

April 2006

German Unification: A Feminist Moment

Kathryn A. Roy

Connecticut College, katie.roy@gmail.com

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**German Unification:
A Feminist Moment**

An Honors Thesis

Presented by

Kathryn A. Roy

to

The Department of History

In partial fulfillment of the requirements for

Honors in the Major Field

Connecticut College

New London, Connecticut

April 28, 2006

*To MRM,
Without your unwavering support, this never would have been written.*

Acknowledgements

This thesis would not have been possible without the time, experience, expertise and support of many people. Special thanks and acknowledgement to: Marc Forster, my thesis advisor, for his ongoing support and guidance; also, I am exceptionally grateful for his top-rate, almost-instant turn-around time on editing and corrections; Alexis Dudden for her advice on all matters, which is always brilliant and sincere; Sarah Weiss for kind, dedicated and unfailing research assistance in Germany; Jim MacDonald and Marian Shilstone, Connecticut College reference librarians, for their continual, first-rate assistance; Cybéle Locke and David Patton—their dedication to this thesis has gone above and beyond their duty as readers; and, of course, to my mother, as without her ongoing financial support, none of this ever would have been possible.

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Introduction

The unification of the German state in 1990 was the conclusion of a unique period in German history; suddenly, the German state, which has been abruptly divided in 1945, was reunited within a year. During the period of their separation, unique societies were created within the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR). The rapid political unification left little time for significant policy reconstruction to be undertaken at the government level, but the period did serve as a spark to begin the discussion of ordinary Germans, particularly German women, about their place in society. Even more than German men, women in East and West Germany were faced with markedly different social structures. West German women were primarily confined to life within the home, while nearly all East German women participated in the labor force. Consequently, significantly different social patterns and expectations for women developed within each society. Unification forced Eastern women to rapidly come to terms with the realities of political rights and privileges, as well as the employment prospects, afforded to women in the Federal Republic. At the same time, West German women saw women like themselves, nearly all of who had spent the last forty years in the workforce, an experience that was far less common for West German women. They, also, saw a society where abortion had been legal and free, government-sponsored childcare had been universally provided. A discussion about these differences ensued between the two groups, which led to demands for changes in Federal Republic law and practice, some of which were realized, and others, which they continue to fight for fifteen years later.

Prior to 1945, since the initial German unification under Otto von Bismarck, Germany was a united nation with a shared language, culture and history. In the wake of World War II, the country was divided both suddenly and arbitrarily by the occupying powers. The immediate outbreak of the Cold War at the end of World War II placed the newly divided Germany in a unique situation; the country, war ravaged and decimated both physically and emotionally by the rise and fall of National Socialism, was now also the front line of the Cold War. What followed shaped the future of Germany: the Federal Republic of Germany (FRG) became a capitalist, social democracy backed by the Western powers; the German Democratic Republic (GDR) became a socialist/communist state backed by the Eastern Bloc.

West Germany, and the present unified Germany, are a federalist states with strong individual states, or *Länder*, which were established by the Constitution. Under the Constitution, the *Länder* have specific areas in which they are entitled to legislate, which include education, police and health insurance. Germany is a chancellor democracy with a strong party system. Two major parties and a series of minor parties have existed since the inception of the FRG. The two major parties, the Christian Democratic Union (CDU) and the Social Democratic Party (SPD), are politically just right and just left of center, respectively. Together with the Free Democratic Party (FDP), a small free-market party, they have exchanged power cyclically since the Basic Law, or Constitution, was established in 1949. The FRG's first chancellor, CDU leader Konradt Adenauer, established the precedence of a strong chancellor at the center of the federal government. Throughout the history of the FRG, chancellors have centered the domestic debate

around foreign policy concerns, including Chancellor Helmut Kohl (CDU) during the unification period.¹

The United States strongly influenced the FRG in the postwar years. The Marshall Plan significantly affected the West German economy, which led to the period of great economic prosperity known as the *Wirtschaftswunder*, or economic miracle. In many ways, West German life in West Germany resembled life in the United States during the postwar years. The 1950s model of mother as homemaker and father as breadwinner also established itself within Germany, in many ways; this model cemented itself into German culture even more deeply than it did in American culture. As in the United States and much of Western Europe, the 1960s ushered in a period of youth counterculture. The German Student Movement was a reaction against “perceived authoritarianism and hypocrisy” of government.² The movement was particularly significant because it signified a shift in student politics from conservative to radical leftist; in 1969, Willy Brandt (SPD) became chancellor. He was elected on a platform of reforming and liberalizing domestic politics, while he is best known for his *Ostpolitik*; his election further evidenced the leftward shift of German culture. The leftward shift continued through the 1970s, culminating with the founding of the Green Party in 1979. During the 1980s, there was a rightward rebound, with the re-election of the CDU as the majority party; Helmut Kohl (CDU) became chancellor in 1982.

Life in East Germany differed considerably from life in the West. East Germany was known as perhaps the most repressive of the Eastern Bloc states. It was home to the

¹ David F. Patton, *Cold War Politics in Postwar Germany*, 1st ed. (New York: St. Martin's Press, 1999), 10-11.

² "German Student Movement," Wikipedia, http://en.wikipedia.org/wiki/German_student_movement (accessed April 20, 2006, 2006).

notorious Stasi, the secret police and intelligence organization infamous for tracking, harassing, torturing, and jailing dissenters. The GDR was led by the Socialist Unity Party (SED), which created an authoritarian, centrally planned government. Walter Ulbricht was the secretary general from 1950-1971, when Erich Honecker became secretary general; he remained in place until 1989. The GDR was considered to be a state of workers and peasants, with the established goal of the state being to eliminate inequality through work. Consequently, much of GDR life revolved around the factory, including social organizations. The GDR suffered from a severe emigration problem, with many people defecting to the West through West Berlin. Problematically, the GDR citizens who were leaving East Germany were its best and brightest, which led to a serious “brain drain.” The GDR solved this problem in 1961, with the erection of the Berlin Wall during the night of August 13th.

The Wall quickly became a physical symbol of the Iron Curtain. Initially, it was unclear what the result of the Wall would be, but it became clear that the Wall’s presence assuaged some of the tension between the FRG and the GDR, which allowed for détente to set in. Détente led to Willy Brandt’s *Ostpolitik*, which, for the first time, established limited political, economic, and cultural relations between the FRG and the GDR.³ In regards to his *Ostpolitik*, Brandt famously proclaimed, “we must prevent a further estrangement of the German nation and try to move beyond an ordered co-existence (*Nebeneinander*) to real cooperation (*Miteinander*).”⁴

Through the 1970s and 1980s, despite ongoing efforts by the GDR to maintain a viable state, it became increasingly clear that the state was going bankrupt. Additionally,

³ Patton, *Cold War Politics in Postwar Germany*, 80

⁴ *ibid.*, 80

shortages of consumer goods were becoming more prevalent and morale among GDR citizens was declining. As reforms came to the USSR under Gorbachev, East Germans became increasingly upset that the GDR government did not also adopt reforms. They began to form citizens led by intellectuals and the Protestant church demanding “personal liberties, freedom of travel, free elections, the licensing of opposition groups, and an end to secret police terror.”⁵ By late summer, protests and demonstrations began to take hold and the GDR dissolved quickly. Patton describes the situation:

Departures and demonstrations were the two-pronged assault on the East German regime. As tens of thousands fled the country, hundreds of thousands demanded reform. As tens of thousands fled the country, hundreds of thousands demanded reform. Under growing pressure, the ruling Communist elite considered—but without Soviet assistance did not risk—a “Chinese solution,” that is, a massacre. On October 18, the politburo member Egon Krenz replaced the aged Erich Honecker as head of the ruling SED, thereby becoming the top East German leader. Yet the disintegration of Communist power continued unabated. On November 6, the government resigned; the next day the politburo stepped down; and on November 9, amidst a good deal of confusion, the Berlin Wall opened.⁶

The Berlin Wall came down just as suddenly as it had gone up, but instead of the sadness felt in 1961, East Germans felt great joy in its destruction.

The unexpected destruction of the Wall placed Germans, both Eastern and Western, in an interesting moment. Never before had a nation been faced, so abruptly, by a prospect the likes of unification. Initially, elections, known as the *Volkskammer* elections, were held in East Germany on March 18, 1990.⁷ The “Alliance for Germany,” led by Chancellor Helmut Kohl (CDU), which consisted of the CDU and two other conservative parties, won the elections. The group had run on the platform of a rapid

⁵ *ibid.*, 109

⁶ *ibid.*, 110

⁷ *ibid.*, 125

currency union, unification by Article 23, and market reform.⁸ Consequently, Kohl pursued a policy of rapid unification, beginning with a currency union, which favorably exchanged East German marks for West German marks at 1:1. Furthermore, Article 23, or the “go fast” method of unification was pursued, rather than the Article 146, or “go slow” method, which was favored by the SPD and the former-communist party, now known as the PDS.

Despite its rapidity, unification presented the opportunity for an evaluation of the positive and negative points of both German societies. While the upper echelons of politics were generally unconcerned with the social aspects of unification, primarily because of the speed with which it occurred, the people of both Germanies were interested in using unification as an opportunity to explore the finer points of their societies. Additionally, the legalities of the social policies in East and West Germany differed considerable, especially in regards to women. German women debated both the effects of social policy, and how possible changes to it, would affect their lives, either positively or negatively.

This debate played out in the pages of women’s magazines. For the purposes of this thesis, two women’s magazines, one East German and one West German, were analyzed. The West German women’s magazine investigated was *Emma*, the East German magazine *Für Dich*. *Emma* was first published in January 1977 under the leadership of well-known feminist Alice Schwarzer.⁹ *Emma* prides itself on having broken social taboos since its inception; it lists the following important moments as important to its history on its website: 1977 the first protest against clitorectomies; 1978

⁸ *ibid.*, 126

⁹ "Emma," EMMA Frauenverlags GmbH, www.emma.de (accessed April 20, 2006, 2006).

the first anti-pornography lawsuit; 1979 the first discussion about the dangers of Islamic fundamentalism; since the 1980s, the demand for full day schools; 1984 the first information about help for those with eating disorders; since 1999, the publicizing of “daughter days,” which are similar to “Take Your Daughter to Work Day” in the U.S.¹⁰

Schwarzer as an individual is important not only to *Emma*, but to the overall framing of the unification debate. As West Germany’s most well known and prolific feminist, Schwarzer possessed the prominence and visibility necessary to catapult issues that she personally favored on to center stage. The effects of this power were mixed. Schwarzer focused her resources on two issues, primarily; legalized abortion and anti-pornography legislation. Problematically, the first of these issues was widely supported by feminists across the spectrum, but the second was not. Rather, feminists of a most leftist, radical bent wholly rejected anti-pornography legislation as a limitation of sexual freedom. Both of these issues will be explored within the context of unification and the feminist discourse during the period.

Für Dich was a characteristically different publication, especially before it became completely obvious that the GDR was not going to survive. *Für Dich* was a weekly women’s magazine that was run and published, as all publications were, by the GDR government. As a result, prior to the disintegration of the GDR becoming a certainty, *Für Dich* continued to represent the government position, while it discussed issues concerning women, it stayed clear of anything controversial or against the party line. Through most of 1989, the magazine continued to focus on publishing these types of articles; for example, every magazine contained a section on things that could be made

¹⁰ *ibid.*

from household goods, like simple games and costumes for children. Additionally, it published articles that had very little to do with life in the GDR, for example in February 1989 an article with facts about poisonous spiders appeared in its pages. Notably, the fall of the Berlin Wall was barely acknowledged into the magazine until early 1990; the initial event appeared as a two-page news article within the pages of the magazine; it was not even mentioned on the cover. However, with the turn of the calendar year from 1989 to 1990, and, with it, the obvious disintegration of the GDR, *Für Dich* took on a new stance. The magazine adopted a progressive stance of women's issues, and its editors and writers proceed to begin the process of informing the women of the GDR about the massive changes taking place around them. As the largest GDR women's magazine, it quickly developed a cooperative relationship with *Emma*, with which it worked on issues of communication between East and West German women. Importantly, *Für Dich* did not simply become a West German magazine, it worked to maintain its Eastern roots and present issues from the perspective of Eastern women. Unfortunately, by the end of the unification period *Für Dich* no longer has the financial support it needed to maintain itself as an independent publication and it merged with *Emma* in the early 1990s.

For the purposes of this thesis, these articles were used in order to gain insight into those issues that were most important to women during the unification period. In order to collect pertinent articles and to get a sense of the magazines, each issue of both magazines published from January 1989 to December 1991 in the archives' collections was reviewed. Articles that were related to the following subjects were copied for subsequent analysis: those that discussed an issue which directly impact the lives of women, those about women's issues, those related to current events, and those that

centered around policy discussions or politics in general. In all, about 300 articles were collected from the archives.

The articles for this thesis were collected in the archives of women's centers in Germany. In the former West Germany, research was conducted at *Frauen Forschungs Stelle, e.V.* in Münster, Germany, a center which specializes in women's history. In the former East Germany, research was conducted at *EWA e.V. Frauenzentrum* in the former East Berlin. The center in Münster had a clearly complete collection of *Emma* from the period, while the center in Berlin had a nearly complete collection of *Für Dich*.

The thesis describes and analyses the important issues concerning women and feminism, which came to the forefront during unification. Through this description and analysis, it proves that while significant policy changes to reduce the inherent social, political and economic inequalities did not result from unification to establish themselves within the Germany state that resulted, it should be noted as a feminist moment in German history because of the discussion that it prompted among ordinary women.

Chapter 1: The History of German Feminism

The influence of gender on the lives of individuals in Germany was significant throughout the nineteenth and twentieth centuries, and furthermore, notions of gender continue to substantially affect the lives of Germans today. Traditionally, German society has been strongly patriarchal, with men dominating in both the public and private

spheres. For all of the nineteenth century and most of the twentieth century, gender equality by law did not exist; substantial strides in women's rights were not made in the latter half of the twentieth century. For over 150 years, however, German women worked to give themselves a voice within this model, with the first formal women's organizations forming in the mid-nineteenth century. The patriarchal society, with its traditional concept of gender roles, extensively shaped the German women's movement; domesticity remained an important and central characteristic of the German women's movement until the late twentieth century, when both the gender model of the GDR, and gay and lesbian movements, challenged this model.

The initial feminist movement began in 1848 and stemmed from the March Revolution, which was part of a number of liberal revolutions around the world during that year. In Germany, mass demonstrations took place in which citizens demanded freedom of the press, freedom of assembly, arming of the people and a national German parliament. The early women's movement focused on obtaining more basic political rights for women. The movement was not particularly concerned with specific issues, such as suffrage, access to birth control, or equal rights under the law, but, rather, they hoped to simply expand their very limited rights. The movement has shifted between more liberal and more conservative phases, but, over time, most moderate feminists have persisted in their support of women's traditional familial roles. Furthermore, an additional interesting aspect of German feminism is a strong class division within the movement. Within the movement exist separate, and sometimes competing, bourgeois and proletariat women's movements. By tracing the evolution of the women's movement

and the changes in rights afforded to women during the twentieth century, both consistencies and changes in the model can be seen.

1848-World War I

Prior to World War I, the women's movement went through three distinct phases, due to changes in government policy. The German women's movement started gradually. The first period of the movement, from 1848 to 1865, was characterized by discreet actions: for example, anonymous letters to the editor, political poetry, and socially critical novels.¹¹ The first political women's press began in 1843, from 1849-1851, Louise Otto, who is described as the "mother of the German women's movement," was the editor of the most well-known of the women's newspapers, *Frauen-Zeitung*.¹² A government that was hostile towards challenges to the status quo, however minor, limited these early forays into feminism, and even these subtle actions by early feminists were not without some risk.

Notably, in the early years of the movement, women played a significant role in the free-religious movement. Within this movement, women enjoyed equal recognition and participation, which made it particularly attractive to budding feminists, as women's participation was restricted within other organizations.¹³ Also, during this period, the first feminist organizations were created, which included: Democratic Women's Associations,

¹¹ Florence Rochefort, "Women's Movement in Germany in an International Context" in *Women's Emancipation Movements in the Nineteenth Century : A European Perspective*, eds. Sylvia Paletschek and Bianka Pietrow-Ennker (Stanford, Calif.: Stanford University Press, 2004), 106, <http://www.loc.gov/catdir/toc/ecip048/2003019667.html>.

¹² *ibid.*, 107

¹³ *ibid.*, 107

organizations to promote the education of women and girls, women's labor associations, and social welfare organizations run by women, for women.¹⁴

However the women's movement, which was still in its infancy, faced a tremendous setback when repressive measures were put into place by the government in an attempt to undermine political dissenters and others whom they believed posed a threat to the government, as a result of the upheaval from the revolution in 1848. The political climate was repressive. In 1850, laws were put into place with the goal of suppressing democratic endeavors. These laws included the Press Laws, which made it expressly illegal for women to be newspaper editors, and the *Vereinsgesetze* (Laws Restricting Associations), which prevented women's groups, as well as other groups with democratic goals, from forming political organizations or holding political gatherings.¹⁵ This state oppression lasted for two generations and hurt the women's movement, as well as other burgeoning movements, considerably.

The mid-1860s ushered in a period of relaxation of these laws, and the women's movement again moved into the public sphere. In 1865, Louise Otto and Auguste Schmidt, two well-known feminists, organized a conference that intended to bring together "...German women of the different cities and states."¹⁶ These conferences were the first of their kind in Germany. At the same time, women's organizations were founded throughout Germany, most notably the *Allgemeiner Deutscher Frauenverein* (General German Women's Association), or ADF. The ADF can be characterized as a progressive organization for two important reasons. First, the organization united women in the whole of Germany, despite the fact that Germany had not yet obtained complete

¹⁴ *ibid.*, 107

¹⁵ *ibid.*, 107-108

¹⁶ *ibid.*, 108

political unification. Secondly, the ADF was Germany's first truly feminist organization in that it embraced the "...principle of self-help and self-determination and its conscious independence from male participation and decision making," in other words, equal rights.¹⁷ The ADF and other women's organizations focused themselves on "practical self-help" and attempted to further their cause through petitions to the Reichstag and government, surveys and publications, and a special newspaper, titled, *Neue Bahnen* (New Track), which was published from 1866-1919.

There was an upturn in the women's movement around 1890 with the dismissal of Bismarck and the end of the Anti-Socialist laws. However, around this time it was becoming increasingly evident that a substantial, and possibly insurmountable, gap was forming between the middle-class and working-class women's movements. In 1889 Clara Zetkin, a well-known socialist who would become the leader of the proletariat women's movement, gave a famous speech in Paris in which socialism and women's issues were cemented together.¹⁸ This speech formed the basis of socialist theories of women's emancipation and was also very influential to the growing working class women's movement in Germany. In 1893, Clara Zetkin founded her own newspaper for the proletariat women's movement, called *Die Gleichheit*.¹⁹ Bridenthal, Grossmann, and Kaplan comment, "By 1894, after several attempts at cooperation had failed to breach an ever widening rift, the German women's movement had confirmed class and ideological divisions that were to endure."²⁰

¹⁷ *ibid.*, 108

¹⁸ *ibid.*, 110

¹⁹ *ibid.*, 111

²⁰ Renate Bridenthal, Atina Grossmann and Marion A. Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany* (New York: Monthly Review Press, 1984), 1.

At this point, the leadership between these two movements became firmly divided, with Zetkin as the ideological leader of the working women's movement, which existed under the auspices of the Social Democratic Party (SPD), and Helen Lange and Gertrud Bäumer as the leaders of the middle class movement. In 1894, the middle class movement consolidated into the *Bund Deutscher Frauenvereine* (Federation of German Women's Associations), or BDF, which acted as the umbrella organization for the ADF and its splinter groups. These groups were involved in a range of issues from education (*Allgemeiner Deutscher Lehrerinnenverein/* General German Association of Female Teachers) to legal work (*Rechtsschutzverein Dresden/* Dresden Legal Aid and Protection Agency).^{21 22}

In the late 1880s, both the bourgeois and proletarian movements independently established goals concerning those areas in which they thought it most important to focus their efforts.²³ The primary demands of the BDF were to improve legal status and working conditions, as well as to provide better educational and professional opportunities for women. They also began a sexual hygiene movement. However, they did not demand suffrage until 1902.²⁴ The women of the SPD consistently supported the right to vote—but emphasized class over gender solidarity, and women's integration into the workforce. The two mainstream groups shared a commitment to the traditional familial roles of women and remained dedicated to "...ideals of female duty, service, and

²¹ Rochefort, *Women's Movement in Germany in an International Context*, 110-111

²² Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 1-2

²³ Rochefort, *Women's Movement in Germany in an International Context*, 109

²⁴ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 2

self-sacrifice.”²⁵ While the two groups differed on other issues, this shared commitment was important to both; furthermore, it is a sign of their shared cultural heritage, which plays a significant role in the women’s movements of all societies. Bridenthal, Grossmann, and Kaplan explain, “[German] feminism, like that of women in most other nations, was time and culture-bound. It consisted of an amalgam of women-oriented concerns, internalized patriarchal values, and a peculiarly German deference to the whole community, whether perceived as the class or the nation.”²⁶

Also in the 1890s, a movement, which became known as the “new morality”, materialized. This movement, which was very small and considered to be radical, was the first sign of the contemporary feminist movement within Germany. “New morality” groups supported increased availability of birth control, suffrage, and the end of state-regulated prostitution.²⁷

As a movement progressed into the twentieth century, divisions also formed between moderate and liberal feminists within the bourgeois movement. The moderate feminists remained the mainstream majority, but the liberal feminists, who grew out of and sustained the “new morality” movement, became an increasingly significant faction. The moderates were motivated by the concept of “spiritual motherhood”, which emphasized the importance of “...the real and intrinsic duty of women.” They saw motherhood as the “duty” and “destiny” of “the majority of women.” As a result, they believed in strict limits on women’s liberation in the realms of matrimony and sex.²⁸ The liberals, whose ideas were viewed as “anarchistic feminist thinking” by moderates, were

²⁵ *ibid.*, 2

²⁶ *ibid.*, 2

²⁷ *ibid.*, 2-3

²⁸ Rochefort, *Women's Movement in Germany in an International Context*, 116

radical individualists and they demanded equality and autonomy in matrimonial and family relations, as well as self-determination in sexuality. To liberals, emancipation was a legal issue. Not surprisingly, they opposed the Civil Code for its lack of women's rights, particularly in marriage. They believed that equal participation in government and politics would ultimately lead to fundamental social and political change.²⁹ The proletarian women's movement also demanded equality in matrimonial and family law, as well as unrestricted voting rights; however, their reasons centered on labor and the socialist ideology of equality through work, rather than because of notions of individualism.³⁰

World War I- Weimar Republic

World War I, like most major wars, significantly impacted all social movements, including both the bourgeois and proletariat women's movements. During the war, working class women joined the industrial labor force in droves to make up for the male labor shortage. Meanwhile, middle class women attempted to mitigate the "catastrophic social conditions" brought on by the war.³¹ Both groups participated in some form of anti-war activism. As early as April 1915, a wing of the bourgeois feminists who promoted pacifism met with international women's groups at The Hague.³² Proletariat women also formed a branch that opposed the war, which met with other women's groups in Switzerland.³³

²⁹ *ibid.*, 116-177

³⁰ *ibid.*, 118

³¹ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 3

³² *ibid.*, 3

³³ *ibid.*, 4

The end of the war and the establishment of the Weimar Republic brought an unexpected change in the legal status of women—suffrage for all adults, which was granted on November 12, 1918.³⁴ The birth of the politically liberal Weimar Republic, run by the Social Democratic Party, essentially guaranteed political, but not economic, rights for German women.³⁵ The Constitution of the Weimar Republic, which became law on August 11, 1919, established, “Men and women have fundamentally the same civil rights and duties.”³⁶ Article 128 also established, “All citizens without distinction are to be admitted to public office in accordance with the laws and according their abilities and qualifications.”³⁷ Prior to the establishment of the Weimar Republic, no serious consideration had been given to the idea of women’s suffrage within the government; the only genuine discussion about the issue had taken place within the proletariat women’s movement; consequently, suffrage came at something of a surprise.

While the new constitution afforded women many more rights than they had in the past, it did not deal with the central issues of family and matrimonial law, which were still governed by the Civil Code from 1900. The Civil Code established that husbands had the final say in all marital matters, that husbands could decide whether or not their wives could work outside the home, and it forced women to work without pay in their husband’s business.³⁸ However, laws were passed in an attempt to uphold the spirit of the

³⁴ Helen L. Boak, "Women in Weimar Germany : The "Frauenfrage" and the Female" in *Social Change and Political Development in Weimar Germany*, eds. Richard Bessel and E. J. Feuchtwanger (London; Totowa, N.J.: Croom Helm; Barnes & Nobles, 1981), 150.

³⁵ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 4

³⁶ Boak, *Women in Weimar Germany : The "Frauenfrage" and the Female*, 160

³⁷ *ibid.*, 160-161

³⁸ *ibid.*, 161

Basic Law. These laws gave women the right to work both before and after childbirth and to pursue legal professions.³⁹

The results of these new laws, in combination of the end of the war and the beginning of the Depression, were mixed. Between 1907 and 1925, the number of women in the workforce increased by 35 percent, while the number of women in white-collar jobs increased 248.3 percent between 1907 and 1933.⁴⁰ Still, these numbers take the war years into account, which unquestionably led to a rise in the overall percentage of female employment, so the relationship between the upsurge in employment during this period and the Weimar laws is questionable. During the post-war years, the predictable rollback in female employment occurred as they moved out of wartime jobs and back into traditional women's jobs.⁴¹ Furthermore, the Depression led to a decline in support for women working outside the home. Married women were seen as "double earners" who took jobs from men with families.⁴² Consequently, many women pursued work primarily from the end of school until marriage, during the Weimar years.⁴³

Additionally, the Civil Code governed divorce, and made it impossible for women to divorce their husbands except on "absolute grounds", which were limited to adultery, willful desertion, bigamy, and sodomy.⁴⁴ The lack of attention to this important issue upset both middle-class and working-class feminists, both of whom wanted divorce reform. Both groups wanted divorces to be granted on the grounds of irreconcilable differences; however, the unwillingness of the Catholic and Protestant Churches to budge

³⁹ *ibid.*, 161

⁴⁰ *ibid.*, 161, 163

⁴¹ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 7

⁴² *ibid.*, 10

⁴³ Boak, *Women in Weimar Germany : The "Frauenfrage" and the Female*, 166

⁴⁴ *ibid.*, 161

on this issue did not help their cause.⁴⁵ The Weimar Republic, however, did go against the Churches in May 1926 when the Reichstag made abortion a misdemeanor, rather than a subsidiary offense.⁴⁶

The Weimar period also gave birth to the “new woman” during the 1920s. “The ‘new women’—who voted, used contraception, obtained illegal abortions, and earned wages—were more than a bohemian minority or an artistic convention. They existed in the office and factory, bedroom and kitchen, just as surely as—and more significantly than—in café and cabaret.”⁴⁷ The emergence of this “new woman” in a rapidly liberalized society is not surprising. To some degree, the shackles of *Kinder, Küche, Kirche*⁴⁸, had been thrown off, and it is not surprising that women would be anxious to explore this newfound freedom.

Nazi Germany

Consequently, women’s eager support of the anti-feminist is unexpected. The Weimar years, which were “good years” for women’s rights in the course of Germany history, particularly up until this point, were quickly negated by the Nazis quick turn away from women’s rights and back towards “traditional” women’s roles. The Nazis saw the “new woman,” who represented the Weimar years, as a symptom of Bolshevik radicalism and American consumerism. Instead, the Nazis advocated a concept of womanhood that was far more conservative than the Weimar Republic’s conception. The Nazis believed firmly in traditional women’s roles—Aryan women were expected to

⁴⁵ *ibid.*, 161

⁴⁶ *ibid.*, 161

⁴⁷ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 11

⁴⁸ “Children, Kitchen, Church,” the triad traditionally used in German culture to signify the traditional role of women in society.

marry and to have many children. Additionally, women were expected to keep an orderly home and, as a result of overall shortages, to make limited demands as consumers.⁴⁹

Alfred Rosenberg, who helped in the founding of the “blood and soil” principle of Nazism, described his feelings on liberalism and feminism in his 1935 work *Der Mythos des 20. Jahrhunderts*, which helped to form the basis of the Nazi doctrine on women’s rights.

The invasion of the women’s movement into the collapsing world of the nineteenth century proceeded on a broad front and was inevitably intensified by all the other destructive forces: world trade, democracy, Marxism, parliamentarianism....

Liberalism teaches: freedom, permissiveness, free trade, parliamentarianism, women’s emancipation, human equality, sexual equality, etc., i.e. it is a sin against a law of nature, [which is] that creativity occurs only through the generation of tensions arising from polarity....The German idea today, in the midst of the collapse of the feminized old world demands: authority, a fine model of strength, the setting of limits, discipline, autarky (self-sufficiency), protection of the racial character, recognition of the eternal polarity of the sexes.⁵⁰

From this statement, it seems that it was clear to Rosenberg that feminism was both symptomatic of, and responsible for, the problems of the beginning of the twentieth century. He presents the idea of feminism as a threat to the future and as partially responsible for the destruction of the recent past. This piece by Rosenberg is emblematic of the Nazis’s feelings toward feminism, of which they were not supportive.

The Nazis were clear opponents of women’s rights, and consequently, it is not clear why, or even if, the Weimar Republic’s liberal position on women’s rights were

⁴⁹ Jill Stephenson, *Women in Nazi Germany* (Harlow, England ; New York: Longman, 2001), 18.

⁵⁰ Alfred Rosenberg, "Der Mythos Des 20. Jahrhunderts (1935)" in *Women in Nazi Germany*, ed. Jill Stephenson (Harlow, England ; New York: Longman, 2001), 497, 503.

rejected by women in favor of rights-limiting National Socialism. However, what is known is that women were no more against National Socialism than men. In 1933, columnist Mary Beard asked, “Why does she [German woman] vote for a group that intends to take the ballot from her? Why does she support anti-feminism? How are we to account for the fact that in nine cities where the sexes voted separately last autumn, more women than men voted for the Nazis?”⁵¹ This is an interestingly question, but one without a clear answer.

As historian Helen L. Boak contends:

Female emancipation was not one of the burning issues of the day, its adherents few and their influence negligible. There was a noticeable absence of feminist thought in Germany, and the dominant views on the role of women in society were decidedly conservative, even among women’s organizations. The economic problems of Weimar reinforced this attitude. Women wished to hold on to their traditional role of wife and mother, while the man was the provider, rather than to seek badly-paid employment when their men were out of work.⁵²

Boak goes on to insist that the Nazis’s stance on women—that they belong in their traditional role of *Kinder, Küche, Kirsche*—was not offensive to women, rather, she believes, they were inclined to embrace it. She states, “...in the light of women’s position in Weimar society, the lack of feminist thought, the dominance of traditional views and the similarity of the parties’ stances, it is questionable whether German women regarded Nazi propaganda as anti-feminist; certainly they did not pay it much heed.”⁵³ Furthermore, the “new woman” of the Weimar Republic was blamed by the Nazis as being “...a symbol of degeneracy and modern ‘asphalt culture.’”⁵⁴

⁵¹ Boak, *Women in Weimar Germany : The "Frauenfrage" and the Female*, 155

⁵² *ibid.*, 166

⁵³ *ibid.*, 167

⁵⁴ Bridenthal, Grossmann and Kaplan, *When Biology Became Destiny : Women in Weimar and Nazi Germany*, 11

While it seems hasty to insist that women did not want rights, it is true that during period of great upheaval, people are likely to return to what they know, rather than pushing on toward something new. It may have felt safer for women to return to their traditional role in the home during the period of economic upheaval, rather than forge into new careers. Additionally, it is probably sensible to assume that the women's movement in Germany was neither all-encompassing enough or radical enough to stave off the Nazis on its own; consequently, it is not remarkable that the women's movement, like so many other democratic movements in Germany, got swept up into National Socialism.

However, this is not to say that feminists did not fight National Socialism. They fought it head on until 1933, and as a result, feminists were viewed as a threat. In general, the Nazis saw feminists and women's organizations as "politically unreliable" groups, and as such, they needed to be eliminated. While various groups mass action of all ideologies remained active until 1933, the *Gleichschaltung* (co-ordination) was put into effect when Hitler came to power.⁵⁵

The *Gleichschaltung* had two stages. First, any organization that was seen as a threat to National Socialism was dissolved; even mainstream organizations, such as the BDF, were disbanded. While most former leaders of women's organizations remained in Germany, most radical feminists did not, many fled in 1933.⁵⁶ Those organizations that were not dissolved were incorporated into the *Deutsches Frauenwerk* (German Women's Enterprise), or DFW, which was an umbrella organization for all non-Nazi women's organizations. Those organizations that remained intact were conservative women's

⁵⁵ Stephenson, *Women in Nazi Germany*, 83-84

⁵⁶ *ibid.*, 85

organizations, some of which were sympathetic to Hitler's government because of its hostility towards the left.⁵⁷

In the second phase of the *Gleichschaltung*, those organizations that were directly compatible with the DFW existed until its program was clarified; then, the original organizations were dissolved into the DFW, with the DFW absorbing both their assets and members. Those organizations that did not mesh with the DFW were dissolved, and their members had the option of joining the DFW on their own, or choosing not to participate in any organization.⁵⁸ By the mid-1930s, the DFW had created a monopoly on German women's organizations.

In addition to the DFW, there was also the Nazi women's organization, or the *National Socialist Frauenschaft*, or NSF. This organization united the previously existing charitable women's organizations of Nazi party members.⁵⁹ In the concept of Nazi womanhood, women were expected to serve their communities, in addition to their households, through the Nazi women's organization.⁶⁰ Within the NSF, female leaders were always subordinate to men. Some women fought for autonomy within the organization, and these women are sometimes referred to as "Nazi feminists." However, Stephenson rightly points out that this title is misleading, as these women were generally unconcerned with more than gaining some authority within their own branch of the National Socialist organization.⁶¹ Although feminism is a broad term, which includes various social theories, political movements, and moral philosophies, for a movement to be considered feminist, it must work to achieve progress for women and, in some way,

⁵⁷ *ibid.*, 85

⁵⁸ *ibid.*, 85-86

⁵⁹ *ibid.*, 83

⁶⁰ *ibid.*, 18

⁶¹ *ibid.*, 84

work to reduce inequality between genders. “Nazi feminism” does not meet this threshold because it accepted the philosophy that a women’s place is only in the home, the idea that women should not hold any substantial political power, and that men, by right of birth, are the dominate gender.

The leader of the NSF and DFW was Gertrud Scholtz-Klink, who was appointed in February 1934. She is described as, “...the mother of a large family who could mouth Nazi platitudes without saying much [else], she seemed the ideal public face for Nazi womanhood.”⁶² Furthermore, in November 1934, she was appointed *Reichsfrauenführerin* (National Women’s Leader), a move which was described as, “tactically clever...Scholtz-Klink remained in office as a useful instrument of the party leadership through the end of the war.”⁶³ Clearly, the *Reichsfrauenführerin* was not an advocate for women’s rights and served mainly as a figurehead that allowed men in the Nazi leadership easier access to German women.

The experience of individual women in Nazi Germany was centered on whether or not they were considered to be of value to the Nazi party. As is commonly known, Nazism had a particularly strong connection to race, and a woman’s worth to the party was based on their ability to produce healthy, Aryan children. As assets to the party, those women who could produce healthy, Aryan children received medals and money, while those women who could not were often sterilized, as they were hindrances to Nazi racial policy.⁶⁴

In 1930, R.W. Darré, a Nazi blood and soil theorist, published *Neuadel aus Blut und Boden*. His theories of racial hierarchy and his ideas on how they should be applied

⁶² *ibid.*, 85

⁶³ *ibid.*, 219

⁶⁴ *ibid.*, 25

to women are emphasized in the book. The examination of the “classes of women,” which he described in his 1930 book, provides insight into the formulation of Nazi policy regarding women, race, and reproduction.

Class I: Included in this are those girls for whom marriage appears to be desirable from every point of view. To ensure that only the really best are gathered together in this class, an upper limit should be determined for each age cohort with only a restricted percentage, perhaps 10 percent of the numbers who are fully suitable for marriage, accepted into it...

Class II: To this are assigned the remainder of all those girls who can marry without there being any objections from the point of view of their [potential] progeny. This class will generally be the most numerous, from which reason the creation of two sub-classes, IIa and IIb, may be considered.

Class III: To this are allocated those girls against whose marriage there are no objections on moral or legal grounds, but whose hereditary value requires that reproduction be prevented. These girls will be allowed to marry once it can be guaranteed that their marriage will be childless.

Class IV: This comprises all those girls against whose marriage there are fundamentally serious objections. Thus not only is it not desirable for them to reproduce, but even their getting married must be opposed, because it would demean the term *German* marriage. To this category belong firstly all the mentally ill, as well as known prostitutes, whose genealogy in any case predicts their trade, and in addition habitual criminals etc.⁶⁵

This passage is indicative of the relationship between race and gender that would be born out of National Socialism. Frighteningly, very similar policies went into affect. Under the Nazi government, some women had sterilization forced upon them, others were denied the right to marry, and still others, who belonged to the least “desirable” group, were placed into concentration camps or murdered.

While undesirable women faced forced sterilization, those women who were considered especially valuable were placed under special control and provided with special assistance. Valuable women were not allowed to have abortions in any case and

⁶⁵ R. W. Darré, "Neuadel Aus Blut Und Boden (1930)" in *Women in Nazi Germany*, ed. Jill Stephenson (Harlow, England ; New York: Longman, 2001), 144.

were subject to particularly intensive pre-natal care. They were also afforded special services, which included:

...advice on the possibility of economic assistance and the solution of personal and family problems; material support and the possible payment of a grant to cover the difference between earnings and maternity benefit...convalescence leave or welfare up to the fifth month after birth [in some cases]...[and] homes for single mothers.⁶⁶

These special services for valuable women further demonstrate the connection between the experiences of women in Nazi Germany and race.

Furthermore, the Nazis placed a strong emphasis on the value of Aryan women in her role as the first educator of her children. She was expected to educate her children “...to be both conscious of their racial identity and eager to engage in a life of service to the ‘Aryan community.’”⁶⁷ This role was viewed as particularly vital because mothers had the earliest contact with their children, and consequently, were better suited than anyone else to lay down a firm foundation of Nazi ideology in the minds of her children.⁶⁸

The cumulative effect of National Socialism on the lives of women was mixed. National Socialism provided some unintended positive consequences. For example, it gave women the opportunity, however unintentional, to work outside of the home due to economic growth and military expansionism.⁶⁹ Additionally, the Nazis created gender segregated organizations, which, some believed, provided “space” for women “...to empower themselves and to liberate themselves” from their traditional roles.⁷⁰ Of course, Nazism had a variety of much more negative impacts as well. The special role that racism

⁶⁶ Stephenson, *Women in Nazi Germany*

⁶⁷ *ibid.*, 18

⁶⁸ *ibid.*, 19

⁶⁹ *ibid.*, 4

⁷⁰ *ibid.*, 4

played in National Socialism had a particularly profound effect on women; women, as the reproducers of human beings, were the focus of special attention and pressure in regards to this special skill.⁷¹ Furthermore, although women were expected to be submissive to men in nearly all aspects of Nazi society, they were sometimes condemned as co-conspirators in the atrocities committed by their husbands.⁷²

Still, when it comes to women's rights, there is little argument about the years in which Germany was a Nazi dictatorship. They were not happy years for Germans, either male or female. All Germans had their personal liberties severely curtailed by the Nazi government. Unquestionably, fascism did not present a set of circumstances under which any democratic movement flourished, including the women's rights movement. The period was an overall setback for those committed to political progress. Furthermore, in the immediate post-war years, essentially no women's movement existed, as Germans were concerned, primarily, with survival. Desperate circumstances do not lend themselves to anything beyond what is immediately necessary.

However, by 1949, the situation in Germany had improved substantially since the end of the war. By this point, it was clear that there would be a split between those zones governed by the British, French, and Americans, and the zone ruled by the Soviet Union—this formed the divide between East and West Germany.

Federal Republic of Germany

By 1949, West Germans had begun to concern themselves with writing a new constitution. At this time, activist women, who had not been involved in public life since 1933, remerged to give their input on the new constitution. Women were concerned that

⁷¹ *ibid.*, 5

⁷² *ibid.*, 4

they would once again be left out of the public sphere, despite having played a crucial role in holding together the family during the war, and helping to rebuild after the war. Furthermore, women believed that their endurance during the Nazi era and immediate post-war years entitled them to equality.⁷³

Elisabeth Selbert, a veteran of the pre-war women socialist movement and an SPD representative, led the movement for guaranteed equality under the law. She mobilized other women's rights activists, whom she had worked with before the war, in order to make the case. Still, Selbert did not intend to undermine the traditional roles of men and women in German society—she believed that a women's natural calling was to motherhood and homemaking—but, she also believed that women's work within the home should be considered as valuable as paid employment.⁷⁴

Selbert and her cohorts prevailed, and the new constitution, which became known as the *Grundgesetz*, or Basic Law contained Article 3, guaranteed equal rights under the law for all people. It reads:

Article 3 (Equality before the law).

1. All persons are equal before the law.
2. Men and women have equal rights.
3. No one may be prejudiced or favored because of his sex, his parentage, his race, his language, his homeland and origin, his faith or his religious or political opinions.⁷⁵

Furthermore, the German Civil Code, which had not been significantly changed since 1900, was to be revised by 1953 in order to remove those pieces that did not comply with

⁷³ Eva Kolinsky, *Women in West Germany : Life, Work, and Politics* (Oxford, UK: New York : Berg Publishers, 1989), 45.

⁷⁴ *ibid.*, 45

⁷⁵ *Basic Law for the Federal Republic of Germany (Official Translation)*, (1991): Article 3, <http://www.psr.keele.ac.uk/docs/german.htm> (accessed March 14, 2006).

equality before the law, especially in the areas of marriage and family law. Unfortunately, this did not occur as planned.

Initially, legislators did not interpret the Basic Law as women had hoped; instead of gaining rights, they lost some. For example, legislators interpreted equality under the law to mean that women were not entitled to receive maintenance payments in divorce settlements.⁷⁶ Economic and social rights enjoyed by men were also not extended to women. However, in 1953, the situation began to change when the Federal Constitutional Court (*Bundesverfassungsgericht (BverfG)*), issued a ruling that reasserted the commitment of the Basic Law to equality, while simultaneously reinforcing that Article 3 did not invalidate traditional roles. As a result, in March 1953, those sections of the Civil Code that regulated women, family, and martial law were suspended, as the government had yet to make the appropriate changes. Suspension of the Civil Code has been suggested in 1949, but the suggestion was dismissed on the grounds that legislators believed it would create a chaotic situation. To the surprise of conservative politicians, between 1953 and 1958, when the Civil Code was finally changed, chaos did not reign in areas of family and marital law. Instead, the break in the Civil Code allowed for the readjustment of social norms by judges, which, in turn, gave women more rights than they had previously been afforded in these areas.⁷⁷

The Bundestag agreed on updated legislation in 1957 and came into effect in 1958. The new laws focused on providing women with equal rights in those areas where the rights of men and women meet directly. For example, important changes included: women were entitled to work outside the home without the permission of their husbands;

⁷⁶ Kolinsky, *Women in West Germany : Life, Work, and Politics*, 46

⁷⁷ *ibid.*, 48

the property and possessions obtained during a married were no longer the exclusive property of the man.⁷⁸ Furthermore, in 1959, the Federal Constitutional Court ruled that both parents had custodial and decision-making rights regarding their children; previously, fathers had exclusive rights.⁷⁹ This change in the Civil Code established the concept of the “housewife-marriage” as the ideal.

In West Germany, the women’s movement was not a potent political force in the post-war years, mainly because an active, public women’s movement did not exist. As noted above, gender relations based on a “traditional” model characterized the post-war decades. Essentially, the only idea of womanhood that existed was the married, nonworking mother, Teresa Kulawik argues, “...women as political subjects did not exist.”⁸⁰ West Germans saw the women’s movement as a cultural, rather than a political movement, and generally, the labor movement, with its close ties to political parties, was the West German social movement of choice into the 1980s.⁸¹ Furthermore, in West Germany, citizenship was closely tied to “the market and the male laborer.” Kulawik argues that a strong correlation existed between institutional class conflict and social policies, which has meant that the political constituencies of Germany owe their allegiances first to class, and then to everything else. Consequently, she believes that this close relationship between “economic achievement” and political legitimacy” and combination with the traditional role of women, made it difficult for a feminist movement to flourish.⁸²

⁷⁸ *ibid.*, 48

⁷⁹ *ibid.*, 49

⁸⁰ Teresa Kulawik, "Autonomous Mothers? West German Feminism Reconsidered," *German Politics and Society*, no. 24&25 (Winter 1991-1992, 1992), 70-71.

⁸¹ *ibid.*, 67-68

⁸² *ibid.*, 78

Nevertheless, the 1960s gave way to a generation of women who were better educated and more integrated into the workforce due “the economic miracle” (*Wirtschaftswunder*) that led to the need for a better educated workforce. This new generation “...demanded more than merely formal democratic rights.”⁸³ In 1973, the first women’s center opened in Berlin and the body of feminist literature was rising. Authors Gisela Elsner, Ingeborg Drewitz, Gabriele Wohmann, Karin Struck and Verna Stefan all wrote novels that deal with female sexuality and relationships.⁸⁴ Cafés, academic journals, calendars, publishing houses, and bookstores were opened between 1975 and 1980 as part of the women’s counterculture movement.⁸⁵ Furthermore, following the British model, several *Frauenhäuser*, shelters for battered women, opened their doors in the late-1970s and early-1980s to victims of domestic violence.⁸⁶ The 1970s brought several significant changes for women from several different directions. Also, the abortion rights movement led to an increase in activism.

The late 1970s brought increased antidiscrimination laws into the workplace; however, the motivation came from an external force. Although a separate pay structure for women had been deemed unconstitutional in 1955, women continued to be assigned to *Leichtlohngruppen*, or lower wage groups, by industry.⁸⁷ This practice continued until the late 1970s, when the European Commission challenged the German practice under

⁸³ *ibid.*, 71

⁸⁴ Ute Margarete Saine, "GERMAN WRITERS. Modern." in *Women's Studies Encyclopedia*, ed. Helen Tierney, Rev. and expand ed., Vol. 2 (Westport, Conn.: Greenwood Press, 1999), 577.

⁸⁵ Kulawik, *Autonomous Mothers? West German Feminism Reconsidered*, 75

⁸⁶ *ibid.*, 75-76

⁸⁷ Kolinsky, *Women in West Germany : Life, Work, and Politics*, 55

Article 119 of the Treaty of Rome, which states, "...women are to receive the same rates of pay as men and that pay should be linked to the place and type of work, not gender."⁸⁸

At first, the German government, with their close ties to industry, did not believe that the directives issued by the Commission regarding Article 119 applied to them; they felt their laws were adequate. However, they were wrong, and on May 10, 1979 the European Court of Justice began a breach of treaty procedure against West Germany. West Germany responded with the *EG Anpassungsgesetz*, or Labor Law to Comply with the European Community Provisions, which came into law in August 1980. There are three important sections: §611a and §611b concern the equal treatment of men and women. They require that men and women be treated equally in all aspects of appointment, promotion, and dismissal. In the case of a dispute, the employer must prove that discrimination did not occur. Also, discrimination in hiring is not allowed. §612b requires the equal payment of men and women in the spirit of Treaty of Rome Article 119.⁸⁹ However, there are problems with the enforcement of this law, which still exists today.

A mass women's movement emerged in 1971 with a strong focus on abortion rights for women. As a uniquely women's issue, abortion gave West German women the motivation they needed to stand up and be counted. The pro-choice movement was constituted of women's groups, demonstrations, and national conferences. However, the failure of the abortion campaign with the Constitutional Court ruling in 1975 that abortions were illegal under the German constitution, reaffirmed the feminist belief that the state "...was an apparatus of male control and domination," which, in turn, led to a

⁸⁸ *ibid.*, 61

⁸⁹ *ibid.*, 64

general loss of faith in government and politics and a rejection of the institutions that represented them.⁹⁰

Furthermore, the concept of the “housewife-marriage,” which was opposed by feminists, remained firmly in place until 1977, when the government was taken over by an SPD-FDP coalition, which did away with the “housewife-marriage” in favor of an equal partnership model. This new legislation required married couples to agree on managing the household, allowed both partners to take on paid employment, stated that both partners, not just the woman, were responsible for the upkeep of the family, and furthermore, that running the family was as much of a contribution to the family as earning an income. This legislation also substantially changed divorce law by introducing the concept of the “no fault” divorce. Until this point, all divorces required a “guilty” party. Additionally, the 1977 law entitled women to their share of mutual property, even if she left the family home.⁹¹ Despite the law, some judges, who were primarily male, withheld maintenance payments to women whom the judges believed had acted “without any exterior cause from pure willfulness,” or to women whom had moved in with another man immediately after leaving the family home.⁹² This new legislation was important because it challenged the accepted gender role structure for the first time; husbands no longer had legal power over their wives. This legislation rejected the notion that the patriarchal family model was the only socially acceptable family model. However, effectively, this legislature brought the law up-to-date with the current situation in Germany. For example, by the late 1970s, before “no fault” divorce became part of German law, most divorcing couples simply agreed to assign blame to one party in order

⁹⁰ Kulawik, *Autonomous Mothers? West German Feminism Reconsidered*, 72

⁹¹ Kolinsky, *Women in West Germany : Life, Work, and Politics*, 50-54

⁹² *ibid.*, 54

to obtain a divorce. Most Germans were acting under the equal partnership model before it became law.

Still, the West German women's movement moved out of the public sphere after the 1975 Constitutional Court decision. This was partially due feminist's disenchantment with the failure of the abortion campaign, but several other factors affected the situation as well. Problematically, the movement that emerged in the early 1970s was met with hostility by the government. Even parties that supported women's issues, like the SPD, refused to include "libbers" in their own organizations; Teresa Kulawik characterizes the government as "repressive and exclusive," despite the apparent openness of the federal system.⁹³ Additionally, terrorist acts by the Baader-Meinhof gang in the late 1970s, "...created a public climate of instigation against intellectuals, left-wing activists and feminists."⁹⁴ The movement went underground, and focused on creating a "countersociety." There were three primary features to the ideology of their countersociety, which were: (1) autonomy: the movement strove to challenge established political institutions; (2) subjectivity: they attempted to "politicize loci of domination" that were previously considered private; (3) patriarchy: they attempted to developed an understanding of gender relations wherein gender inequalities were to be seen as a result of "an institutional gender domination."⁹⁵

As the 1980s approached, the situation improved and feminists began to move back into the public sphere. In the early 1980s, the *Gleichstellungsstellen* (Office for Women's Rights) was established. In the mid-1980s, the movement moved away from "autonomous feminism" towards "established feminism"; in other words, feminists no

⁹³ Kulawik, *Autonomous Mothers? West German Feminism Reconsidered*, 74

⁹⁴ *ibid.*

⁹⁵ *ibid.*, 72-73

longer attempted to create a counter-society movement, but were again willing to work with the established institutional structure.⁹⁶ In the 1980s, women's movements began to move back into politics; they set their sights on the Green Party (founded 1979), which was known for its liberal social policy. In 1982, the Greens held twenty-seven seats in the Bundestag, ten of which were held by women.⁹⁷ After the initial acceptance of women by the Greens, other parties were forced to incorporate women into their political programs; the CDU held a Women's Congress in 1985, and the SPD emphasized its acceptance of feminist politics.⁹⁸ Women became more active in politics in the late 1980s, with women making up 50 percent of the Berlin Länder government; also, in 1988, the SPD agreed to a quota of 40 percent, which meant that all of their committees, functions, and delegates had to be at least 40 percent female.⁹⁹ Kulawik writes, "[By the late 1980s feminism had] established a collective identity, carrying feminist issues to almost all social and political places. ...[The movement] turned increasingly to strategies that challenged political power and decision structures."¹⁰⁰

German Democratic Republic

The political and social situation of women in the GDR differed in many ways from that of FRG women. For example, GDR women did not need to fight for equal protection under the law. Full equality was granted to them in article 20.2 of the Constitution, which states that women and men are equal before the law and emphasizes the importance of the advancement of women as producers, making it the duty of society

⁹⁶ *ibid.*, 81

⁹⁷ Albrecht Classen, "GERMANY. Postwar and Federal Republic (FRG)." in *Women's Studies Encyclopedia*, ed. Helen Tierney, Rev. and expand ed., Vol. 2 (Westport, Conn.: Greenwood Press, 1999), 595.

⁹⁸ *ibid.*, 595

⁹⁹ Kulawik, *Autonomous Mothers? West German Feminism Reconsidered*, 81-82

¹⁰⁰ *ibid.*, 82

and the state to advance women.¹⁰¹ However, gender differences remained apparent in East German, as women within the society were expected to shoulder the double burden of both worker and wife/mother.

East Germany was, arguably, the most individually repressive state in the Eastern Bloc; as a result, no traditional-style women's movement existed in the East, as it would have been rapidly suppressed by the state. However, this does not mean that the GDR was devoid of any sense of feminist or of gender-related, issue-oriented movements.

The GDR produced at least two well-known female novelists. Christa Wolf, the most well known, wrote a number of novels read widely both inside and outside of the GDR, before and after unification. While the central theme of her writing is childhood, and she was not deliberately feminist in her writing, her books still portray the voice of women in the GDR. *Kassandra* (1983), her most famous work, allegorically "re-interprets the battle of Troy as a war for economic power and a shift from a matriarchal to patriarchal society."¹⁰² Irmtraud Morgner, the GDR's most deliberately feminist author, wrote books which combine "the life of a female troubadour with modern life and science fiction events."¹⁰³ During and after the unification period, she wrote several articles for German women's magazines on the topic of feminism.

The GDR's most significant gender-related movement was not linked specifically to feminist, but to sexuality. In the late 1980s, a number of issue-oriented movements grew out of the Evangelical church in the GDR that spread into party and state institutions. Among these movements, was a prominent gay and lesbian movement. This

¹⁰¹ Maria-Barbara Watson-Franke, "GERMANY, 1949-1990 (GERMAN DEMOCRATIC REPUBLIC [GDR])" in *Women's Studies Encyclopedia*, ed. Helen Tierney, Rev. and expand ed., Vol. 2 (Westport, Conn.: Greenwood Press, 1999), 590.

¹⁰² "Christa Wolf," Wikipedia, http://en.wikipedia.org/wiki/Christa_Wolf (accessed April 20, 2006, 2006).

¹⁰³ Saine, *GERMAN WRITERS. Modern.*, 577

movement was able to exist due to a shift in SED party ideology in the 1970s that began to recognize the importance of individual and personal development as aspects of socialism. Initially, the SED promoted “unalienated labor” as the solution; however, in the early 1980s, they changed course, and, upon re-evaluation of the early writing of Marx, determined that “self-actualization could now be realized not only through labor, but also through social and cultural aspects of life.”¹⁰⁴

In 1985, the GDR began a campaign to end discrimination the basis of sexual and emotional orientation. The state worked to develop “...structures that could support citizens in the personal process of defining their sexual identity...” while allowing the state to provide direction an as aspect of social change.¹⁰⁵ It should be noted that this level of openness about gays and lesbians was unique to the GDR—no other Eastern Bloc country began to approach this level of openness about sexuality. There are many factors that may have contributed to this uniqueness. First, the lack of religious hardliners in the GDR (unlike in many other Eastern states, which were Catholic or Eastern Orthodox.) Secondly, the consist exposure of GDR citizens to Western media, particularly television. In *Out of the Closet Behind the Wall*, Raelynn J. Hillhouse argues this connection between East and West Germany forced the GDR to take into account developments in the West. During the 1970s and 1980s, gay and lesbian subcultures developed in the West, which allowed gays and lesbians to live in relative freedom. This prompted gays and lesbians in the GDR to apply for emigration. By ignoring the needs of 700,000-800,000 gay and lesbian citizens in the GDR, the government was only worsening its

¹⁰⁴ R. J. Hillhouse, "Out of the Closet Behind the Wall: Sexual Politics and Social Change in the GDR," *Slavic Review* 49, no. 4 (1990), 586.

¹⁰⁵ *ibid.*, 586

already significant emigration¹⁰⁶ Thirdly, the discovery of AIDS in the early 1980s, with its link to sexual activity among gay men, made homosexuality hard to ignore. In 1983, the ministry of health in the GDR created an advisory group on AIDS to formulate public policy, which led to the creation of AIDS counseling centers, universal blood and organ donor testing, and AIDS wards in three Berlin hospitals, all in 1985. In 1987, a media campaign was mounted to provide the public with information on AIDS. Additionally, attempts were made to mitigate high-risk behavior among gay men.¹⁰⁷

Furthermore, the lack of a strong, independent feminist movement led to the lack of a divide between gay and lesbian movements—both worked together under predominately gay organizations. Until 1987, no independent lesbian groups existed, and even once they did, their numbers remained limited.¹⁰⁸ The sexuality-based gender movement in the GDR was important to all marginalized groups, as it was “the first social movement to successfully pressure the GDR government to accommodate its demands....”¹⁰⁹ It is impossible to say whether a feminist movement would have grown out of the gay and lesbian movement, as the Wall fell. Still, the gay and lesbian movement is an important movement within the realm of gender in itself.

Reframing the Debate

The merging of the FRG and the GDR initiated a renewed discussion of feminism within Germany. At this moment, another group of previously marginalized feminists stepped in and added their unique position to the debate; this group was the lesbian feminists. Early in the unification process (December 1989), *Emma* wrote an article about lesbian feminists, calling on University of Massachusetts professor Janice G.

¹⁰⁶ *ibid.*, 592

¹⁰⁷ *ibid.*, 591-592

¹⁰⁸ *ibid.*, 594

¹⁰⁹ *ibid.*, 596

Raymond to help explain what lesbians can add to feminism. The article, titled, “*Lesben...nur von der Taille abwärts?*” (“Lesbian...only from the waist down?”), explains that lesbian feminism stands in opposition to traditional feminism. Raymond explains:

The feminist movement was the largest challenge to hetero-reality. It questioned the worldview that women exist primarily in relationship to men. It examined the history of women as a history, which showed up particularly in the family—a history, which if it saw women at all, discussed women in their relationships to men and their role in male-determined events.¹¹⁰

Raymond explains that lesbian feminism differs in that:

Lesbian feminism was a movement that relied on the strength of “we”, not on the fantasy or style of an individual woman. It was a movement that had its own policy—it understood prostitution, Pornography and sexual desire not as therapeutic, economic, or sexy, but allowed them to be redefined as only a list—free options—that can correspond to the whim of an individual woman.¹¹¹

In other words, lesbian feminism challenges the traditional context of feminism, seeing women as independent from men. Raymond argues that lesbian feminism is able to accomplish this separation between men and women more effectively, as sex is not only a

¹¹⁰ Janice G. Raymond, “Lesben...nur Von Der Taille Abwärts?” *Emma*, December 1989, 1989, 37.

Diese Bewegung des Feminismus war die grösste Herausforderung für ein Hetero-Realität. Sie stellte die Weltsicht in Frage, dass Frauen für Männer und in erster Linie auch in Beziehung zu ihnen existieren. Sie stellte die Geschichte der Frauen als eine Geschichte, die sich vor allem in der Familie zeigte, in Frage— eine Geschichte, die wenn überhaupt, Frauen nur in ihrer Beziehung zu Männern und männlich bestimmten Ereignissen sah.

¹¹¹ *ibid.*37

Lesbischer Feminismus war eine Bewegung, die sich auf die Kraft eines "wir" stützte, nicht auf die Phantasie oder die Ausdrucksform einer individuellen Frau. Sie war eine Bewegung, die eine eigene Politik hatte —dir begriff, dass Prostitution, Pornographie und sexuelle Gewalt nicht als therapeutisch, ökonomisch oder sexy umdefiniert werden können, nur um—in Namen freier Wahlmöglichkeiten—der Laune der einzelnen Frau zu entsprechen.

biological impulse, but a social driving force, and that the sexuality of straight women forces them into a position with men from which lesbians are free. She believes,

Sex, originally a biological impulse, now appears as the original social engine, which provides fulfillment by using all male power forms of sexual reification, subordination and suppression. Just as all engines need repairs and [new] technology, so does sex.¹¹²

Raymond's vision of a feminism that exists independently of male contextualization, obviously, was not achieved by the end of the unification period—fifteen years after unification, it is still a long way off. However, the importance of lesbian feminism as a part of the feminist spectrum during unification and afterwards, is that it provides a different perspective. A perspective, it seem, which is particularly important in a society with such deeply patriarchal roots. The idea of an independent feminist encourages women to look beyond that model, to a place beyond mere equality.

The face of German feminism has changed considerably over the course of the last one hundred fifty years; the ever-changing terrain of the German political system and the events that have characterized the last century and a half have punctuated women's social and political movements. Until unification in the early 1990s, feminism was constrained by a cult of domesticity, which tied the identity of women to the home. It was not until the GDR challenged the existing model that the women of the FRG began to truly cut their ties to the home and move into the workforce. This move away from domesticity has led to a reassessment of the childcare system within Germany, as well as

¹¹² *ibid.*36

Sex als ein originär biologischer Trieb erscheint nun als originär gesellschaftlicher Motor, die sich selbst Erfüllung verschafft, indem er alle männlichen Machtformen sexueller Verdinglichung, Unterordnung und Unterdrückung benutzt. Und wie jeder Motor benötigt auch Sex Reparaturservice und Technik.

prompted a discussion over traditionally established gender divisions in the responsibilities of housework, childcare, and income earning. Furthermore, the more progressive social policies of the GDR, particularly concerning abortion, allowed unification to become an opportunity to renew the fight for access to abortions in Germany. In fact, the right to choose became the central women's question in the unification debate; it came to be the representative women's issue.

Chapter 2: Die Frauenfrage

The women's issue that has stood at the forefront of the post-feminist period Western world is, undoubtedly, abortion. It is not surprising that the question of a woman's right to terminate a pregnancy has found itself at the center of post-suffrage women's movement. Unlike suffrage, equal treatment under the law, and equal opportunity in employment, there is no male equivalent to pregnancy. Notably, many of the signs carried to protest the law limiting abortion in the Federal Republic of Germany stated, "If men could get pregnant, they never would have given us §218."¹¹³ Pregnancy is uniquely female condition, and it follows that the question over the right to terminate it has become a question to which women have a unique relationship. Consequently, it is not surprising that the abortion question became unification's *Frauenfrage*, or women's question.

Additionally, abortion found itself at the center of the abortion debate due to its particular circumstances; the laws governing abortion differed in the Federal Republic and the German Democratic Republic. As a result, women in both Germanys saw unification as an opportunity to ensure that legal abortions would be available in united Germany. Prior to unification, abortions were legal into the GDR during the first three months of pregnancy; in the FRG abortions were technically illegal, the only legal grounds for an abortion were if the pregnancy posed a significant health risk to the

¹¹³ Marion Wagner, "Lila Randle," *Für Dich*, Week 27/1990, 1990, 10-11.
Wenn Männer schwanger würden, hätte es nie einen §218 gegeben!

mother. However, many abortions were obtained either illegally within Germany or by travel to the neighboring Netherlands, where an abortion could be obtained legally.

The GDR policy on abortion, which allowed for abortions on demand until three months of pregnancy, came into law in 1972. This liberal abortion code, technically known as §153, was commonly referred to as *Fristenlösung*.¹¹⁴ While it is difficult to translate *Fristenlösung* directly, it is best defined as the solution of setting a deadline, or prescribing a period of time, in which an abortion can occur. The FRG policy, which came into law in 1976, was the result of a decision by the Federal Constitutional Court of Germany in 1975. The Court ruled that abortions violated the right to life of the unborn, thus making them “an act of killing.”¹¹⁵ The 1976 law legalized abortion until the twelfth week “for reasons of medical necessity, sexual crimes or serious social or emotional distress.”¹¹⁶ The law required approval of the procedure by two doctors, counseling, and a three-day waiting period.¹¹⁷ This policy became known as §218, for its place in the West German Basic Law.

The focal point in the abortion debate was whether or not united Germany should adopt the more progressive abortion policy of the GDR, or if the FRG policy should remain in place. The issue, deemed the *Frauenfrage*, or “women’s question,” by the press, led to a dispute that raged on everywhere, from the pages of women’s magazines to the *Bundestag*.

Women in both the FRG and the GDR felt a close connection to the abortion question. The discussion that unfolded around abortion found itself a home in the pages

¹¹⁴ Alice Schwarzer, “§218 Oder §158, was Kommt? ,” *Emma*, April 1990, 1990, 4-6.

¹¹⁵ German Constitutional Court, German Constitutional Court, 1975), http://www.swiss.ai.mit.edu/~rauch/germandecision/german_abortion_decision2.html.

¹¹⁶ *ibid.*

¹¹⁷ *ibid.*

of women's magazines. During the unification period, there were three major types of articles that dealt with the *Frauenfrage* in *Für Dich* and *Emma*—informative, discussion and opinion. Informative articles were concerned with providing readers with information that would allow them to both develop an informed stance on the issue and to understand how the debate was taking shape around them. The topics of these articles ranged from telling the history of abortion, both political and social, to providing information on the positions taken on the abortion question by the various political parties.

An excellent example of an informative article appeared in the pages of *Für Dich*. The article, titled, “*Teufelstränke und Engelmacherinnen*,”¹¹⁸ which translates as “devil’s drink and angel makers,” discusses the history of abortion in Germany over the last 200 years. The article points out that abortion is not a product of the 20th century, but rather, that abortions and attempts at birth control have been used for hundreds of years or more. The article not only discusses methods of abortions, but also reviews the development of birth control, including the condom and the birth control pill. The article emphasizes that the ability to control pregnancy has reduced the birth rate, which has allowed for the emancipation of women and has separated sexuality from reproduction. Overall, the article focuses on the argument that the right to control one’s own body—including the right to an abortion—is a critical part of women’s freedom and equality.¹¹⁹ This type of article provided women with pertinent background information on the abortion question, and additionally, emphasized the importance of maintaining the right to a legal abortion. Furthermore, it gives reasons as to why the right to a legal abortion is a right worth the fight.

¹¹⁸ Stephanie Stender, "Teufelstränke Und Engelmacherinne," *Für Dich*, Week 32/1990, 1990, 52-55.

¹¹⁹ *ibid.* 52-55

Emma also had various informative articles, one such article titled, “§218 VOR DEM FALL” or “The Case of §218,” argues that §218 should be resubmitted to the *Bundesverfassungsgericht*, or Federal Constitution Court, for examination.¹²⁰ In the article, female leaders from the major political parties are asked to give their opinions on §218. Each politician expresses her party’s stance on the issue, as well as the reasons for their position.¹²¹ This article provided German women with information in regards to the abortion question from Germany’s major political parties, which would have helped them to make informed decisions when choosing elected leaders.

Discussion articles were primarily concerned with addressing how the abortion question affected the day-to-day lives of German women. These articles ask questions about the consequences a change in the abortion law would have on women from both the GDR and the FRG. Discussion articles encouraged women to reflect on how their life would be affected if they became unintentionally pregnant and what repercussions a decision on the legality of abortion would have on them. Furthermore, these articles provided women with insight into why individual women chose to have abortions; these articles were especially important because they allowed women who had never been faced with the decision of whether or not to have an abortion to develop a connection to the issue, even if it might never affect them personally.

In excellent discussion article appeared in *Für Dich*, the article, published in mid-1990, which is titled, “A Child? In these times?” discusses why women choose to have abortions.¹²² For the article, the reporter interviewed a patient, a gynecologist, a ministry of health employee and a Catholic counselor. The main argument of this article is that

¹²⁰ “§218 Vor Dem Fall,” *Emma*, June 1990, 1990, 4-5.

¹²¹ *ibid.* 4-5

¹²² “Ein Kind? in Diesen Zeiten?” *Für Dich*, Week 27/1990, 1990, 12-14.

women do not want to have more children than they can adequately care for, and, consequently, if the social conditions are such that women are more able to care for their children, then they will be less likely to have abortions. This East German article cites statistics that show fewer abortions occurring in the 1980s (about 10%), when conditions in the GDR were generally considered to have improved. This article maintains that it is the responsibility of the society to support mothers and children, and that it is society's failures, not the failure of individual women, which lead to abortions. Consequently, the article maintains, " 'Yes or no' is the decision of the woman alone."¹²³ This article provides a perspective on the abortion question that is of unique interest to women living under the socialist system in the GDR; in the context of unification, this article would have seemed very reasonable to East German women, who were concerned not only by the possibility of losing their right to a legal abortion, but also by the possibility of losing the socialist structure that provided them with family supports like free daycare and paid maternity leave. This article addresses the importance of preserving the right to an abortion in a society faced with uncertainty and upheaval.

The third type of article focused on collecting the opinions on the abortion question from individual women from both sides of the divide. These opinion articles, which packed the pages of both *Für Dich* and *Emma*, made sure to include the opinions of women from the "other" Germany to share with their readers. These articles were important because they allowed women who had little chance of meeting to openly discuss their individual thoughts and feelings on this important question. These magazines provided a forum for countrywide debate within their pages, a debate that

¹²³ *ibid.* 12-14 *Ja oder nein ist Sache der Frauen selbst.*

would have been difficult for so many different women from various backgrounds to participate in elsewhere.

In a *Für Dich* article, “Abbruch-Tabu” (“Abort Taboo), from July 1990, an East German woman, Gabriele M. Grafenhorst, discusses the reason she changed her mind about abortions.¹²⁴ She recalls being a young woman in East Berlin, shortly after the Wall fell. She had two young daughters from two different fathers; one of the girls had severe asthma. She fell in love with a West German man, who she believed would be her salvation. She became pregnant, but then found out that he was married. She realized that she could not financially support another child, and, in her despair, she considered suicide. Although she had never considered an abortion previously, she knew she had no other choice. She wrote:

I have always been of the opinion that no women should be allowed to have an abortion. That was one of the reasons why I had Susan. I wanted to have Susan against all reason. I kept that I was pregnant quiet from my friends and her father until 12 weeks—it was predicted that we could not live with one another. It would not have been possible for anybody to convince me to have an abortion. I don't know to what extent my objection to it is religious. If anything [I objected] for ethical reasons. Surely it also has to do, somewhat, with the fact that I grew up in a Christian household.¹²⁵

The importance of this opinion piece is Grafenhorst's change in opinion. It exemplifies the idea that it is impossible to predict the situations that one might end up in, and for that

¹²⁴ Gabriele M. Grafenhorst, "Abbruch Tabu," *Für Dich*, Week 31/1990, 1990, 88-90.

¹²⁵ *ibid.* 90

Immer habe ich die Meinung vertreten keine Frau darf abtreiben lassen. Das war einer der Gründe, warum ich Susan ausgetragen habe. Meinen Freunden und ihrem Vater verschwieg ich bis zur zwölften Woche – es war abzusehen, daß wir nicht miteinander leben konnten –, daß ich schwanger war. Ich wollte Susan wider alle Vernunft. Niemandem solltees möglich sein, mich zu einem Abbruch zu drängen. Inwieweit meine Abneigung dagegen religiös bedingt ist, weiß ich nicht. Eher aus ethischen Gründen. Sicherlich hat das auch etwas damit zu tun, daß ich in einem christlichen Elternhaus aufgewachsen bin.

reason, it is critical to keep all options open. Before this experience, Grafenhorst had never considered an abortion, but she realized that she and her existing children would be exponentially more better off if she did not have a third child. The article propagates a message seen through *Für Dich* and *Emma* during the period, which is that women should fight for the right to legal abortions, even if they never considered one themselves, because it is impossible to know what set of circumstances could arise that would lead to a decision that one would not have previously considered.

Alice Schwarzer, editor-in-chief of *Emma*, became particularly prolific during the unification period. Nearly every month, Schwarzer wrote an article that spoke of the importance of legal abortion in unified Germany. She also conducted several interviews with well-known German intellectuals to solicit their opinion of §218. One such interview appeared in April 1990; in the interview, Schwarzer asks Professor Albin Eser, co-author of the study, “Abortion in International Relations” and director of the Max Planck Institute for International Criminal Law for his opinion on how the conflict over the abortion question will be resolved.¹²⁶ At the time when Professor Eser was interviewed (early in 1990, the article was published in April 1990), there were a lot of unknowns surrounding unification, particularly in regards to the abortion question. One issue that was raised early in the period was whether or not it would be possible for the former eastern states and former western states to maintain separate abortion laws. This particular question was addressed to Professor Eser. He responded that it would be impossible for Germany to maintain two separate laws in regards to abortion as a country cannot have two separate policies about abortion when the fundamental issue is the

¹²⁶ Alice Schwarzer, "Jetzt Eine Neue Frauen Bewegung!" *Emma*, April 1990, 1990, 4-6. *Mitverfasser der Studie "Schwangerschaftsabbruch im internationalen Vergleich" und Direktor des Max Planck Instituts für internationales Strafrecht*

protection of unborn lives; in other words, unborn lives cannot be protected in one half of the country and not in the other, as that is illogical.¹²⁷ Fifteen years after unification, with the decision long since decided, it may seem arbitrary to discuss whether or not two abortion policies would be maintained in Germany; however, at the time the interview occurred, this was a pressing question in the unification debate, as it was representative of all women's issues. Ms. Schwarzer's interview with Professor Eser helped to establish that German women needed to unite against §218, as there would be no intermediate solution. These expert interviews helped women to understand the situation surrounding the *Frauenfrage*, and consequently, allow women to determine how they should react to the situation.

Additionally, both magazines featured sections in which women were encouraged to share their opinion on §218. *Emma* featured a section titled, "*Deutsch-Deutsch*".¹²⁸ In this section, editorials written by both Eastern and Western women were published, so that women in both Germanys could understand the opinions of their counterparts. On the topic of §218, an East German woman, Ursula Richter-Höhnerbach, wrote:

[The women of my collective] are speechless over the discussion surrounding §218. No woman here would let herself be talked into the decision [not to have an abortion], neither by a bishop, or politician, nor by any man. With all this quarrelling about "unborn lives" we fail to have consideration for "born lives!" No woman wants it to be different [from *Fristenlösung*] ever again!¹²⁹

¹²⁷ *ibid.*5

¹²⁸ "Deutsch-Deutsch," *Emma*, June 1990, 1990, 28-30.

¹²⁹ *ibid.*29

Wir stehen der Diskussion um den §218 fassungslos gegenüber. Hier würde sich keine Frau in die Entscheidung hineinreden lassen, weder von einem Bischof, von einem Politiker noch überhaupt von Männern. Wir vermissen bei all diesem Gezänk um das "ungeborene Leben" den gleichen Einsatz für "geborene Leben!" Keine Frau will es je wieder anders haben!

In her letter, Richter-Höhnerbach clearly expresses her opinion about §218, and without the forum provided by *Emma*, her opinion probably would have reached few West German women.

In June of 1990, *Emma* published the aforementioned article, “§218 VOR DEM FALL?” This article, while clearly opposing §218, provides interesting insight into the opinions of each major political party regarding abortion. The first politician interviewed in the article is the chairwoman of the Free Democratic Party (FDP), Irmgard Adam-Schwätzer.¹³⁰ The FDP is best described as Germany’s free-market classical liberal party. The party is centrist to slightly right of center, although it does have a strong social liberal wing. They believe in a free market economy and a limited centralized government. The party’s motto is “as much government as needed, as little government as possible.” The party members tend to be made up of “middle-to-upper class Protestants who consider themselves ‘independents’ and heirs to the European liberal tradition.”¹³¹ The party traditionally garners between 5.8 and 12.8% of the vote, but despite this fact, it has played an important role in post-war German politics, as it has participated in all but three federal governments.¹³² In the 11th *Bundestag* from 1987-1990, the FDP held 46 out of 497 seats, and in the 12th *Bundestag* from 1990-1994, it held 79 of the 662 seats.¹³³ In 1990, the East German Association of Free Democrats was absorbed by the FDP.

¹³⁰ Freie Demokratische Partei

¹³¹ "Free Democratic Party (Germany)," Wikipedia, http://en.wikipedia.org/wiki/Freie_Demokratische_Partei (accessed January 15, 2006, 2006).

So viel Staat wie nötig, so wenig Staat wie möglich!

¹³² *ibid.*

¹³³ "Bundestag (Germany)," Wikipedia, <http://en.wikipedia.org/wiki/Bundestag> (accessed January 15, 2006, 2006).

In the article, Adam-Schwätzer states that she believes constitutional challenges to §218 have “quite good chances” in the Federal Constitutional Court, and that “The Federal Republic [of Germany] should adopt the liberal [abortion] rights of the GDR.”¹³⁴ The article states that all of the women in the FDP stand behind Adam-Schwätzer and, if the complaint against §218 should fail in the Constitutional Court, the FDP will find a solution to the problem.¹³⁵ *Emma* summarizes Adam-Schwätzer’s argument categorically with the statement, “Therefore *die Fristenlösung* for all German women.”

The second politician to be interviewed in the article is Renate Schmidt, the lead woman in the Social Democratic Party or the SPD.¹³⁶ The party, while still technically socialist, moved away from its roots as a class party with Marxist principles in the 1959 Godesberg Program, since then, the SPD has developed into a party that champions social welfare programs. The SPD began as the opposition party after World War II, but developed into a leader in German politics. The party led the federal government from 1969 to 1982, and again from 1998-2005 under Chancellor Gerhard Schröder. In the GDR, the Social Democratic Party was forced to merge with the Communist Party of Germany. During the unification period, the SPD was again established in the GDR, and the GDR section of the SPD merged with its FRG counterpart upon reunification.¹³⁷ In the 11th *Bundestag*, the SPD held 186 of the 497 seats, and in the 12th *Bundestag*, it held 239 of the 662 seats.

¹³⁴ §218 *Vor Dem Fall*, 4

...*die es der Bundesrepublik ermöglicht, das liberale Recht der DDR übernahmen.*

¹³⁵ *ibid.*4

¹³⁶ Sozialdemokratische Partei Deutschlands

¹³⁷ "Social Democratic Party of Germany," Wikipedia, <http://en.wikipedia.org/wiki/SPD> (accessed January 15, 2006, 2006).

In “§218 VOR DEM FALL?” Renate Schmidt asserts, “In a United Germany, abortion must be allowed for all women, as it is today in the GDR.”¹³⁸ The article also notes that Gerhard Schröder, who was the leading candidate for the SPD in North Saxony at the time, and who later went on to become chancellor, was in favor of *Fristenlösung* as the abortion policy for a united Germany.¹³⁹ At the time of the publication of this article, the SPD had not yet merged with its East German counterpart; consequently, the *Emma* article includes a statement from the social democratic workers women (AsF), who argued that women have a right to “self-determination,” advocated not only the removal of §218, but a lengthening of the period in which a woman could legally receive an abortion from three months to five months.¹⁴⁰ While the position of the Eastern social democratic women might be considered somewhat radical, the article clearly demonstrates that both arms of the SPD wished to have §218 removed from the Federal Constitution and replaced with a policy more similar to the GDR’s *Fristenlösung*.

At this point, the article goes on the offensive, and presents the opinions of those who are in favor of maintaining §218, while at the same time, attempting to undermine their opinions to some degree. The party that is attacked most thoroughly is the Christian Democratic Union/ Christian Social Union (CDU/CSU).¹⁴¹ This is not surprising, as the CDU/CSU is both one of the largest parties in Germany and also the most conservative of the mainstream political parties. The CDU/CSU are sister parties; the CSU operates only in Bavaria, where the CDU does not exist, and the CDU operates in the rest of the

¹³⁸ §218 Vor Dem Fall, 4

In einem vereinten Deutschland muss die Fristenlösung für alle Frauen kommen, wie heute schon in der DDR.

¹³⁹ *ibid.*4

¹⁴⁰ *ibid.*4 *Arbeitsgemeinschaft sozialdemokratischer Frauen/ Selbstbestimmungsrecht*

¹⁴¹ Christlich Demokratische Union Deutschlands/ Christlich-Soziale Union in Bayern e.V

country. Members of the CDU/CSU come from various economic backgrounds and the party is tied more closely to the Roman Catholic Church than any other German party. Consequently, the CSU plays a considerable role in “The Union” even though it operates in only Bavaria, as most of Bavaria is Catholic. “The Union” is generally more conservative both economically and socially than Germany’s other major parties, and it supports a social-market economy.¹⁴² “The CDU believes that mankind has a responsibility to God in upholding the Christian ideals and caring for the environment. Parts of these beliefs include supporting the freedom and dignity of all persons including equal rights among women, men, and the disabled.”¹⁴³ The CDU/CSU was the leading federal party through much of the 1980s and 1990s, including during the entire unification period, from 1982 to 1998 CDU leader Helmut Kohl held the chancellorship. In the 11th *Bundestag*, the CDU/CSU held 223 of the 497 seats, and in the 12th *Bundestag*, the CDU/CSU held 319 of the 662 seats.¹⁴⁴ In 1990, the CDU merged with its Eastern counterpart of the same name.¹⁴⁵ The majority in the *Bundestag* in combination with the chancellorship, which gave the CDU/CSU the majority of government power, played a significant role in *Emma*’s attempts to undermine the party in its pages.

In the article, *Emma* first establishes that the CDU/CSU opposes the removal of §218 in favor of a more liberal abortion policy. *Emma*’s tone is both accusatory and aggressive in describing the actions and motivations of the CDU/CSU:

There is in fact a good chance that reunification will bring back, also for the FRG, the *Fristenlösung* we were robbed of in 1975. Conservatives know that. And because of this their tone always becomes shriller around

¹⁴² "Christian Democratic Union (Germany)," Wikipedia, <http://en.wikipedia.org/wiki/CDU> (accessed January 15, 2006, 2006).

¹⁴³ *ibid.*

¹⁴⁴ Bundestag (Germany)

¹⁴⁵ Christian Democratic Union (Germany)

the subject of abortion. At least in the West. The constitutional challenge of the CSU state government in Bavaria for strengthening of the prohibition of abortion can only be understood in this context.¹⁴⁶

After establishing the position of the CDU/CSU, *Emma* states that the female members of the CDU/CSU should be embarrassed by their stance, as they are not only politicians, but also women.¹⁴⁷ Kohl's *Bundestag* president, Rita Süßmuth, is quoted as saying:

We have not satisfactorily solved the protection of unborn lives and the conflicts of women in the FRG nor in the GDR...Here it is necessary to collectively find a new way out of a dead end. ...There are also powerful forces in the GDR that find their regulations too liberal.¹⁴⁸

Emma accuses Süßmuth of trying to put mandatory counseling in place before a woman can have an abortion, which *Emma* believes is effectively a way to put a "quasi-§218" into place.¹⁴⁹

The article continues in the vein of most vigilant political campaigns, and it is a classic example of the *Emma* articles about §218 that were published during the unification period. The campaign portion of the article begins with a call to action, "We women in the West and East (and also, understanding men) must make our demands NOW. This is our last chance for a longtime."¹⁵⁰ This particular sentence is reminiscent

¹⁴⁶ §218 Vor Dem Fall, 4

Denn die Chance ist in der Tat gross, dass die Wiedervereinigung auch für die BRD die uns 1975 geraubte Fristenlösung wiederbringt. Das wissen Konservativen. Und genau darum werden ihre Töne in Sachen Abtreibung immer schriller. Zumindest im Westen. Die Verfassungsklage der CSU-Landesregierung Bayern für eine Verschärfung des Abtreibungsverbotest ist nur vor diesem Hintergrund zu verstehen.

¹⁴⁷ *ibid.*4

¹⁴⁸ *ibid.*4

Wir haben den Schutz des ungeborenen Lebens und die Konflikte der Frauen weder in der Bundesrepublik noch in der DDR befriedigend gelöst. Hier gilt es, gemeinsam neue Wege aus der Sackgasse aufzuzeigen. ... Es gibt auch in der DDR starke Kräfte, die die dortige Regelung für zu weitgehend halten.

¹⁴⁹ *ibid.*4

¹⁵⁰ *ibid.*5

of the shouting often heard at rallies, “What do we want? (Insert demand here.) When do we want it? NOW!” This demonstrates that German women were fighting for the right to have an abortion, not just passively entertaining the prospects of it.

Emma goes on to attempt to undermine the arguments of those in favor of §218. *Emma* supports its anti-§218 stance by noting that in the GDR, which had the policy of *Fristenlösung* for more than fifteen years at the time of unification, all parties, including the East German branch of the CDU, supported the policy of legal abortion up to three months. “Presently, in the GDR, all parties are still against §218 and for *Fristenlösung*. The CDU is also for it.”¹⁵¹ Furthermore, *Emma* points out that the GDR government intends to defend its policy in the German unification negotiations. However, *Emma* also notes that “the front of conservative abortion proponents” was already beginning to crumble.¹⁵²

One major argument use by opponents of *Fristenlösung* was that if abortion were made legal, women would abuse the right by having abortions all the time. *Emma* latched onto this particular argument. The magazine remarked that one East German CDU delegate, Eckard Altmann, spoke of “heavy abuse” of the *Fristenlösung* in Parliament, as he believes that one in four pregnancies ending in abortion is too many.¹⁵³ *Emma* retaliates to these arguments in a unique way; it claims that anti-abortion regulations are a thing of the past, and it insists that united Germany must adapt to modern ideals, instead

Wir Frauen in West und Ost (und die einsichtigen Männer dazu) müssen darum JETZT unsere Forderungen stellen. Dies ist auf lange Zeit unsere letzte Chance.

¹⁵¹ *ibid.*5

In der DDR sind zur Zeit noch alle Parteien gegen den §218 und für die Fristenlösung. Auch die CDU ist dafür.

¹⁵² *ibid.*5

¹⁵³ *ibid.*5

of clinging to the past. In support of the argument that legalized abortion is the way of the future, *Emma* points to anti-abortion advocates around the world as evidence.

Also, the magazine cites a Polish citizen, Lech Walesa, who later became the president of Poland, (at the time, seven out of one-hundred pregnancies in Poland ended in abortion), and who is a father of eight children. He believes that life begins at the moment of conception.¹⁵⁴ He is referred to as “a friend of the Pope” and a “Solidarnosc” at the end of his statement, *Emma* writes, “The Polish Revolution lives!” *Emma* also refers to a “Stop-Killing-Babies-Fanatic” in the U.S. who sent up a hot air balloon in front of the White House with a large photo of a fetus on it that read, “Abortion is a human tragedy.”¹⁵⁵ This effort is characterized as a last ditch effort for the anti-abortion movement. Finally, *Emma* cites the rest of Western Europe; it points out that besides the FRG, only Ireland and Spain have laws prohibiting abortion.¹⁵⁶ The magazine comments that the Strasbourg Parliament recently called for “a European-wide right to an abortion” and it further notes that the European Parliament recently criticized countries with anti-abortion laws.¹⁵⁷

At first glance, *Emma*’s argument that anti-abortion laws were things of the past may seem based more in desperation than in reality. However, a more throughout examination reveals that as the regard for a women’s right to self-determination

¹⁵⁴ *ibid.*5

¹⁵⁵ *ibid.*5

Aber noch das ist den Papst-Freunden von der Solidarnosc zuviel. Jüngst forderte Lech Walesa den „juristischen Schutz des menschlichen Lebens ab dem Moment der Empfängnis.“ Es lebe die polnische Revolution!

¹⁵⁶ *ibid.*5

¹⁵⁷ *ibid.*5

Und da forderte das Strassburger Parlament jüngst mit 140 zu 70 Stimmen ein ‘europaweites Recht auf Abtreibung.’ Gleichzeitig kritisierte das Europaparlament ‘Länder wie Spanien, Irland und die Bundesrepublik’ wo auf Abtreibung noch immer Gefängnis steht.

increases, which often coincides with a rise in awareness for women's issues, abortion prohibitions tend to be lifted. Whether or not the right to a legal abortion exists within a country stands as a clear marker for the level of social and political rights women within that country have achieved. According to socialist doctrine, their ties to the home limit women's liberation. In 1919, Vladimir Lenin wrote,

Notwithstanding all the laws emancipating woman, she continues to be a domestic slave, because petty housework crushes, strangles, stultifies and degrades her, chains her to the kitchen and the nursery, and she wastes her labor on barbarously unproductive, petty, nerve-racking, stultifying and crushing drudgery. The real emancipation of women, real communism, will begin only where and when an all-out struggle begins (led by the proletariat wielding the state power) against this petty housekeeping, or rather when its wholesale transformation into a large-scale socialist economy begins...Public catering establishments, nurseries, kindergartens- here we have examples of these shoots, here we have the simple, everyday means, involving nothing pompous, grandiloquent or ceremonial, which can really emancipate women, really lessen and abolish their inequality with men as regards their role in social production and public life.¹⁵⁸

In 1919, there was no safe and effective method for performing abortions; however, had one existed, Lenin most certainly would have supported it as a means of empowering women by giving them the ability to decide if, when, and how many children they wished to have.

While abortion was one of unification's central issues, the *Frauenfrage* was not yet answered when East German and West German united in 1990. The treaty of unification that was signed allowed current abortions laws in East and West Germany to remain in effect until the *Bundestag* could agree on a new law.¹⁵⁹ In 1992, legislators

¹⁵⁸ Lenin, Vladimir. "Heroism of the Workers in the Rear 'Communist Subbotniks,'" *Great Beginnings*. June 28, 1919

¹⁵⁹ "Germany: Highest Court Restricts Abortion," *Women's International Network News* 19, no. 3 (Summer 1993, 1993).

signed an agreement, known as the “compromise agreement,” that made abortion legal under nearly all circumstances. However, members of Chancellor Kohl’s party and the Bavarian government immediately challenged the law in the Constitutional Court. In 1993, the Constitutional Court ruled that abortion was illegal under the German constitution, as the state is required to protect human life. However, the Court ruled that neither doctors who perform abortions or women who have them will be prosecuted, but women must receive counseling three days prior to receiving the abortion, and the counseling must attempt to dissuade the woman from having the abortion.¹⁶⁰ The court stated, “The woman must be aware that the unborn child has its own right to life.”¹⁶¹ Abortions for extreme circumstances, such as when the pregnancy endangers the life of the mother, remained legal. While the court’s ruling has not prevented German women from receiving abortions, it has forced them to pay for them, as state medical insurance will not pay for illegal acts.¹⁶² Consequently, the ruling made abortions more difficult for women to access. Finally, in 1995, the *Bundestag* passed a law that meets the requirements set forth by the court.¹⁶³ While this was not the result for which feminist groups had hoped, the new ruling by the constitutional court was an improvement over the 1975 ruling, which made abortions nearly impossible to obtain. Still, nearly five years after the unification of the German state, the *Bundestag* passed a law regulating abortion.

When the changes in German abortion law are examined from a wider perspective, a link between modernization and women’s right can be found. Furthermore, the economic integration of women into a state’s economy can be linked to abortion laws.

¹⁶⁰ *ibid.*

¹⁶¹ *ibid.*

¹⁶² *ibid.*

¹⁶³ Annette Tuffs, "Germany Compromises in New Abortion Law," *Lancet* 346, no. 8967 (July 8, 1995, 1995), 111.

According to Silva Meznaric and Mirjana Ule, contributors to *Women in the Politics of Postcommunist Eastern Europe*, women's rights are closely linked to state modernization. They describe a modernized society as one in which "...people are mobile...in a modernized society not only people but also goods, information, ideas circulate with a degree of ease and flexibility. ...In a modernized society, books, newspapers, teachers, students, artists, and their products circulate. Obstacles to their circulation are embedded in modern societies, but so are procedures for overcoming those obstacles."¹⁶⁴ Furthermore, "delayed modernization" is expressed as a society "...in which women are absent from the public sphere, a civil society is lacking, the labor market is divided by gender..."¹⁶⁵ It is a reasonable assumption that a modernized society is a prerequisite to the improvement of conditions for women within the state. In a society where people are unable to interact and share information freely, it would be difficult to organize a movement for women's rights. Consequently, it follows that within a modernized society, women will fight for the improvement of their condition.

It is this fight that can be witnessed within the pages of German women's magazines during the unification period in their pursuit for legalized abortion. Conversely, it could be argued that the fight for legalized abortion should have taken place earlier in West Germany, and it did, in the early 1970s. This movement, however, was not successful in establishing the right to a legal abortion in the West. Still, West Germany can be considered to have been a society that has not yet achieved complete modernization in the early 1970s, as women were largely absent from the public sphere

¹⁶⁴ Silva Meznaric and Mirjana Ule, "Women in Croatia and Solvenia: A Case of Delayed Modernization" in *Women in the Politics of Post-Communist Eastern Europe*, ed. Marilyn Rueschemeyer (Armonk, N.Y.: M.E. Sharpe, 1994), 155.

¹⁶⁵ *ibid.*, 168

and the job market was divided by gender. The fact that this movement was unsuccessful can be linked to the inherent gender inequality that existed in West German society in the 1970s. According to Marilyn Rueschemeyer, women in the West were regulated back to their roles as wives and mothers in the post-war years. By 1985, only 45% of women in the FRG worked outside of the home, and they contributed only 18% of household income.¹⁶⁶

Conversely, in East Germany, 90% of employable women either worked or were enrolled in an educational training program; 70% of GDR women completed an apprenticeship or vocational training program, and the level of education of women forty years old and younger was equivalent with that of men in the same age group.¹⁶⁷ Clearly, Eastern women were better integrated into the economy of West German women; as a result, it is not surprising that Eastern women had achieved the right to a legal abortion.

German unification not only politically united Germany, but it also united the German people. The unification period gave West German women the chance to unite with their Eastern counterparts and to examine how the rights that Eastern women had obtained under socialism positively affected their lives. Unification gave the women of the FRG another opportunity to fight for the right to a legal abortion, while at the same time, providing the motivation for the fight to occur. Although the outcome of the anti-§218 movement was imperfect, the 1992 solution was an improvement over the previous policy, and it can be considered a step forward for women's liberation in Germany.

¹⁶⁶ Marilyn Rueschemeyer, "Women in the Politics of Eastern Germany: The Dilemmas of Unification" in *Women in the Politics of Post-Communist Eastern Europe*, ed. Marilyn Rueschemeyer (Armonk, N.Y.: M.E. Sharpe, 1994), 89.

¹⁶⁷ *ibid.*, 88

By the end of the unification period, abortion had become so central to the women's movement for both "West-frau" (Western women) and "Ost-frau" (Eastern women) that it had come to symbolize the women's movement itself.¹⁶⁸ By 1993, when the Bundestag passed the Compromise Agreement, Eastern and Western feminists had firmly established themselves in two different camps. West German feminists often believed themselves to be superior to Eastern feminists, due to "...the superiority of Western feminist discourse and their years of organizing experience..." and those from the West claimed that they could speak for all German women.¹⁶⁹ Yet, East German women were not yet ready to end their identification with East Germany and "disavow the claim that women had somehow achieved emancipation under state socialism."¹⁷⁰ For East German women, the fight for the right to a legal abortion became a way to assert "their identities as emancipated East German women."¹⁷¹ Ost-frauen were unwilling to let Western women speak for all German women and simply accept the Compromise Agreement under the auspices that all women would be better off under the new law; East German feminists reminded Western feminists that while the agreement might be an improvement for them, East German women had lived under a considerably more liberal law for twenty years.¹⁷² In the end, the abortion question became much bigger than itself; it was no longer simply a matter of the right to a legal abortion—it had become "an act of remembering."¹⁷³ It had become a way to fight the assumption that the GDR was just one

¹⁶⁸ Andrea Wuerth, "National Politics/Local Identities: Abortion Rights Activism in Post-Wall Berlin," *Feminist Studies* 25, no. 3 (Fall 1999, 1999), 601.

¹⁶⁹ *ibid.*

¹⁷⁰ *ibid.*

¹⁷¹ *ibid.*

¹⁷² *ibid.*

¹⁷³ *ibid.*

big unfortunate accident—it was a reminder of the “emancipatory moments of [the GDR].”¹⁷⁴

The *Frauenfrage* did not turn out as many feminists would have wished; German women were not given the right to an abortion within the first three months of pregnancy without question. However, women were successful in gaining practical access to abortions through decriminalization. German women were also successful in coming together to build a campaign to fight against an issue that they believed infringed on their rights as women, and essentially, it is that concept that lies at the root of feminism.

Chapter 3: Pornographie, Arbeit und Kinder

While abortion may have been the issue that took center stage in the debate over women’s issue during the unification period, it was certainly not the only issue discussed in the East-West dialogue. Alice Schwarzer, editor-in-chief of *Emma*, was so prominent that she was individually able to shape the discourse of the unification debate, to some degree. Through her status, she was able to enter her favorite issue—anti-pornography legislation—into the debate, despite a lack of broad based support. Additionally, a number of other significant issues surrounding children and family, as well as their relationship to women in the workforce, came to the forefront during this period—most notably, the issue of childcare. Capitalism and Communism had thoroughly impacted the way people lived in East and West Germany; the differing political systems had led to substantial differences in social policy in the East and West, and one area in which these

¹⁷⁴ *ibid.*

differences were most obvious was the realm of family policy. As with other issues, unification brought about the need to reassess these policies in both East and West Germany, in order to develop a single set of policies for the entire country.

Pornography

In 1970s, Alice Schwarzer began a campaign against pornography on the grounds that she believed it degraded women through the depiction of submissive sex acts. The wider feminist movement did not adopt the campaign, but it continued to be an issue within the movement because of Schwarzer continued dedication—and continued dedication of resources—to the issue. Unification provided an opportunity for Schwarzer to once again bring anti-pornography legislation to the forefront as part of the feminist discourse, as pornography was forbidden in the GDR under §125 of the penal code. Another interesting issue brought up by unification was pornography. Still, almost as soon as the Wall fell, pornography inevitably spread to the GDR, with sex video bars popping up in even the smallest villages. Additionally, the German Sex League wanted to begin a special chain of stores in the GDR that would sell sex-related materials.¹⁷⁵

What remains most stunning about the coverage afforded to pornography during the unification debate is that Schwarzer almost single-handedly brought the issue to the table. Since the inception of the anti-pornography campaign, progressive feminists defended the right to produce pornography, and to participate in sex work, as legitimate sexual rights, as long as the woman willing consented to participation. However,

¹⁷⁵ "Unschuldige Pornographie," *Für Dich*, Week 22/1990, 1990, 19.

Schwarzer viewed pornography as, "...the sexual representation of women, and also, partially of men, whereby sexuality is connected with degradation and force."¹⁷⁶

In the mid-1970s, Schwarzer kicked off her anti-pornography campaign (PorNo campaign) against the portrayal of women in sexist advertising and pornographic "art" with a lawsuit against *Stern* magazine.¹⁷⁷ Schwarzer, along with ten other women, charged that, "that the sexist representation of women on the covers was an affront to their dignity."¹⁷⁸ According to Heather MacRae, "This was the first public attempt to reframe the question of pornography to address its impact on women everywhere. *Emma* argued that the objectification of a single woman and the commodification of this woman as a sex object was degrading to all women."¹⁷⁹ Although the women lost the legal battle, it was considered a moral victory, as the judge commented that he found them in the "moral right" but legally "in the wrong."¹⁸⁰ Schwarzer then launched PorNo in an attempt to change the law in West Germany.

In 1987, Schwarzer published a draft of her anti-pornography legislation in *Emma*. §1, the general clause, reads, "Women or girls, who by the production, spreading, or public-making of pornography, are harmed in their right to dignity or liberty, physical well being, or life, are entitled to compensation for damages resulting from it."¹⁸¹

¹⁷⁶ *ibid.*20

¹⁷⁷ H. MacRae, "Morality, Censorship, and Discrimination: Reframing the Pornography Debate in Germany and Europe," *Social Politics: International Studies in Gender, State and Society* 10, no. 3 (2003), 325.

¹⁷⁸ *ibid.*, 325

¹⁷⁹ *ibid.*, 325

¹⁸⁰ *ibid.*, 325

¹⁸¹ *Unschuldige Pornographie*, 21

Wer Frauen oder Mädchen durch Herstellung, Verbreitung oder Öffentlichmachung von Pornographie in ihrem Recht auf Würde und Freiheit, körperliche Unversehrtheit oder Leben verletzt, ist zum Ersatz des daraus entstehenden Schadens und zur Unterlassung verpflichtet.

Furthermore, the definition of pornography in the legislation is wide. It considers any pictures or words in which women are “degraded” or portrayed as “sexual objects” as pornography. While it does give specific examples, such as rape “vaginally, anally or orally,” it also defines any penetration by objects as pornography.¹⁸² However, the most problematic statements appear in §3, “Eligibility for Benefits.”¹⁸³ In section part of §3, it states that women and girls are entitled to compensation if they see “pornographic representations” that offend them. In other words, it is not necessary to participate in the production of the pornography in order to claim harm by it; all that is required is that one sees it.

Schwarzer faced a variety of responses to her proposed legislation. The ruling CDU party chairmen on Women, Family & Health issues, Rita Sussman, welcomed the anti-pornography proposals; she announced a ruling coalition hearing on the topic as well as a women’s caucus on the subject—neither ever took place.¹⁸⁴ The FDP never “found the time” to investigate the matter.¹⁸⁵ MacRae characterizes these responses as a simply dismissal of the issue.

The Green and SPD parties reacted different, with both holding hearing on the issue. The Greens held a hearing on September 8, 1988. The Green Party had a difficult time with the issue, as they supported both women’s rights and the equality of the individual, on one hand, but on the other hand, they supported personal choice and freedom from censorship; MacRae credits Waltraud Schoppe with the best summary of the Green Party stance, “...when she declared that she could not support the legislation

¹⁸² *ibid.*21

¹⁸³ *ibid.*21 Anspruchsberechtigung

¹⁸⁴ MacRae, *Morality, Censorship, and Discrimination: Reframing the Pornography Debate in Germany and Europe*, 326

¹⁸⁵ *ibid.*, 326

because she ‘wanted to continue to be able to buy pornos in the supermarket.’”¹⁸⁶ The SPD held hearings on September 13-14, 1988, which were considered to be productive; the rehashed many of the issues from the 1970s, however, they did not come to any conclusion on the matter and proposed no legislation as a result of the hearings.¹⁸⁷

Notably, some of Schwarzer’s most outspoken opponents were other feminists.

MacRae describes the viewpoints of these opponents:

At least one sector of the more radical of the German feminist movements (the so-called autonomous movement) criticized the proposals as not radical enough and too Staatfixiert (fixated on the state). Others suggested that pornography was a vital part of sexuality and eroticism and as such was important to women's self-expression and indeed emancipation. Some, in particular women working as and with prostitutes, opposed the legislation, fearing that it might actually worsen the position of women working in the sex industry. These women feared that a law opposing pornography would force the sex business underground and as a result make regulation even more difficult. Finally, it is important to note that these debates took place against the backdrop of a comparatively vocal S&M movement, whose supporters clearly opposed any further restrictions on pornography.¹⁸⁸

Opposition by other feminists certainly did not help Schwarzer’s cause—it is difficult to make progress when those within your own movement cannot come to an agreement.

As a result, Schwarzer’s use of unification to give new life to her ailing movement was not unexpected, particularly given the existing illegality of pornography in the GDR. *Für Dich*’s discussion with Schwarzer and four others provides insight into Schwarzer’s perspective, and provides hints at why Schwarzer’s PorNo legislation never became law. Besides Schwarzer, those who took part in the discussion were: Christina Schenk, a scientific researcher at Humboldt University, who was working on research on lesbian lifestyles, she was also the spokeswoman for the Independent Women’s

¹⁸⁶ *ibid.*, 326

¹⁸⁷ *ibid.*, 327

¹⁸⁸ *ibid.*, 326

Federation; Professor Lykke Aresin, chief of the Marriage and Sexuality Advisory Board in Leipzig; Professor Kurt Starke, director of the Central Institute for Youth Research, and head of the department for Partner and Sexual Research; Dr. Hartmut Bosinski, pediatrician and sex researcher at Humboldt University.¹⁸⁹

The discussion begins with *Für Dich* commenting that everyone you ask for a definition of pornography gives you a different answer. Christina Schenk immediately goes on the offensive with Schwarzer, stating that, in addition to the comment by *Für Dich*, she would like Schwarzer to tell her if, along her condemnation of the depiction of degrading sex acts, she also condemns those who enjoy participating in those sex acts.¹⁹⁰ In other words, Schenk is asking Schwarzer if she has a problem with people who engage in BDSM activities. Schwarzer responds:

Not at all. Everyone should love as they please. In our discussion we are only concerned with what is publicly spread, and thus, the influence it has on our culture and society. What is happening now in the GDR is only the beginning. In the FRG, we have, in the meantime, a “pornification” of the whole culture. The effects on young people are enormous; rapes at schools are part of everyday life.¹⁹¹

Schwarzer’s comment is important for several reasons. First, she attempts to separate her opinion on pornography from her evaluation of those who portray “degrading” sex acts privately. She argues that she is only concerned with the influence that the public display of these sex acts has on society; however, it is difficult to separate

¹⁸⁹ *Unschuldige Pornographie*, 18-21

¹⁹⁰ *ibid.*20

¹⁹¹ *ibid.*

Überhaupt nicht. Jede/r soll lieben, wie es gefällt. In unserem Gespräch kann es uns nur darum gehen, was täglich öffentlich verbreitet wird und somit Einfluß nimmt auf die Kultur einer Gesellschaft. Und da ist das, was jetzt in der DDR passiert, erst der Anfang. In der BRD haben wir inzwischen eine Pornographisierung der gesamten Kultur. Die Auswirkungen auf Jugendliche sind enorm, Vergewaltigungen an Schulen gehören zum Alltag.

a condemnation of the visual representation of the act from a condemnation of the act itself, which leads to the question of whether or not it is really possible for Schwarzer to consider the representation of these acts as immoral without considering the acts themselves immoral. Furthermore, it is also question as to whether it is possible that Schwarzer fully accepts the rights of people to partake in what she considers to be degrading sex acts.

Secondly, in her comment, Schwarzer draws a connection between the depiction of degrading sex acts and the behavior of young people. She sees a direct correlation between the availability of pornography and rape. At best, this association is tenuous, as looking at pornography and making the decision to commit rape are two very different acts. Schwarzer seems to believe that, in theory, if young people did not see pornography they would never be exposed to these types of sex acts, and consequently, would not commit them because they would not be able to come up with the idea on their own. However, this theory is problematic, as BDSM fetishes, such as rape, are not a result of pornography, pornography is a result of fetishes.

Furthermore, Professor Starke explains that a prohibition against pornography is relatively useless; he states:

A prohibition is senseless, it can be interpreted arbitrarily ([the law] gives no exact criteria), is usually hypocritical, is an expression of a double moral standard, bourgeois, prudery, and hedonic adverseness. Who would want to give other people the power to prescribe what one may see, read, or hear. The harmless consequences of pornography are hardly eliminated by an ineffective law.¹⁹²

¹⁹² *ibid.*21

Ein Verbot ist sinnlos, läßt sich beliebig auslegen (da es keine exakten Kriterien gibt), ist meist heuchlerisch, Ausdruck von Doppelmoral, Spießertum, Prüderie und Lustfeindlichkeit. Wer möchte sich schon von irgendeiner Macht oder irgendwelchen

Professor Starke's comment also makes very important points. First, any law against pornography will be subjective and would impress the morals of a group of individuals on everyone; he implies that this is a dangerous road to travel down, as it impedes the right of the individual to make their own decisions about what they are exposed to.

Also, his statement makes the important point that making pornography illegal will do little to mitigate any harmful impact it might have. Additionally, Schenk points out that to make pornography illegal would not eliminate it; instead, it would be driven underground, which only makes it more difficult to discuss within the public sphere.¹⁹³ The points made by Starke and Schenk are important because they acknowledge that outlawing pornography is not the best solution to the problem.

Schwarzer closes the discussion with the statement:

Feminists are for sexual freedom, however it is expressed. But pornography destroys not only the woman, and it makes her the victim while assigning men the role of actor, but it destroys sexuality in general. If we want to protect sexuality, we must contribute to overall living conditions, which make the expansion of desire at all possible and contributed to equal rights. Desire is only possible between equals.¹⁹⁴

This statement summarizes Schwarzer's argument against pornography well. She believes that pornography somehow cheapens sexuality at the expense of women.

Leuten vorschreiben lassen, was er sehen, lesen oder hören darf. Schädliche Folgen von Pornographie lassen sind durch ein nicht wirksames Gesetz schwerlich ausschließen.

¹⁹³ *ibid.*21

¹⁹⁴ *ibid.*21

Feministinnen sind für eine freie Sexualität, wie auch immer sie gelebt wird. Aber Pornographie zerstört nicht nur die Frau, macht sie zum Opfer und weist dem Mann die Täterrolle zu, sondern sie zerstört Sexualität überhaupt. Wenn wir Sexualität schützen wollen, müssen wir beitragen zu Gesamtlebensbedingungen, die die Entfaltung von Lust überhaupt möglich machen und beitragen zu Gleichberechtigung. Lust ist nur möglich zwischen Gleichen.

However, what she has missed in her argument is the essence of Voltaire's Principle, which states, "I may disagree with what you say, but I will defend to the death your right to say it." She has forgotten that sexual freedom requires that all sexual activity between consenting adults must be accept, and furthermore, sexual freedom requires that adults be allowed to make their own decisions about the sex-related material they expose themselves to. Instead, Schwarzer's argument reeks of, "what is good for me is also good for you," which establishes her as a moral authority on sexuality. The establishment of any moral authority on sexuality poses a danger to sexual freedom, which helps to explain why so many feminists opposed Schwarzer in her fight against pornography.

Emma adopted two campaigns during the unification debate: a campaign against §218 and a campaign for civil regulations to control pornography.¹⁹⁵ In broader terms, these campaigns were about increasing choices and limiting choices, respectively. This helps to explain why feminists supported the anti-§218 campaign unanimously, while the PorNo campaign was far less successful at gathering widespread support. Ultimately, Schwarzer could not build enough support for her PorNo campaign, either among politicians or the public. Her proposal died with the end of unification.

Women, Children, and Career

To understand this debate, it is critical to first understand the differences in family policy in the FRG and GDR. The policy that each Germany would follow was essentially established by the mid-1950s. The GDR, like the rest of the Soviet Bloc countries, developed a policy of full integration of women into the labor force, as this followed the socialist prescription of equality through labor. Many GDR family policies, including the

¹⁹⁵ *ibid.*21

establishment of free kindergartens and childcare and legal abortions, were developed for the purpose of allowing women to work in “lifetime, full-time paid employment,” as was normal for men.¹⁹⁶ In other words, policies that helped women were created as a method of furthering socialism, as Marxism conceptualizes the “worker as “a man freed of responsibility from reproductive labor, ” rather than as methods of furthering feminism or gender equality.¹⁹⁷ The policy of gender-blind employment in the GDR was developed early on, as can be seen in the repeal of the portions of the German Civil Code (*Bürgerliches Gesetzbuch*) that regulated women’s integration into the workforce in 1950.¹⁹⁸ The GDR, like many other Soviet bloc states, had a significant population problem in the post-war years, which created the need for women to work as well as have children. In the early 1970s, the GDR adopted a set of policies that would be commonly referred to as *Muttipolitik*, or “mommy politics.”¹⁹⁹ These specifically targeted policies were designed to encourage women to pursue both motherhood and paid employment in the GDR; it was the specific purpose of these policies “to stop the decline in rates of childbearing without resorting to coercive measures.”²⁰⁰ The most prominent of the *Muttipolitik* policies introduced in the 1970s and 1980s were:

...paid time off for housework (a reduction of the ‘normal’ work week from 43.5 to 40 hours for mothers of two children or more); a ‘baby year’ of paid leave for the birth of the first child, increased to eighteen months of support for the second and later births; four to eight weeks of paid leave for the care of sick children. Provision of childcare was also expanded and

¹⁹⁶ Myra Marx Ferree, "The Rise and Fall of" Mommy Politics": Feminism and Unification in (East) Germany," *Feminist Studies* 19, no. 1 (1993), 92.

¹⁹⁷ *ibid.*, 92

¹⁹⁸ Ilona Ostner, "Ideas, Institutions, Traditions: The Experience of West German Women, 1945–1990." *German Politics and Society*, no. 24&25 (Winter 1991-1992, 1992), 87.

¹⁹⁹ Ferree, *The Rise and Fall of" Mommy Politics": Feminism and Unification in (East) Germany*, 93

²⁰⁰ *ibid.*, 93

strengthened, so that as of 1988, 81 percent of pre-school children were in heavily subsidized public facilities, costing about sixty-five cents per day per child. In addition to the 'baby year,' infant care was available in day nurseries in the community and at the mother's workplace.²⁰¹

These policies were successful in allowing women to be both mothers and workers. As of 1989, 90 percent of employable women in the GDR were working or in school; they contributed about 40 percent of the household income.²⁰²

An examination of family structure in West Germany yields quite different results. In the post-war years, the FRG developed a "social market economy," wherein men were the prescribed breadwinners and married heads-of-household. The role of women in this system was to fill the unpaid caretaking jobs.²⁰³ In West Germany, the family unit was established as a stabilizing force. "Solid marriages and healthy families headed by strengthened patres familias," writes Ilona Ostner, "counted as a bulwark against the other world of novelty, instability, and an unknown future, as a means to cope with scarce space, time, and money during the 1950s."²⁰⁴ While an equal rights provision was added to the 1949 Fundamental Law, there was no significant family and marriage law reform in the FRG until 1977. The prevailing belief in West Germany was that the government should not interfere with the private sphere; in other words, the male head-of-household was given the "last word" in all-important familial and marital decisions.²⁰⁵ In the postwar years, West German women were regulated back to roles within the home and placed on the wife-and-mother-track. FRG policies were fairly successful in keeping

²⁰¹ *ibid.*, 93-94

²⁰² Marilyn Rueschemeyer, "Women in the Politics of Eastern Germany: The Dilemmas of Unification" in *Women in the Politics of Post-Communist Eastern Europe*, ed. Marilyn Rueschemeyer (Armonk, N.Y.: M.E. Sharpe, 1994), 88.

²⁰³ Ostner, *Ideas, Institutions, Traditions: The Experience of West German Women, 1945–1990.*, 89

²⁰⁴ *ibid.*, 90

²⁰⁵ *ibid.*, 92

women out of the labor force and in the house, in 1985 only 45 percent of West German women worked (the percentage had increased to 50 percent by 1989), and they contributed only 18 percent of household income.²⁰⁶

While West German women were not totally without parental benefits, they were far more limited than those given to women in the GDR. As of the mid-1980s, Western women were entitled to fourteen weeks of maternity leave, which included a stipend and employer's supplement that was equal to their wage or salary. If women chose to continue their maternity leave, they received a small stipend between weeks fifteen and thirty-two of their leave. In the mid-1980s, only 3 percent of children under three years old were enrolled in public daycare.²⁰⁷ Furthermore, mothers received only five days annually paid leave to care of sick children. Generally, these limited parental benefits made it difficult for women to have successful careers and also be mothers.²⁰⁸

Given the radical differences between female work force participation and parental benefits in East and West Germany, it would be expected that East German women would have made significantly more progress in building successful careers. However, when the data is examined, the results are quite the opposite; women in the GDR did not, in practice, achieve significantly higher status in employment. In both Germanies, the level of women in the highest-level executive positions remained below 4 percent; while East German women held more middle-management positions (about one-third of middle-management positions were held by women in the GDR) than West German women, the percentage of women in middle-management in the GDR was low

²⁰⁶ Rueschemeyer, *Women in the Politics of Eastern Germany: The Dilemmas of Unification*, 88

²⁰⁷ *ibid.*, 90

²⁰⁸ *ibid.*, 90

considering the high-level of participation in the workforce.²⁰⁹ Additionally, women in both Germanys held very few lectureships (C2 professorships), as of 1992 women held only 7.7 percent of higher-ranking professorships.²¹⁰ Rueschemeyer comments, “Although there were considerable differences between the two German states, in general the higher the positions, the lower the percentage of women; this was their situation at work, in the union, and in the government in the mid-1980s.”²¹¹ Furthermore, while many GDR women were employed, the labor force was still segregated. Myra Marx Ferree states,

Women were 77 percent of all workers in the education and 86 percent of those in health and social services; virtually all the secretaries, nurses, and preschool teachers were women. Women workers were also concentrated in gender-segregated industrial jobs, such as textiles and electronics assembly (68 percent) rather than machine shops (30 percent). Although East Germany formally barred women from only 30 of 289 officially recognized skilled trades, in practice women could not enter more than one-half of these occupations.²¹²

While only a small number of women would be expected to be in positions of power in West Germany, the fact that women also lacked power in East Germany raises concerns about the level of gender equality actually achieved in East Germany under the socialist worker system.

In fact, East German *Muttipolitik* came with its own significant set of problems. Although these state policies made it easier for women to have children, the root of the policy lay in the state’s desire for women to have more children and still be able to work, not in a desire to emancipate women. Ina Merkel notes that even in the period of

²⁰⁹ *ibid.*, 90

²¹⁰ *ibid.*, 90

²¹¹ *ibid.*, 90

²¹² Ferree, *The Rise and Fall of "Mommy Politics": Feminism and Unification in (East) Germany*, 92-93

Multipolitik, children remained a career setback, “Having children meant, in the end, delaying and limiting one’s professional advancement.”²¹³ Employers considered children a disruption to the mother’s ability to work.²¹⁴ In other words, instead of promoting workplace equality, these policies promoted further inequality, as parental responsibilities made women “unreliable workers,” which prevented them from assuming positions that were more demanding, which also tended to be the most important positions.²¹⁵ Furthermore, due to the centrality of the workplace in GDR life, the consequences of these policies were that women faced “an increasing attack on self-esteem.” Men, generally, viewed the parental and affirmative action policies direction a women with distain, as little effort was made to explain why these policies were necessary.²¹⁶

Additionally, *Multipolitik* took a toll on women’s personal lives and their relationships with men as fathers and husbands. Myra Marx Ferree points out that the “high rates of women’s labor force participation and their educational qualifications [as well as] the widespread availability of childcare [in the East]” led Westerns to believe that East German women were “more emancipated” than West German women; however, in the East this “formal equality was used to make problems equal personal shortcomings.”²¹⁷ One major problem with these policies was that they were created specifically for women. Fathers and grandmothers were only allowed to apply for these benefits if the mother was unable to care for the children herself. While these gendered

²¹³ Ina Merkel, "Another Kind of Woman," *German Politics and Society*, no. 24&25 (Winter 1991-1992, 1992), 6.

²¹⁴ *ibid.*, 6

²¹⁵ Ferree, *The Rise and Fall of "Mommy Politics": Feminism and Unification in (East) Germany*, 95

²¹⁶ *ibid.*, 95

²¹⁷ *ibid.*, 92

policies allowed for motherhood and work to be more compatible, they also encouraged a “mode of thinking that not only defined women as mothers but also absolved men of any formal responsibility as fathers.” Men generally believed that since women were “given” the time to accomplish household duties and tasks, they were released from all household and parental responsibilities.²¹⁸ Furthermore, Ina Merkel notes that shortages in the GDR required women to spend more time working to find things their families needed. Women severely lacked personal and leisure time in the East, as they were forced to maintain the double-burden of wife and mother and worker.

Merkel sums the situation up well in her comment, “...the GDR became an independent ‘socialist German nation.’ Mixed with this was the utopian notion of erasing the social differences between the sexes. The assumption was that the economic independence of women and their formal, legal equality were sufficient conditions to achieve emancipation. As history showed, this idea proved to be shortsighted.”

However, these considerations do not mean that these policies did not have limited advantages. *Muttipolitik* freed Eastern women from “social or economic dependence on an individual man.”²¹⁹ Women in the GDR could easily support children without the father, and many did: 30 percent of children overall, and 70 percent of first babies were born to unwed mothers. Unwed mothers in the East did not face the social taboo that those in the West did, and additionally, unwed GDR mothers were supported fully by the state, and even given preference in housing.²²⁰ Additionally, *Muttipolitik* and combined with *Fristenlösung*, which freed them from the burden of unwanted children and the economic strains that required marriage, led to the sexual liberation of women in

²¹⁸ *ibid.*, 94

²¹⁹ *ibid.*, 94

²²⁰ *ibid.*, 94

East Germany. East German women were sexually active younger than West German women, and also, had a “variety and multiplicity” of sexual experiences that rivaled those of men.²²¹ Still, it is critically important not to let these advantages overshadow the problems faced by working mothers in the East.

However, the impact of *Muttipolitik* cannot be overlooked. After twenty years of these policies, GDR women were unwilling to give up their low-cost childcare, *Babyjahr*, and other benefits provided to working mothers. The pages of *Für Dich* from 1989-1991 are filled with articles that attempt to deal with the end of *Muttipolitik*. The article *Kinder, Küche und Karriere*, which appeared in 1990, asks the question of how women will be able to work and care for their families without the support system provided by the GDR. According to the article, many GDR women feared they would lose social status and that the career world would become the domain of men once again, with wives returning to dependence on their husbands.²²² In a letter to *Für Dich*, a single mother, C. Rybasczyk of Damsdorf, expressed her concern that there would be no kindergarten for her son once she finished maternity leave, and furthermore, without kindergarten and daycare, she would not be able to work with two small children in the house. Additionally, she was concerned that the loss of kindergarten would mean that young children would not learn to get along with others.²²³

This letter and article express the major problems that accompanied the end of *Muttipolitik*. The article reflects the problem noted by Susanne Rothmaler, which is that for Eastern women, their identities and social lives were tied to the workplace, and that,

²²¹ Merkel, *Another Kind of Woman*, 5

²²² C. Rybasczyk, "Reader Letter," *Für Dich*, Week 21/1990, 1990, 18.

²²³ *ibid.* 18

for them, the loss of work meant loss of identity.²²⁴ In other words, socialism had convinced GDR women that a person's value is defined by their value as a laborer, rather than as a unique individual. Additionally, since work was central to all aspects of life in the GDR, to lose a job is, in many ways, to lose one's life. Eastern women were used to working outside of the home, they had no relationship with the notion of being at stay-at-home mom or even a part-time worker. Consequently, the end of *Muttipolitik* seemed devastating to these women not because it was perfect, but because it was all they knew.

The second problem, which is addressed in the letter, concerns how single mothers would be able to both provide and care for their families in the Western system, which seemed to necessitate marriage. This problem is somewhat more complex because these women obviously could not reconstruct their family situations overnight to meet the new model. Clearly, a solution needed to be found that would allow these women to support their families in this new situation. However, this solution was not necessarily the continuation of *Muttipolitik*.

The inherent problems with *Muttipolitik* can be seen in the way that GDR feminists chose to approach the unification debate. Politically active GDR women did not so much support the continuation of *Muttipolitik*, but instead, promoted the creation of a society where women had equal rights in decision making in all aspects of society. They encouraged the development of a quota system for the inclusion of women in public life. After 40 years in a system that discounted concepts of feminism and sexism, they realized that "a women's public arena had to be created in which women could come to

²²⁴ Susanne Rothmaler, "The Impact on Child Care," *German Politics and Society*, no. 24&25 (Winter 1991-1992, 1992), 109-110.

agreement together on questions concerning their own histories, concerns, and conditions of life.”²²⁵

Interestingly, by July 1990 resourceful women in the GDR had begun to explore the possibility of private childcare, as a solution to both the lack of childcare and the rise in unemployment. Privately paid babysitters and daycares had been unnecessary in the GDR, so it was not a profession that anyone pursued. However, the combined factors of the end of guaranteed, state-funded childcare and a sharp and sudden rise in unemployment, made full-time childcare a career option. *Für Dich* ran a “special” article in July 1990 titled, “First Meeting, Babysitter á la GDR.”²²⁶ The article is about an unemployed secretary, Edith Hoffmann, who has just taken a job as the full-time babysitter of a toddler named Hanna. With the end of state-provided childcare, many women realized that they did not have a spouse, parents, or neighbors who could help them care for their small children. These mothers realized that in order to continue working, they would need to hire someone to care for their children, and the career of babysitter was born.²²⁷ However, the idea of paid babysitters did not immediately resonate with women in the GDR, as they were not used to having to pay for childcare. Consequently, commercial childcare operations were not immediately profitable. Profitability was also problematic because women did not have enough disposable income available in order to pay babysitters sufficient wages. The women who were most in need of childcare generally had working class jobs, which only allowed them to pay

²²⁵ Merkel, *Another Kind of Woman*, 7-8

²²⁶ Gislinde Schwarz, "Erste Begegnung, Babysitter á La DDR," *Für Dich*, Week 29/1990, 1990, 12-14.

²²⁷ *ibid.*13

babysitters a small amount of money.²²⁸ The author of the article frames the quandary well:

...to me it seems it would be a difficult decision. For thirty Mark, would I want to be responsible for children for an entire day, to watch them, feed them, and play with them? Children, whom I did not know? And oppositely: How often could I, in addition to paying for an increasingly expensive theater ticket, afford an additional 50 Marks for a babysitter? How many people can do that, and who are they? Unmarried mothers probably rarely succeed in taking a break from their domestic duties.²²⁹

The article does not attempt to solve this problem, but rather, it states that for a business to ultimately be successful, it must be financially plausible for both the provider and consumer of the service. In July 1990, it was much too early to determine if paid babysitting would mitigate the childcare issue. The ongoing economic problems that plagued the GDR since unification have prevented private childcare from solving this problem, as private childcare is really a luxury of the wealthy. However, the importance of this article lies not in its solution to a problem, but in its demonstration of the willingness of Eastern Germans to engage imaginatively with two difficult situations—the loss of state-provided childcare and rising unemployment.

When the FRG and GDR were united in 1990, women in both Germanys faced uncertainly about what the future held. The process of unification left many questions unanswered; as mentioned previously, the *Frauenfrage*, or abortion question, was not

²²⁸ *ibid.*13-14

²²⁹ *ibid.*14

Auch mir fällt es schwer, hier ein Urteil zu fällen. Würde ich für dreißig Mark einen ganzen Tag für Kinder verantwortlich sein wollen, sie umsorgen, füttern und mit ihnen spielen? Kinder, die ich nie zuvor gesehen habe? Und umgekehrt: Wie oft könnte ich es mir leisten, zusätzlich zu teurer werdenden Theaterkarten noch 50 Mark für einen Babysitter hinzublättern? Und wieviele können das überhaupt, und wer ist das? Alleinstehenden Müttern gelingt es wohl auch dann nur sehr selten aus ihrer Häuslichkeit auszubrechen...

fully resolved until 1995, five years after unification. Many other questions, such as what would be done to unite family policy in the FRG and GDR, were never satisfactorily addressed. By examining the available information of the status of women in Germany ten to fifteen years after unification, conclusions about the effects on women in the East and West can be drawn.

Currently, Germany is facing a significant population problem. Each year, approximately 100,000 more Germans die than are born.²³⁰ Today, the birth rate in Germany is lower than it was during 1946, when Germany was in tremendous turmoil.²³¹ Furthermore, the birth rate has dropped from 11 births per 1000 people for all of German in 1987, to 8.6 births per 1000 people 14 years after unification.²³²²³³ This drop in the birth rate is blamed partially on the spread of the availability of birth control and abortions, but these factors do not fully explain why couples are deciding to have few or no children. This problem is connected to a wider range of social factors, many of which concern the conflict women face between careers, finances, and family. This view was expressed by one couple, Jürgen and Claudia Schmitz, 41 and 35 respectively, who commented that, while they are not against having children in principle, say, "...we find life without them more beautiful," as it allows them to go on spontaneous vacations and be financially independent. Furthermore, Claudia cites fears about re-entering the career world if she were to take maternity leave.²³⁴

²³⁰ "Generation Kinderlos," *Der Spiegel*, September 12, 2005, 2005, , www.derspiegel.de Spiegel Digital Archive (accessed February 10, 2006).

²³¹ *ibid.*

²³² Linda Schmittroth, *Statistical Record of Women Worldwide*, 1st ed. (Detroit: Gale Research, 1991), 763.

²³³ Federal Statistic Office, FRG, (Berlin: FRG,[2004]), www.destatis.de.

²³⁴ *Generation Kinderlos*

A feature article in *Der Spiegel*, titled *Generation Kinderlos*, or *Generation Childless*, explains the conflict German women face. The article draws an interesting parallel between European heads of government and their families and national birth rates. The article points out that Germany's first female chancellor, Angela Merkel, is 51 years old and married, but has no children—Germany's birth rate is 1.3 children per women, while French president Jacques Chirac has three children, two biological and one adopted—France's birth rate is 1.9 children per family.²³⁵ Chancellor Merkel's status as a successful, but childless, woman is not uncommon in Germany. While about one-third of women who graduated from high school between 1960 and 1967 do not have children, that number climbs to nearly 40% among university graduates.²³⁶

Germany's population problem is not just a superficial observation; if the low birth rate continues, Germany is likely to face economic consequences as a result. Fewer children mean fewer workers to support the welfare state model as the population ages; additionally, fewer births mean that Germany will have fewer consumers in the future, as well as fewer skilled workers.²³⁷

The article presents a number of problems as contributing factors to the desire of women to either forgo children altogether, or have only one child. One major problem centers around childcare. There is a severe lack of childcare in Germany, especially for children under three. In total, there are only enough daycare spots available for 9% of the children under age three; when divided between Western states and former Eastern states, the problem is even more profound. While the East has childcare spots available for 37% of children under three, the West has spots available for only 3%. Furthermore, childcare

²³⁵ *ibid.*

²³⁶ *ibid.*

²³⁷ *ibid.*

also tends to be very expensive, which limits the number of children families can financially handle. Madelaine Piljagic, 29, who makes approximately 1000€ per month, she pays 150€, or 15% of her income, for childcare for her son.²³⁸ Previously, she paid as much as 280€ per month, or 28% of her income, for childcare. She commented that while she would like to have another child, but she cannot afford to have a second child.²³⁹

Another problem believed to contribute to childlessness among women is the length of time that children are in school, and consequently, the length of time they are financially dependent on their parents. German children start school, on average at 6.7 years old and often do not graduate from secondary school until they are 20; the average at which people graduate from university is 26.²⁴⁰ The average German child does not leave home until they are 25; they are among the oldest of Western Europeans when they leave home, surpassed only by Italians, who leave home, on average, at age 30.²⁴¹ In other words, unlike in the United States, where children are often not more than an 18-22 year financial commitment, German children are a 20-26 year financial commitment.

A third significant problem is that when Germans leave home, they begin what sociologists have termed the “rush hour of life,” which takes place between the ages of 27-35.²⁴² A new report from the German Federal Government shows that Germans may experience more pressure during these years than their European counterparts. The report states, “...in this short phase of approximately 5-7 years decisions must be made and

²³⁸ *ibid.*

²³⁹ *ibid.*

²⁴⁰ *ibid.*

²⁴¹ *ibid.*

²⁴² *ibid.*

realized, which, more or less, impact their entire lives.”²⁴³ Consequently, people put off having children, and the unintended consequence of their temporary childlessness is “permanent, inadvertent childlessness,” says (Geissener(?) Familienwissenschaftlerin) Uta Meier.²⁴⁴

Women, whom, in this generation, are better educated than men (42% versus 36% are university graduates) are presented, under the current circumstances, with the difficult decision of having a career or having a family. While the GDR’s *Muttipolitik* was imperfect and had significant structural social problems, it allowed women to work by providing ample, lost-cost, childcare that allowed mothers to work. Oppositely, the Federal Republic culturally encourages the father as breadwinner, mother as at-home caregiver model, which is strongly reinforced in a tax hold that rewards single income households; it is this model that the GDR was forced to adopt upon unification.²⁴⁵

Furthermore, this situation is made more difficult by the fact that the glass ceiling is still firmly in place in Germany. Companies, like McKinsey, for whom Birgit Plank, mother of two, works, are considered to be doing a better job of hiring women into top management positions than others, even though only 4 percent of their top management positions are filled by women.²⁴⁶ Additionally, while women hold 39% of doctoral degrees in Germany, only 13.6% of professors and 9.2% of C4-professors (full professors) are women.²⁴⁷ In the military, prospects are even worse—in 2004, of the 252

²⁴³ *ibid.*

...in dieser kurzen Altersphase von etwa fünf bis sieben Jahren Entscheidung getroffen und realisiert werden müssen, die mehr oder minder das ganze Leben bestimmen.

²⁴⁴ *ibid.*

²⁴⁵ *ibid.*

²⁴⁶ Peter Ilg, "Doppelrolle Vorwärts," *Der Spiegel*, February 8, 2006, 2006, , www.derspiegel.de Spiegel Digital Archive (accessed February 10, 2006).

²⁴⁷ Federal Statistic Office, FRG,

junior officers, none of them are women.²⁴⁸ Angelika Koch, in her article, “Equal Employment Policy in Germany: Limited Results and Prospects for Reform,” comments on the link between motherhood and discrimination in the workplace, “The discrimination of women in employment is largely a result of the traditional sexual division of labor, insufficient opportunities that allow for reconciliation of family and employment, as well as discriminatory attitudes against working women.”²⁴⁹ The problem is not that women are not working—in the West, in 1998, 59% of all Western women and 57.9% of all Eastern women were employed, as opposed to 74.4% and 65.8% of men, respectively—45.7% of all women were employed in “standard full-time employment” (not self-employed, non-contractual, full-time work), versus 67.3% of men.²⁵⁰ While fewer women work full-time, they are not proportionally represented in leadership roles.

Koch blames employment discrimination against women on structural social problems, as well as the corporatist standpoint, which views mothers as problematic employees because their children are a liability; in other words, women are not considered to be the best choice economically.²⁵¹ Currently, federal policy concerning gender discrimination in employment is insufficient for dealing with this issue, as the model relies on self-monitoring and does not provide for sanctions against companies that do not comply.²⁵²

²⁴⁸ "Frauen Ohne Karrierchance," *Der Spiegel*, February 9, 2004, 2004, , www.derspiegel.de Spiegel Digital Archive (accessed February 10, 2006).

²⁴⁹ A. Koch, "Equal Employment Policy in Germany: Limited Results and Prospects for Reform," *Review of Policy Research* 20, no. 3 (2003), 443.

²⁵⁰ *ibid.*, 444

²⁵¹ *ibid.*, 449

²⁵² *ibid.*, 449

The question that presents itself is whether this conflict between work and motherhood is just an unfortunate, unavoidable consequence of capitalism that can only be solved through a socialist solution, such as the one created by the GDR, or whether there is a capitalist solution to the problem that would better fit the united FRG?

There are, in fact, many possible solutions to this problem for the united Germany, which do not require a return to *Multipolitik*. McKinsey, the previously mentioned company for whom Birgit Plank works, is exploring one possible solution to the mother-career conflict. As part of its Women's Initiative, McKinsey is exploring on-site daycare for employees as a possible solution. Currently, they offer on-site childcare in their Munich, Düsseldorf, and Frankfurt offices. This model have proven to be beneficial to both mothers and the company, as it has made the company more attractive to well-educated, successful women who want to have children, as well as to mothers, who need childcare for their children.²⁵³ Other companies, such as BMW and the pharmaceutical company Novartis have also had success with this solution.²⁵⁴

Furthermore, steps are being taken by the federal government to improve the childcare situation. A financial incentive has been offered to states that change their school days from the six-half-day-model to the five-full-day-model. By changing the structure of the school day, the current after school childcare problems for young school age children would be mitigated.²⁵⁵ Additionally, there is a movement in install public kindergartens, like those in the United States and France, in place of the private kindergartens that currently exist. The reason for this is two-fold: first, it would allow for uniform early education, and second, it would eliminate the problem of too few

²⁵³ Ilg, *Doppelrolle Vorwärts*

²⁵⁴ *ibid.*

²⁵⁵ *Generation Kinderlos*

kindergartens.²⁵⁶ Both Renate Schmidt, SPD-minister, and Ursula von der Leyen, social minister of Lower Saxony, are major supporters of these incentives on the state and federal levels. Furthermore, incentives are being put into place to provide tax benefits for those who have children, which would increase with each additional child. Finally, proposals have been offered to reduce the pressure during the “rush hour of life” period; for example, the restructuring of the university system to provide for a Bachelors degree, like in the American system, has been encouraged partially because it is believe that it will reduce the amount of time women must spend in school.

However, the glass ceiling will not be broken by improved childcare alone. Koch believes that in order to break down structural discrimination, several key steps must be taken. First, she recommends that in order to combat “occupational segregation,” policies need to be put into place that assist the entrance of women into these fields; for example, through a flexible quota system. Secondly, the installation of transparent and fair hiring practices. Thirdly, equity offices should be established to oversee decisions at the firm level and to promote women’s interests within firms and unions. Fourth, a means of pursuing meaningful litigation with meaningful sanctions, including monetary sanctions should be established; furthermore, she believes class action anti-discrimination suits should be made possible. Fifth, the awarding of public contracts should be linked to equal treatment measures. Sixth, a national equal opportunities commission should be established “...to control and monitor the regulation of gender-based employment

²⁵⁶ *ibid.*

equality and to help individuals and firms in this area.” Seventh, to establish policies that prevent indirect wage discrimination.²⁵⁷

Many less radical women’s right activists have proposed Koch’s fourth suggestion, which suggests the development of a method for pursuing class action lawsuits under German law, as a solution. Eva Kolinsky, a moderate German feminist, notes that the inability to seek class action suits has hindered German women in their pursuit of equality since the 1970s, when labor equality laws were passed. She comments that the initial legislation prevents women from seeking reimbursement for loss of potential earnings, which had limited the effects of equal employment legislation.²⁵⁸ Both Koch and Kolinsky are suggesting that without significant monetary ramifications, companies are unlikely to fully embrace equality legislation. In many cases, it is these types of suits that have forced big business to change their practices in ways that legislation could not in other countries, for example the United States, and consequently, allowing class action suits might be an effective way to expedite this process.

While Koch’s model may seem idealistic, Germany’s intense problem with gender equality within the workforce requires that significant measures be taken to offset the structural discrimination women face. Fully integrating women into the workforce, not only into lower level positions, but also into leadership positions, will require a substantial commitment on the part of government, industry and the public. However, it is important to remember that these problems are not only a result of the policies of the

²⁵⁷ Koch, *Equal Employment Policy in Germany: Limited Results and Prospects for Reform*, 450-453

²⁵⁸ Eva Kolinsky, *Women in West Germany : Life, Work, and Politics* (Oxford, UK: New York : Berg Publishers, 1989), 64.

FRG, but also was seen in the GDR. This is a social and cultural problem, not a problem that has been created exclusively by capitalism or socialism.

In addition to examining social policy and anecdotal information about the status of women in Germany fifteen years after unification, there is also a substantial amount of relevant statistical information. These statistics include marriage and divorce information, division of household labor statistics, and information regarding occupation.

One way to examine gender equality within a society is to look at the number of unpaid work-hours men and women contribute to household work. In 1965, women in the FRG averaged 39.3 hours spent on household chores, while men spent 10.2 on average.²⁵⁹ In 2001, women spent 31 hours on household related work, while men spent only 19.5 hours on average.²⁶⁰ In other words, women are still spending considerable more time than men on household chores, despite the fact that more women are entering the workforce. This trend was also evident in the GDR, where women took care of 75% of household duties, while men performed only 25% of household work; this housework divide varied only slightly from the FRG, where far fewer women worked, with women doing 80% of household duties and men doing only 20%.²⁶¹ While women performed approximately 9 hours less of household labor in 2005 than in 1987, and men contributed 9 hours more, women continue to shoulder significantly more of the household labor burden than men.

There have also been significant changes and marriage statistics. In 1986, the majority of women in the FRG married for the first time between the ages of 20-24, in

²⁵⁹ Linda Schmittroth, *Statistical Record of Women Worldwide*, 2nd ed. (New York: Gale Research, 1995), 185.

²⁶⁰ "Online News Clips," *Der Spiegel*, March 5, 2005, 2005, , www.derspiegel.de Spiegel Digital Archive (accessed February 10, 2006).

²⁶¹ Schmittroth, *Statistical Record of Women Worldwide*, 1047

1987, the statistics for GDR followed the same pattern.²⁶² In 2004, the mean age of marriage had risen to 29.4, which means women are waiting until they are significantly older to marry.²⁶³ What can be concluded from this data is that women find it less necessary to be married fifteen years after unification, which signals less dependence on men.

In September 1990, *Emma* published an article that discusses the increase in unmarried women. The article is titled, “*Nicht mit mir*,” or “Not with me.” The article points out that an increasing number of women are saying “No thanks” to marriage, in favor of other lifestyle choices.²⁶⁴ The article divides these women into three groups: those who choose to co-habitation with a male partner but do not marry; those who choose civil unions with another woman (lesbians); and, those who choose to live alone or with male or female roommates.²⁶⁵ *Emma* provides the following reasons as to why women are choosing not to marry, “Unmarried women are simply better off. They are more independent, vocationally successful, and have less housework hanging over their heads,” in other words, as *Emma* sees it, there are a number of practical reasons that it is sensible for women to remain single longer.²⁶⁶ One major conclusion that can be drawn from this article is that putting off marriage is a side effect, however unintended, of a better-educated female population. Women with more education are less financially reliant on men, which makes marriage less necessary. Furthermore, it seems that marriage can hinder the ability of women to pursue a careers, and, as a result, women

²⁶² Schmittroth, *Statistical Record of Women Worldwide*, 583

²⁶³ Federal Statistic Office, FRG,

²⁶⁴ Ursula Ott, "Nicht Mit Mir," *Emma*, September 1990, 1990, .

²⁶⁵ *ibid.*33

²⁶⁶ *ibid.*33

Unverheirateten Frauen geht es einfach besser. Sie sind unabhängiger, beruflich erfolgreicher und haben weniger Hausarbeit am Hals.

have both a lesser desire and a lesser need to marry. Consequently, it is not surprising that Germany has seen a decline in marriage rates.

Unification brought many issues concerning women to the forefront. The differences in marriage and family law and policy between the FRG and the GDR led a reassessment of these laws and policies as steps needed to be taken to unify the policies. Unfortunately, the policy of rapid unification embraced by Chancellor Helmut Kohl's government resulted in a hasty evaluation of these policies at the government level. Unification of the two German states, as previously mentioned, was less of a melding of the two states and more of a takeover of the East by the West. Consequently, the laws and policies of West Germany became the laws and policies on the entire land, regardless of whether they were truly the best option. However, women in the two German states did not pass over these differences so quickly, and many Western women recognized that they too could derive benefits from higher levels of employment and diminished dependency on men, as East German women had under socialism. While West German women were not interested in adopting the model of the socialist GDR, many more did choose to move out of the home and into the workplace in order to take advantage of the benefits provided by financial independence in a capitalist system. Still, this transition into the workplace has not been without its problems. Women in both Germanies soon realized that without the family support policies provided by the GDR, it would be very difficult to have both a career and a family. Women in both Germanies have said yes to independence, at the expense of marriage and family. This decision has had repercussions on the German state, however, and the German government must develop policies that allow women to have both successful careers and families if they hope to reverse

problems like the population crisis, as women will not give up their newfound independence. While the government of the FRG learned little from the GDR, German women from both sides of the divide learned much from GDR society—a woman's place is not only in the home.

Conclusion

If unification is seen as a merging, it appears that the GDR's more progressive social policies were rejected in favor of the FRG's more restrictive model; however, when unification is understood as a takeover of the GDR by the FRG, the true advantage of unification is seen. The beauty of unification was that it presented an opportunity for

German's to assess their own society—to think about the policies and actions they normally just accepted. This concept is critical to understanding that German women, as a whole, gained—not lost—because of unification.

For better or worse, the two German states unified within a year. The GDR had disintegrated rapidly, and the people of the GDR chose to quickly become part of the FRG. Furthermore, the total collapse of the East German state meant that there was little question that the laws and practices of the FRG would become the law of the united nation. However, the coming together of two peoples, the true unification, ignited a feminist debate that is slowly reshaping the policies of Germany in a way that is advantageous to women. Obviously, this discussion, which is still going on, is a result of the introduction of the more progressive social ideology of the GDR, and the women who lived under them, into the Federal Republic. Many women on both sides of the former divide want more progressive social policies towards women, and they have used the model of the GDR as a starting point.

German women began during the brief unification period itself, mounting a campaign for abortion rights for all German women. Feminists used unification as a tool to implement change in FRG policy, and although women did not get the legislation they had hoped for, they did manage to secure safe, accessible abortions for all German women. Furthermore, unification brought the issue of working women to the forefront. The majority of West German women had accepted their traditional role within the home until unification. Unification introduced to the Federal Republic a large body of women who saw regular, fulltime employment as part of their identities, which has encouraged

higher levels of employment and started a push for employment policies that are more favorable to working mothers.

Unification created a feminist moment because it started a discussion on what it meant to be a German woman in the late twentieth century. The moment has continued, and German women are redefining gender roles—entering the workforce in record numbers and forcing a discussion about who should be responsible for traditional domestic duties. Women no longer feel obligated to stay home and care for their children fulltime; instead, they are asking fathers to help.

Of course, the battle is not yet won. Substantial structural gender inequalities still exist within the German system, which will have to be dealt with as Germans move through the twenty-first century. However, Germans can no longer ignore the situation, as more women are opting-out of motherhood as they become better educated and more integrated into the labor force, which, in turn, has resulted in a birthrate that is too low. German women are not willing to return to full-time domestic life, so policy changes will have to be made to accommodate the German woman of the twenty-first century.

Certainly, unification had numerous negative side effects. Rates on unemployment in the new *Länder* are abysmal and Eastern women have had to adjust to the FRG model—a transition that has not been painless. However, these problems should not undermine the importance of the feminist discourse that was started by unification.

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