

Gender and Ideological Affiliations: An Evaluation of Female Sexual and Reproductive Rights in the German Democratic Republic and the Federal Republic of Germany

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In the period of significant tension following World War II, the United States and the Union of Soviet Socialist Republics began a conflict, dubbed the Cold War, which would attempt to divide the world into two spheres of influence and two vastly different ideologies: capitalist democracy and totalitarian communism.¹ Germany, which suffered defeat after a failed push to gain control of Europe in World War II, became the victim of Cold War tensions as it was divided into two nations in 1949 and remained that way for more than forty years. During this time period, East Germany, formally the German Democratic Republic, was a centrally-planned Socialist state that could be described as a satellite for the USSR. West Germany, on the other hand, known as the Federal Republic of Germany, was divided into sections controlled by the Allied

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countries following World War II and was considered to be an ally to the West. Until reunification on October 3, 1990, East Germany was largely hidden from outside observers, but it was clear that West Germany was progressing politically and economically within the international community at a significantly faster pace than the German Democratic Republic.² However, this sort of progress was not necessarily the case in the area of women's rights — specifically sexual and reproductive rights — in West Germany during this time period.

Legislation produced in both East and West Germany provide insight into official government positions regarding women's rights and sexuality during the Cold War period. The 1968 Constitution of the German Democratic Republic noted in Article 20, Section 2 that "men and women have equal rights and have the same legal status in all spheres of social, state, and personal life."³ The official state ideology of the German Democratic Republic was to encourage women to both participate in the work force and to have children. An article published on August 30, 1946 by School Councilor G. Wolff in *The Morning* (the daily paper of the Liberal Democratic Party, which was an ally to the central Socialist Unity Party of Germany) noted that, "The family has proven itself through millennia as a fundamental social construct... [Therefore] all women's work must facilitate and enable the combination of motherhood and work. The burden of raising children must be — at

² Mary Fulbrook, *A History of Germany 1918-2008: The Divided Nation* (Hoboken, NJ: John Wiley and Sons, 2009).

³ "Constitution of the German Democratic Republic (October 7, 1949)," German History Documents, accessed December 3, 2013, http://germanhistorydocs.ghi-dc.org/sub_document.cfm?document_id=2859.

least in part – also a matter of the community.”⁴ Cultural ideals of womanhood and adulthood were closely tied to perceptions regarding motherhood in East Germany, however, the economic objectives in Socialist East Germany necessitated that everybody contribute in whatever way possible.⁵ Official statistics support the notion that East Germany necessitated economic participation by both sexes, as “9 out of 10 women in [East Germany] were mothers of one or two children – a much higher percentage than that of women in West Germany,” but these women “grew up conscious of the fact that they were to be employed until retirement”⁶ Research by Meyer and Schulze indicated that this high compliance rate was not the result of coercion but was instead the result of popular support for the dual role of a woman in East German society.⁷

The 1949 Basic Law for the Federal Republic of Germany made overtures about the equal rights of men and women similar to those in East Germany’s constitution. However, the evidence will suggest that the culture of West Germany preferred women who were satisfied in their lives as housewives, and few women from West Germany worked outside the home in the years following World War II.⁸ While the economic demands placed on women and the Socialist nature of East Germany might indicate that women in the East would have fewer freedoms, this paper will argue just the

⁴ “The Family – The Core of the Rebirth of Germany,” German History in Documents and Images, accessed March 2, 2014, http://germanhistorydocs.ghi-dc.org/docpage.cfm?docpage_id=5687.

⁵ Sibylle Meyer and Eva Schulze, “After the Fall of the Wall: The Impact of the Transition on East German Women,” *Political Psychology* 18, no. 1 (March 1998): 98.

⁶ Ibid.

⁷ Ibid.

⁸ Atina Grossmann, *Reforming Sex: The German Movement for Birth Control and Abortion Reform, 1920-1950* (New York: Oxford University Press, 1995).

opposite. Rather than repressing women, East Germany did more than West Germany to guarantee women's sexual and reproductive rights through access to sex education, abortion rights, and economic incentives favorable to motherhood.

Sexual education and access to birth control have historically been the primary means of granting sexual and reproductive rights to women by greatly reducing the risk of unwanted pregnancy and sexually-transmitted diseases. Sexual education was a particularly controversial issue in East Germany, which struggled to some extent with the boundary between practicality and propriety. However, Fenemore noted that, "prudish hostility to sex was [perceived as] a remnant from an outdated, bourgeoisie social order, which had to be overcome in order to make the full transition to the new, socialist society."⁹ Cultural hostility towards sex was seen as being a product of Western beliefs that undercut the cooperative and collaborative nature of socialism, so it was clear that East Germany, as a Soviet satellite, was responsible for creating open dialogue regarding sexual standards. The *Politburo* (the primary policy-making committee of East Germany) affirmed the desire for open conversation in 1964 by issuing a public statement which announced, among other things, that "the more openness and understanding we can show in tackling these issues, the sooner we can avoid licentiousness, cynicism, disrespect for the opposite sex, abandonment of children and extra-marital family relationships."¹⁰ While there was extensive internal dispute following the creation of East Germany among scholars and

⁹ Mark Fenemore, "Shaping Sexual Knowledge: A Cultural History of Sex Education in Twentieth Century Europe," in *The Growing Pains of Sex Education in the German Democratic Republic (GDR), 1945-69*, ed. Lutz Sauerteig and Roger Davidson (New York: Routledge, 2008): 71.

¹⁰ *Ibid.*, 84.

politicians over the manner in which sex education should be taught in schools, the government and other public institutions in the 1950s pushed for sex education that would instruct citizens to overcome hostility toward public discussion of sexual attitudes and problems.¹¹ The reasoning behind this was that “sexuality was better regulated than repressed and that access to legal abortion, contraception, eugenic sex education, and general social welfare would assure a new rational and humane social order.”¹² Although there was not one clear policy on sex education passed down from the *Politburo*, values of openness and sexual responsibility were clearly impressed from the top down and resulted, for the most part, in a cultural willingness to discuss issues of sexuality and birth control in the public sphere. For example, an East German newspaper for members of the Free German Youth (FDJ), the *Junge Welt*, “began to address issues concerning relationships and sex in 1955” and this open discourse “led to a campaign of sexual enlightenment which went as far as the proposal that male and female [members of the FDJ] should share tents.”¹³ There were instances in which this ideology was also put into action. By 1960, Dr. Karl-Heinz Mehlan had become one of East Germany’s first outspoken advocates for family planning, and he went on to establish over two hundred family planning centers in East Germany to ensure free access to birth control methods.¹⁴ While cultural attitudes towards sex fluctuated as political conditions in East Germany evolved, support for sex education fostered public discourse that was far more

¹¹ Ibid.

¹² Mark Fenemore, “The Recent Historiography of Sexuality in Twentieth-Century Germany,” *The Historical Journal* 52, no. 3 (Jan. 2009): 765.

¹³ Ibid., 770.

¹⁴ Donna Harsch, “Society, the State, and Abortion in East Germany, 1950-1972,” *The American Historical Review* 102, no. 1 (Feb. 1997): 65.

comprehensive than sexual education programs implemented by Western nations of the time, who overwhelmingly shied away from public discussions of sexuality.¹⁵

In contrast to the policies of East Germany, West Germany publicly discouraged open discourse and advances in birth control methods.¹⁶ A 1941 law making the distribution of birth control illegal remained on the books in some regions of West Germany for close to thirty years, and, while up to 4 percent of women began using the Pill by the end of the 1960s, the heavily Catholic population (up to 44 percent of West Germans recognized themselves as Catholics, compared to only 5 to 12 percent of East Germans) discouraged the use of artificial birth control methods and public discussion of contraception.¹⁷ Dr. Nick Thomas, author of *Protest Movements in 1960s West Germany*, found that Nazi impositions on birth control methods, which had been sanctioned under notions that family planning was socialist and “inconsistent with the need for rapid population growth to secure the future of [Germany],” carried over into West German political ideology as a means of fighting communism. Further, the German Association for Marriage and Family, also known as *Pro Familia*, was dominated until the late 1960s by “the promotion of the ‘will to a child.’”¹⁸ This is in part due to government concern regarding declining birth rates, which the Federal Ministry of Family Affairs attributed to, among other things,

¹⁵ Marina Andler and A. Brayfield, “East-West Differences in Attitudes about Employment and Family in Germany,” *The Sociological Quarterly* 37, no. 2 (Spring 1996).

¹⁶ Lee Ann Banaszak, “East-West Differences in German Abortion Opinion,” *The Public Opinion Quarterly* 62, no. 4 (Winter 1998): 547.

¹⁷ *Ibid.*, 548.

¹⁸ Nick Thomas, *Protest Movements in 1960s West Germany: A Social History of Dissent and Democracy* (New York: Oxford International Publishers Inc., 2003), 232-233.

“the fact that ever wider circles have received more comprehensive education about contraceptive measures and abortion.”¹⁹ While sex education was viewed in a positive light by East Germany, a 1957 memo from the West German Federal Ministry of Family Affairs indicated that this education was a negative thing and that, “The current magnitude of the decline in the birth rate poses serious problems. We are dealing here with decisions in the absolutely private sphere of human life... [Determining attitudes toward this issue] lies with the forces of the free ethical-cultural realm, especially with the churches.”²⁰ This statement indicated both that government support in West Germany for sex education was low and that the state encouraged anti-contraceptive religious influences.

East Germany also established itself as more progressive than West Germany in regard to abortion rights for women. On March 9, 1972, the German Democratic Republic passed a Law on the Termination of Pregnancy, which gave women “sole responsibility for making decisions considering the termination of pregnancy” and allowed abortions in the first twelve weeks of a woman’s pregnancy.²¹ Each woman was allowed to have up to two abortions per year, indicating that the GDR, within limits, respected a woman’s autonomy in reproductive decision making. While the GDR did not place restrictions on access to an abortion based on a woman’s reason for terminating a pregnancy, policymakers cited “marital conflict, family crisis, and psychological despair” among the

¹⁹ “From the Memorandum by the Federal Ministry for Family Affairs on ‘The Reasons for Our Declining Birth Rate’ (1957),” German History Documents, accessed December 3, 2013, http://germanhistorydocs.ghi-dc.org/docpage.cfm?docpage_id=5731.

²⁰ Ibid.

²¹ Donna Harsch, “Society, the State, and Abortion in East Germany, 1950-1972,” *The American Historical Review* 102, no. 1 (Feb. 1997): 64.

legitimate reasons to pursue an abortion.²² West Germany attempted to pass similar legislation in 1974, but this legislation was struck down by the Federal Constitutional Court of Germany for its perceived inconsistencies with West Germany's constitutional human rights protections, namely the provision in Article II that "every person shall have the right to life and physical integrity."²³ In 1976, West Germany finally legalized abortion in the first trimester as a response to the GDR's legislation four years prior. However, the bill passed by West Germany legalized abortion only in instances of sexual crime, medical emergency, or serious distress. Further, any woman seeking an abortion was required to seek out medical approval by two separate doctors, submit herself to psychological counseling, and wait a minimum of three days.²⁴

Although the laws passed by East Germany were enacted by government officials acting from the top down, it is clear that the law received widespread support from East German constituents. In fact, in 1991, a survey conducted comparing opinions regarding abortion in former East and West Germany found that, when asked whether abortion was acceptable in the case of a birth defect, 9 percent of East Germans said it was "always wrong," compared to 11.7 percent of West Germans; 76.6 percent of East Germans agreed that abortion in the event of a birth defect was "never wrong," compared to only 63.9 percent of West Germans.²⁵ The same study asked residents of former East and West Germany whether abortion was acceptable

²² Ibid.

²³ "Basic Law for the Federal Republic of Germany," Deutscher Bundestag, accessed March 2, 2014, <https://www.btg-bestellservice.de/pdf/80201000.pdf>.

²⁴ Lee Ann Banaszak, "East-West Differences in German Abortion Opinion," *The Public Opinion Quarterly* 62, no. 4 (Winter 1998): 546.

²⁵ Ibid.

“when [you] can’t afford more children.” In answer to this question, 47.5 percent of participants in East Germany agreed that abortion for financial reasons was “never wrong,” compared to only 27.4 percent of those in West Germany.²⁶ These figures indicate that social support for women’s reproductive rights, as recognized by both the government and by the citizenry, was significantly higher in East Germany than in West Germany. Dr. Lee Ann Banaszak, a professor of Political Science at Pennsylvania State University, further noted that public support for a women’s right to an abortion in East Germany did not appear to be the result of political force but rather was the result of a lack of religious influence, increased education, and more prestigious job opportunities for women, all of which the government provided to its female citizens.²⁷ Thus, while East Germany publicly enacted legislation protecting women’s reproductive rights, economic and cultural conditions (which were admittedly damaging for many sectors of the country) created an environment in which public support for women’s choices flourished.

Public support for women’s reproductive rights in East Germany was extensive, so much so that polls conducted in 1992 (following German reunification) found that the vast majority of East Germans preferred their abortion law to the more stringent requirements of West Germany.²⁸ This issue proved itself to be extraordinarily contentious during the reunification process. In fact, in May 1990, a five person Department for the Equality of Women and Men was formed to smooth the transition in reunifying the two Germanys, and their primary concern was creating adjustments that

²⁶ Ibid.

²⁷ Ibid., 549.

²⁸ Ibid., 546.

would account for the potential loss of freedom for women who had been citizens of the German Democratic Republic following reunification.”²⁹

An important extension of female fertility rights lies not only in the ability to limit and/ or terminate pregnancy, but also in the ability of a woman to obtain the financial means and time to provide for a child. Particularly by the 1970s, the German Democratic Republic had passed policies which “were explicitly intended to stop the decline in rates of childbearing without resorting to coercive measures” by incentivizing motherhood while encouraging women to reach their full economic potential.³⁰ Policies incentivizing motherhood for working women relied on community support and assistance for new mothers and young families and can ultimately be “attributed both to the GDR’s continuing labor shortages (due to low levels of capital investment and relatively unproductive use of labor) and to the ideological commitment to women’s equality.”³¹ Reinheckel et al. noted that there were a variety of child care options — including at the parent’s work site — in East Germany available for women who wished to return to work after giving birth. In fact, as of 1990, 80 percent of children under the age of three in East Germany were provided childcare in public nurseries, while there was only space in nurseries for 5 percent of children under the age of three in West Germany.³² These childcare arrangements meant that

²⁹ Myra Feeree, “The Rise and Fall of “Mommy Politics”: Feminism and Unification in (East) Germany,” *Feminist Studies* 19, no. 1 (Spring 1993): 100.

³⁰ Myra Feeree, “The Rise and Fall of “Mommy Politics”: Feminism and Unification in (East) Germany,” *Feminist Studies* 19, no. 1 (Spring 1993): 93.

³¹ *Ibid.*, 92.

³² Marina Andler and A. Brayfield, “East-West Differences in Attitudes about Employment and Family in Germany,” *The Sociological Quarterly* 37, no. 2 (Spring 1996): 250.

women in East Germany had the opportunity to seek employment outside the home. The German Democratic Party further incentivized mothers to pursue employment by offering extended maternity leave for twenty to twenty two weeks, paid parental absence for up to a year, leaves of absence for sick children, one 'housework day' per month, low interest rate loans, and priority status to obtain apartments or other housing.³³ These policies were so effective that by 1988, 72 percent of married mothers in East Germany with one child were employed, as were 74 percent of those with two children and 65 percent of those with three or more children.³⁴ In comparison, "only 20 percent of West German mothers with one child, 16 percent with two children and 16 percent with three or more children below age 18 were fully employed in 1988."³⁵

The significantly smaller percentage of mothers who worked outside the home in West Germany can be attributed to a number of government policies that do not just support motherhood but created financial incentives for mothers to stay at home permanently. For example, West Germany granted paid maternal leave for two years (with the option of a third, unpaid year), a "joint taxation system yielding high marginal tax rates," and pension and health care systems that automatically provide for a non-working spouse.³⁶

³³ Anna Matysiak and Stephanie Steinmetz, "Finding Their Way? Female Employment Patterns in West Germany, East Germany, and Poland," *European Sociological Review* 24, no. 3 (2008): 334.

³⁴ Antje Reinheckel, K. Franke, W. Weise and B. Robra, "Effect of Re-Unification on Fertility Behavior in East Germany: A Review of the Evidence," *Reproductive Health Matters* 6, no. 11 (May 1998): 123.

³⁵ Ibid.

³⁶ Anna Matysiak and Stephanie Steinmetz, "Finding Their Way? Female Employment Patterns in West Germany, East Germany, and Poland," *European Sociological Review* 24, no. 3 (2008): 333.

These incentives combined with limited childcare options and cultural pressure in West Germany created a situation in which working outside the home was discouraged and even financially punished. While there was some concern that incentives for the dual role of a woman as a worker and a mother in East Germany — dubbed “Mommy Politics” — would lead to increased gender segregation, the reality was that these policies afforded women the opportunity to make a conscious choice about their future in a way that women in few other countries at the time could.³⁷ Further, research published in *Political Psychology* by Meyer and Schulze found that men in East Germany were more likely to play a prominent role in housework and childcare duties. Even in cases in which both the man and woman worked, the average woman under age thirty five in West Germany spent 7.28 hours per day on housework and childcare while her male counterpart spent an average 2.55 hours per day on similar activities; in contrast, a woman in East Germany could expect to spend 1.8 hours less than her counterpart in West Germany on housework and child care, but men in East Germany contributed an average of 39 more minutes per day to domestic tasks than men in West Germany.³⁸ While these statistics do not imply that men contributed to housework and child-care related tasks on an equal level with women, the childcare initiatives implemented by East Germany encouraged sharing of family related duties and community assistance in order to incentivize motherhood for working women.

³⁷ Myra Feeree, “The Rise and Fall of “Mommy Politics”: Feminism and Unification in (East) Germany,” *Feminist Studies* 19, no. 1 (Spring 1993): 93.

³⁸ Sibylle Meyer and Eva Schulze, “After the Fall of the Wall: The Impact of the Transition on East German Women,” *Political Psychology* 18, no. 1 (March 1998): 101.

Women living in East Germany experienced a far greater sense of sexual and reproductive independence than those living in the West Germany between 1949 and 1990. While this paper does not seek to examine the other factors that influence standard of living or overall approval ratings in either the German Democratic Republic or the Federal Republic of Germany, it is important to note that many scholars, including Meyer and Schulze found that life for women of the former German Democratic Republic became significantly more challenging following reunification due to soaring unemployment, higher domestic expectations, and more rigid sexual standards.³⁹ Women who, as citizens of East Germany, had spent over forty years working outside the home while caring for housework and children, suddenly found themselves out of work and experiencing a lost sense of purpose and identity.⁴⁰ Even men residing in East Germany felt the impact of the reunification, not only because they frequently became the sole breadwinner of the family but also because there was social pressure for men from East Germany to abide by the standards set by men from West Germany, the majority of whom spent significantly less time on housework and child care than men from East Germany.⁴¹

The impact of reunification can also be illustrated by the sharp decline of the fertility rate for women in East Germany immediately after unification. Figure one illustrates how the fertility rate in West Germany had remained relatively constant from 1975 through 1996. However, East Germany, which had been experiencing a slightly declining fertility rate since approximately 1980, experienced a significant drop off in the year 1990, bringing its fertility rate to a

³⁹ Ibid., 96.

⁴⁰ Ibid., 100.

⁴¹ Ibid., 101.

point significantly lower than that of West Germany.⁴² In fact, total fertility rate in East Germany went from 1.5 to 0.98 in only a single year, and the first steep decline can be traced to August 1990, which was “exactly nine months after the fall of the Berlin Wall.”⁴³ The decline in fertility can be attributed to the economic problems, including widespread unemployment, which accompanied reunification. However, the drop in fertility rates in East Germany was also indicative of concern over changing policies regarding economic incentives for women to have children while working outside the home, as well as concerns regarding reproductive policies including abortion rights.⁴⁴

After examining the role of cultural attitudes towards sex education, abortion rights, and economic motivations for motherhood in the German Democratic Republic, it is evident that, despite its many faults, East Germany was more progressive than its Western counterpart in guaranteeing and expanding women’s sexual and reproductive rights during the period prior to the reunification of the German Democratic Republic and the Federal Republic of Germany.

⁴² Antje Reinheckel, K. Franke, W. Weise and B. Robra, “Effect of Re-Unification on Fertility Behavior in East Germany: A Review of the Evidence,” *Reproductive Health Matters* 6, no. 11 (May 1998): 123.

⁴³ *Ibid.*, 124.

⁴⁴ *Ibid.*, 123.

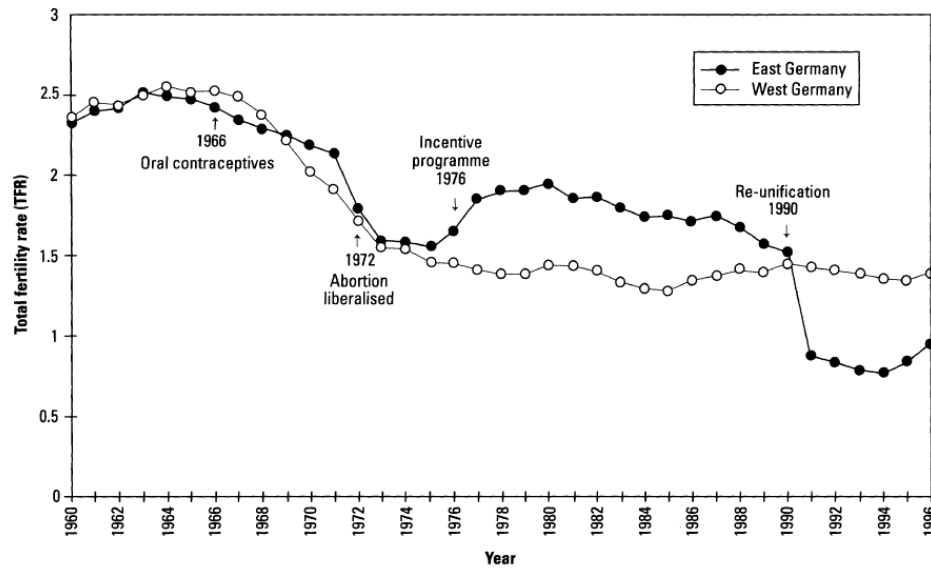
Figure 1. Total fertility rate in Germany, 1960-1996 ⁶

Figure obtained from: Antje Reinheckel, K. Franke, W. Weise and B. Robra, "Effect of Re-Unification on Fertility Behaviour in East Germany: A Review of the Evidence," *Reproductive Health Matters* 6, no. 11 (May 1998): 123.