petitions (Eingaben) to the East German government. These petitions reveal the attitudes towards homosexuality that were pervasive in the GDR. A 1980 Eingabe received a report by a Stasi official and that response reveals the “deep-seated homophobia reflected in Stasi reports”. The Stasi official refers to homosexuality as “sexual maldevelopment”, implied that homosexuality was a “serious violation of socialist morality and ethics”, and further implied that homosexuality made one untrustworthy as a Geheimnisträger. A 1986 Eingabe, detailing how two men wanted to further integrate homosexuals into society, reveals how some gay activists employed the state’s rhetoric to appeal to the state and the increased confidence of gay men in the socialist state listening to their demands post-1985. A 1989 Eingabe from a 22-year-old member of the East Berlin People’s Police details how officials had gone through his personal belongings while he was on vacation and “he saw immediate dismissal from the force as a blackmail risk” was let go and had to work a lower paying job. The 22-year-old was also forced to come out to his mother who already knew that he was gay and was accepting of his sexuality. The Eingabe cites the 11 August 1987 East German court ruling to show how the state is not living up to its ideals and he also shares an experience of a party official telling him that “You all [gay men] belong in a concentration camp-off to Auschwitz! Hitler forgot to gas you!”. Although

this Eingabe was eventually settled as it was found that the petitioner was let go because of his postal connections with West Berlin, it shows how people had more courage to question the legitimacy of the government towards the late 80s. The alleged case of homophobia by a party official and the mother accepting the petitioner's sexuality reveals that while homophobia was still present in East German society despite the advancement of gay rights in the state, social attitudes regarding homosexuality may have been easing during this time.

Johnson, Jason. "Not Special People: Lesbian and Gay Men's Encounters with the East Berlin Government, 1983–90." *Journal of Social History* 57, no. 2 (2023): 319–43.  
<https://doi.org/10.1093/jsh/shad038>.

This article presents how despite the new rights that gay people in the GDR were given, the East Berlin municipal government refused to allow a state-sanctioned gay club to form. Through this interaction, there is a noticeable contradiction between the sympathetic words of the government officials and the denial of the right to create a club. The author argues that the reason for this discrepancy is the fact that the Magistrat and the Stasi feared that the opening of a gay club would further isolate an already isolated group and make them more susceptible to Western influence. Officials believed that the social isolation that gay individuals in the GDR faced as a result of discrimination made them an "activatable" enemy of the state. Files from the Department of Internal Affairs include notes from Alfred Meyer, the Magistrat's head of internal affairs who played an important role in the rejection of the gay club, which shows that Meyer was researching the history of homosexuality and contemporary issues homosexuals faced which does show that there was a genuine attempt at understanding gay issues. This genuine interest by an East German official may be more evidence that personal attitudes within the state were becoming more open to homosexuality. But the argument in this article still points to the idea that the acceptance of homosexuality by the GDR was mostly motivated by fears that homosexuals would be influenced by the West if the government didn't act to accommodate them.