

VII What of the Others? The Practices of Other Armed Forces

Men who consistently engage in homosexual activity pose a serious problem for the armed forces of any country. The solution depends on each country's moral and ethical attitudes, as well as its criminal laws.¹

In managing its approach to homosexuality, the BMVg kept one eye steadily trained on the practices of other countries. Those who have served in the military will be familiar with using “the neighboring situation” as a reference point when giving orders or assessing a situation. Comparing policies of one's own to those of other armed forces presented (and presents) an obvious choice, as gay and lesbian soldiers are present in every army throughout the world.

1. European Armed Forces by Historical Comparison

An already-discussed 1966 work conference organized by the Surgeon General of the Bundeswehr provides one historical context for comparison. Aside from homosexuality's medical aspects, the conference considered the phenomenon's appearance in the policies of other armed forces. “Even in states in which homosexuality is not criminal, as in France, Italy, Sweden, England and the U.S.A. and elsewhere, illicit same-sex activity committed by soldiers is not tolerated but subject to disciplinary action. As a general rule it occurs [...] exclusively for disciplinary reasons.”²

The BMVg also took interest in other North American and European regulations in its 1969 efforts to prevent homosexual activity being struck from the books as a criminal offense, at least for soldiers. The military attachés at German embassies made official inquiries at the respective ministries of defense, often supplementing these unofficially through personal channels. While the summarized reports give a clear overall view of how other armed forces proceeded with gay soldiers in 1969, they also provide a glimpse of the criminal laws prevailing in other countries at the time. Here the results are reproduced for a selection of armed forces.

¹ BArch, BW 24/3736: Surgeon General Dr. Finger, “Einführende Bemerkungen zu BMVg” InSan: “Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller,” 1966, here sheet 4.

² Ibid., “Erfahrungen mit homosexuellen Soldaten in der Marine.” In BMVg, InSan: “Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller,” 1966, sheets 64–77, here 64.

Unlike its neighbor north of the Rhein, Switzerland no longer brought legal action for homosexual activity, although it was not tolerated in the Swiss Army. Conscripts were expected to refrain from all “homosexual practices” during their three months of service, as well as military exercises that could last up to four weeks.³ While Swiss law did not consider sexual acts between adult males a criminal offense, a strict military penal code applied in the Confederacy that, in contrast to nearly every other country, held for soldiers, state officials, salaried employees and contractors in the military administrative complex at both the federal level and the cantons, as well as for civilians who worked for the armed forces. Article 157 of the code prescribed prison sentences for sexual activity between people of the same sex (expressly including women), and disciplinary measures in less serious cases. The laws stipulated a minimum sentence of one month in prison in the event that a relationship of dependence or a case of hardship was found to have been exploited.⁴

Belgian law likewise did not recognize sexual activity between adult men as a criminal act. What the BMVg found of particular interest in 1969 was Belgium’s lack of any special legal regulations for soldiers. Same-sex activity pursued by soldiers was subject to disciplinary measures if it jeopardized discipline, including dismissal under special circumstances.⁵ A similar situation applied in Sweden, where no special regulations existed for the military or in the civil criminal code. In practice, medical examiners and troop physicians would release homosexual conscripts from service “under the pretext of one illness or another.”⁶ The same held for neighboring Denmark: Consensual sex between adult men was not punishable by law, nor did any regulations regarding homosexual activity appear in the military criminal code or disciplinary regulations. Homosexual conscripts were ruled unfit for service but sometimes drafted for the Home Guard. Active soldiers would likewise be released from service as unfit.⁷

3 Ibid., Lt. Col. (MC) Dr. Rudolph Brickenstein, “Probleme der Homosexualität in der Sicht des InSan in BMVg.” In BMVg, InSan, “Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller,” 1966, sheets 22–34, here 23. An identical formulation later found in Brickenstein, “Probleme der Homosexualität im Wehrdienst.” The BMVg jurists likely took their phrasing from the article.

4 BArch, BW 1/187212: German Embassy in Bern, Air Force, Army and Navy attachés, 13 February 1969.

5 BArch, BW 1/187212: German Embassy in Brussels, Air Force, Army and Navy attachés, 17 February 1969.

6 BArch, BW 1/187212: German Embassy in Stockholm, Air Force, Army and Navy attachés, 13 February 1969.

7 BArch, BW 1/187212: German Embassy in Copenhagen, Air Force, Army and Navy attachés, 15 April 1969.

Italy's criminal code did not recognize sex between men as a criminal act either unless it occurred in public, nor did any special criminal laws apply in the armed forces, although there were internal disciplinary measures. Homosexuality was grounds for being declared unfit for service during entrance screenings.⁸ In the case of a first offense, Portugal's "Código Penal" prescribed a fine, described as bail, for "exercising a desire contrary to nature," with prison sentences being awarded only in particularly severe cases.⁹ In most cases "officials kept their eyes closed," a fact the Portuguese attaché registered as noteworthy given the authoritarian government in Portugal at the time.¹⁰ The armed forces for their part did not keep their eyes closed but, as in Italy, would bring disciplinary proceedings. In cases where "troop morale" was seriously impaired, the soldier in question would without exception be demoted to the lowest rank, and in extreme cases be kicked out of the armed forces.¹¹ West Germany's military attaché to Spain, the kingdom without a king, reported that the common criminal code did not feature any regulations specific to homosexual activity – and this under the rule of dictator Francisco Franco. Soldiers were, however, subject to Article 352 of the military criminal code, under which "dishonorable actions with people of the same sex" were punishable by a prison term ranging from six months to six years, along with mandatory expulsion from the armed forces. It is worth noting that the paragraph threatened all same-sex activity pursued by soldiers with punishment and dismissal, including with civilians, and applied to all service ranks.¹²

The flow of information concerning soldiers' homosexuality in other armies did not constitute a one-way street; neighboring and allied armed forces were just as curious "about the others" and would make inquiries at ministries of defense in partnering countries, including Germany. The BMVg's archives include written

8 BArch, BW 1/187212: German Embassy in Rome, Air Force, Army and Navy attachés, 24 March 1969.

9 Portuguese Penal Code, Article 71 No. 5. In: BArch, BW/187212: German Embassy in Lisbon, head of military attaché staff 25 February 1969.

10 Ibid.

11 BArch, BW/187212: German Embassy in Lisbon, Head of military attaché staff 25 February 1969.

12 BArch, BW 1/187212: German Embassy in Madrid, Air Force attaché, 6 March 1969.

requests for information sent to German military attachés by defense ministries in Australia,¹³ Greece,¹⁴ the UK¹⁵ and repeatedly from the U.S.¹⁶

As the new millennium drew near, the BMVg put out a revised summary of the current practices in other NATO armed forces based on attaché reports. The reports came about in the wake of inquiries Hardthöhe made regarding stipulations in criminal and disciplinary law as well as any assignment or career restrictions, prompted in turn by a June 1997 inquiry from the FDP fraction in the Bundestag.¹⁷ Even without the FDP inquiry, comparing the BMVg's own position to other allies' armed forces represented an important way of identifying any possible need for change, as retired State Secretary Wichert recalled.¹⁸ By international comparison, there had not been any need for changes in German practices, Wichert continued; German policies were entirely respectable when measured up against other NATO militaries.¹⁹ As Colonel Dr. Brickenstein reported previously in a psychiatric "evaluation" from 1980, "we [the Bundeswehr] are the most liberal in NATO" – something *he* had personally ensured.²⁰

Differently from Germany, in Belgium it was possible for homosexual soldiers to serve as immediate superiors, provided no activity relevant to criminal or disciplinary law was in evidence.²¹ The military attaché in Copenhagen similarly reported no restrictions on homosexual soldiers serving in leadership roles, nor for that matter any sanctions against homosexual behavior, criminal activity notwithstanding. Gay men were not drafted until 1979, but since then homosexuality had not been grounds for exclusion and no longer factored into entrance examinations. Homosexuality in general "was not a topic" in the Danish military.

13 BArch, BW 2/31224: Embassy of the Federal Republic of Germany in Canberra A.C.T., defense attaché, 26 June 1992; parallel inquiry from the Australian defense attaché in Bonn and the BMVg's reply from FÜS I 4 on 2 July 1992, *ibid.*

14 BArch, BW 2/31224: Inquiry from the Greek defense attaché in Bonn from 18 July 1985 and reply from the BMVg on 4 October 1985.

15 Among others, BArch, BW 1/546375, Inquiry from the British defense attaché in Bonn on 26 July 1990 and reply from the BMVg on 21 August 1990; inquiry from the British defense attaché on 9 September 1991, the BMVg's reply from 5 November 1991 is in BArch, BW 1/531592.

16 For example, BArch, BW 2/31224: Embassy of the Federal Republic of Germany in Washington, D.C. Navy attaché, 20 December 1989 and the reply of the BMVg, FÜS I 4 on 17 January 1990, *ibid.*

17 See chapter 4 for more on the FDP inquiry.

18 Interview with retired State Secretary Peter Wichert, Bad Münstereifel, 10 April 2019.

19 *Ibid.*

20 Interview with Michael Lindner, Hamburg, February 2017.

21 BArch, BW 1/502107, BW 2/38357 and BW 2/38358: BMVg, state secretary, draft response to the Federal Constitutional Court, undated.

There were no restrictions on assignment, including aboard ships.²² In Norway as well, homosexual soldiers were eligible for all service posts, positions of leadership included; homosexuals' broad acceptance in society did not allow for distinctions to be drawn between their treatment in civil society and the military.²³

The Greeks also seemed to take a highly pragmatic approach to the subject. Homosexuality was not grounds for being mustered out of the military; homosexual men performed military service like the others. Joint staff in Athens reported that whether or not homosexuals remained in the armed forces "was not assessed based on their sexual preferences"; the "rules that applied for the rest of military personnel" prevailed. The joint staff reckoned that the majority of homosexuals did not disclose their sexual preferences while in service.²⁴

Catholic Italy struck a line similar to the Greeks in the late Nineties; homosexuality was neither talked about nor debated within the armed forces, "it does not occur outwardly."²⁵ The Ministry of Defense had not issued any legal regulations or decrees pertaining to the matter; cases were considered and decided on an individual basis and soldiers had access to legal means of recourse. The deciding criteria in Italy was the distinction between "egosintonico" and "egodistonico." "Egosintonico" was used for a homosexual soldier who was "at peace with himself and did not bother anyone." In that case, his sexual orientation held no implications for his service, assignments or career prospects – psychological stability proved the determining factor. While they were not mentioned, the same was understood to apply for conscripts. A man recognized as "egodistonico," on the other hand, might prove a liability in stressful situations and was immediately dismissed from the armed forces as unfit for service. In 1997 a petty officer appealed his dismissal and won, earning the right to be reinstated with compensation for loss of earnings and professional disadvantages.²⁶

The military attaché in Warsaw reported that homosexual soldiers did not come up for discussion in Poland, though not out of tolerance or liberal politics but because the subject was strictly taboo, due in no small part to the strong influence of the Catholic Church. Soldiers identified as homosexual were initially put on leave then released from the armed forces after medical appraisal, a policy that

22 BACh, BW 2/38358: German Embassy in Copenhagen, defense attaché, 10 July 1997.

23 BACh, BW 2/38358: BMVg, annex to FÜS I 4, 27 July 1998, unchanged in 1999.

24 BACh, BW 2/38358: General Staff, head of protocol for foreign relations to the German Embassy in Athens, defense attaché, 11 August 1997.

25 BACh, BW 2/38358: Germany Embassy in Rome, defense and army attaché, 8 August 1997.

26 BACh, BW 1/502107, no pagination. BMVg, state secretary, draft response to the Federal Constitutional Court, undated. Also in BACh, BW 2/38358.

also meant they were excluded from positions of leadership.²⁷ The Czechs meanwhile struck an exceptionally liberal tack with their homosexual soldiers. In 1999 the BMVg noted no restrictions on leading, instructing or educating subordinates, nor was homosexuality grounds for excluding conscripts from service or acceptance as a fixed-term soldier, provided that no problems in adjusting to military life or other psychological problems presented themselves.²⁸ This made the former Eastern Bloc state far more progressive on the issue than its neighbor to the west, Germany. The change in heart at the Ministry of Defense in Prague seems to have unfolded between 1997 and 1999: in 1997 the German military attaché had still been reporting that homosexuals were turned down as volunteers, and eligible conscripts released from their obligation to serve, while already active soldiers were dismissed.²⁹ In contrast to the Czech Republic, the Hungarian armed forces dismissed part-time or career soldiers if they came out as homosexual, based on a lack of fitness to serve as leaders, educators and instructors. Gay soldiers were also not spoken about or debated as a topic in public.³⁰

Similarly to Poland and Hungary, the Portuguese armed forces replied that discovery of a soldiers' homosexuality resulted in immediate, dishonorable discharge. Leadership positions were ruled out entirely. Reporting in 1999, the military attaché could not make out any social pressure for change.³¹ Neighboring Spain took a decidedly more relaxed approach to homosexuality than Portugal; homosexuals were "hardly stigmatized" in the armed forces. The military would "hold on" to the officer even if the "tendency" should "happen to be" discovered. In the case of "decent and neutral conduct," the officer would retain his leadership position in the service and remain eligible for promotion. Legal consequences followed only in the event of official breaches of duty or criminal acts.³²

²⁷ Ibid.

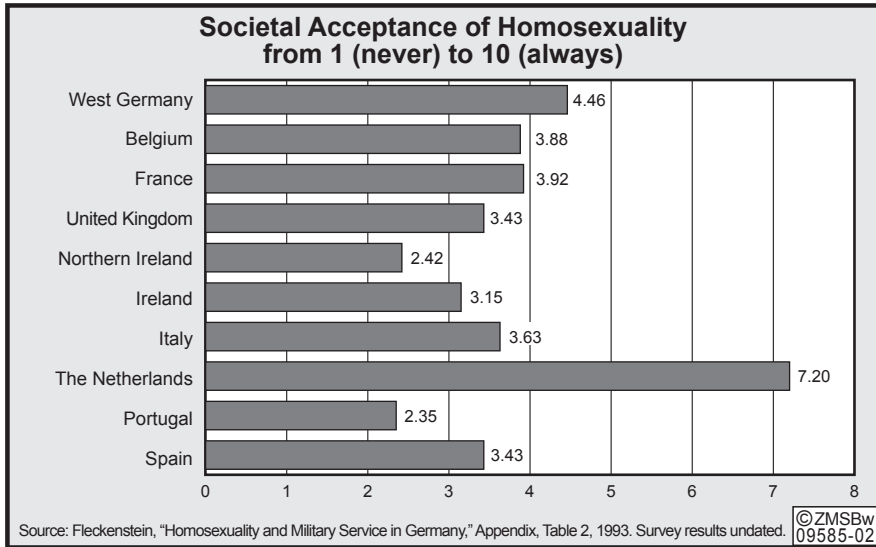
²⁸ Ibid.

²⁹ BArch, BW 2/38358: BMVg, annex to Füs I 4, 27 July 1998.

³⁰ BArch, BW 1/502107, no pagination. BMVg, state secretary, draft response to the Federal Constitutional Court, undated. Also in BW 2/38358. The German military attaché reported further in 1997 that homosexuality "wasn't a topic" in the armed forces of Hungary, Slovenia and Albania. BArch, BW 2/38358, German Embassy in Budapest, military attaché, 9 July 1997.

³¹ Ibid.

³² BArch, BW 2/38358, German Embassy in Madrid, defense attaché, 9 July 1997.



Laying reports from the various capitals side by side, one encounters a mosaic of opinions that could not be more different. The liberalism on display in Denmark and the Netherlands hardly surprises for example, matching the broad tolerance in those countries and societies. The survey results from the Allensbach Institute shown above reveal the degree of social tolerance different European countries showed toward homosexuality in the early 1990s, with participants asked to rank their acceptance on a scale of 1 (never) to 10 (always).³³

The restriction of survey results to West Germany is noteworthy, almost certainly indicating that Allensbach collected the data before German unification in 1990. The SOWI study was published in 1993 yet gives no mention of the survey's timeframe, and thus no information as to how current it was. Setting aside these gaps, the West German population fell somewhere in the middle in terms of acceptance. Aside from Northern Ireland, Portugal showed the lowest rate of acceptance at 2.35 out of 10. By direct comparison, there is a surprisingly higher show of tolerance in the other Catholic countries of Italy (3.6) and Spain (3.4).³⁴

³³ Fleckenstein, "Homosexuality and Military Service in Germany," appendix, Table 2.

³⁴ Ibid.

2. The Netherlands: “It Goes without Saying”

In the Netherlands, consensual sex between men had not constituted a criminal act since 1969. Still, for soldiers, teachers and others, illicit sex with subordinates was punishable by up to six years in prison. The current military criminal code began by establishing that the full scope of regulations in the general criminal code applied to soldiers. Conversely, this meant that there were no separate regulations governing homosexual activity, which evidently included disciplinary law; in 1969 the West German military attaché stressed that homosexuality did not pose “any problem” within the armed forces.³⁵ It remains an open question whether the attaché meant to say here that it did not exist, was not relevant or was not seen as an issue. In 1969, young Dutch men who were identified as homosexual or showed similar “conduct” were still being ruled unfit for conscription and as volunteers, with soldiers who were already in the military released as a consequence. This meant the Dutch regulations matched those in West Germany – at least until 1974. Five years before the Federal Republic changed its own entrance regulations, the Netherlands declared that on its own, a “diagnosis” of homosexuality neither “could nor should” serve as grounds for rejecting a person from service. The Minister of Defense explained the new policy on the grounds of social views shifting away from stigmatization and toward recognition of “two forms of sexual orientation.”³⁶ That did not mean that all homosexuals automatically qualified for service, however. It would still have to be evaluated on an individual basis whether it would harm the psychological and “mental health” of the soldier in question for him to remain in the service.³⁷ Working in reverse, this meant that outside of exceptions nothing stood in the way of homosexual soldiers remaining in service.

The Ministry of Defense document from The Hague did not contain any clause denying homosexuals’ ability to serve as fixed-term or career soldiers, or blocking their right to serve in leadership. Access to confidential or classified material remained the only restricted arena, though here too a policy of case-by-case evaluation replaced the former blanket policy of gay soldiers’ disqualification from receiving security clearances. Previously, the same regulations had applied on this point as in the Bundeswehr, rationalized along very similar lines: Social intolerance

35 BArch, BW 1/187212: German Embassy in The Hague, Air Force, Army and Navy attachés, 17 February 1969.

36 BArch, BW 4/839: Dutch Minister of Defense to the Defense Committee of the Lower Chamber of Parliament, 15 February 1974. Available as a copy in the Embassy of the Federal Republic of Germany in The Hague to the BMVg, 19 June 1985.

37 Ibid.

of homosexuality had made it impossible for gays to be open about their sexual orientation in the past, leaving them exposed to blackmail attempts and forcing them to associate with “criminals or people at the edge of society.” Society’s growing acceptance of gays now enabled them to stop “hiding” and pursue relationships openly, increasingly undercutting the reasoning behind denying them security clearance. Soldiers who were open about their homosexuality but had no relationships with those at the margins of society or criminals were now granted access to confidential material.³⁸ With the introduction of the policy in 1974, the Dutch armed forces preceded West Germany by more than ten years. There was a crucial difference, however: The Netherlands made it easy for their officers and NCOs to be open about their sexual orientation. Unlike the Bundeswehr, no restrictive personnel measures generally followed an “outing.” Put succinctly, beginning in 1974 Dutch soldiers could go about openly with their sexual orientation and serve as officers and NCOs unlike their West German counterparts – remarkably early by comparison with other NATO forces.

The West German defense attaché voiced his misgivings about the path taken by the Netherlands in a 1987 report:

The [...] initiative moves yet another marginal group issue in Dutch society into the military spotlight [...] What remains is a tolerant stance within the Ministry of Defense toward liberal expressions of life from members of an emancipated society – that and the consternation and far-reaching rejection of the trend among the troops themselves. Yet criticism only comes in private conversation, as with the problem of mixed warship crews in the navy.³⁹

The simple fact that criticism was only voiced in private among officers attests to how far the acceptance of Dutch society had worked its way into the Army. The armed forces were clearly under pressure from the social, and subsequently political, trend toward tolerance. Yet unlike in West Germany, the Ministry of Defense in The Hague did not make an effort to slow the trend but rather asserted the primacy of politics to prevail over the military on this issue as well. Here too, (West) Germany and its Ministry of Defense were still a far cry from the position ten years later. In 1995 the German defense attaché sent off another report to Bonn on the current state of the Netherlands’ liberal policies based on conversations with the personnel department at the Dutch Ministry of Defense. Legal provisions forbade discrimination “against homosexuals and lesbians” in the armed forces, including placing any

³⁸ Ibid.

³⁹ BArch, 2/31224: Embassy of the Federal Republic of Germany in The Hague, defense attaché, 17 February 1987. Also available in BW 4/1530.

career restrictions on homosexual soldiers. Quite the contrary – in the meantime they had been “fully accepted and integrated” into society and military alike.⁴⁰ The attaché also sent over a photocopy of a brochure put out by the Dutch Ministry of Defense in 1992 entitled “Homosexuality and Defense.” The brochure opened with the question “Gays in the armed forces, is that allowed?” “Yes, of course it’s allowed. Much more than that, it goes without saying that it’s possible. Military personnel are a reflection of society, after all.” The brochure ended quoting then Defense Minister Relus ter Beek that he was able only “to exercise limited influence on the conduct of my personnel,” but viewed it as his mission to create the preconditions so that “no differences in conduct based on homosexuality” came about.⁴¹

The liberal policies within the Dutch armed forces were not simply of interest to the Bundeswehr for its own edification; they had practical consequences. Beginning in 1995, German and Dutch soldiers served in a joint corps, with staff headquarters located in Münster. Just weeks after the corps staff began operations the BMVg found itself confronting problems arising out of the “extraordinarily liberal” stance the Dutch armed forces took toward homosexual soldiers, which barred sexual orientation from leading to “any restrictions on assignment or professional disadvantage.”⁴² As of June 1996, Hardthöhe found that policy differences on the matter had not led to any problems within the joint corps,⁴³ although the working group on “Deep Integration” should see to it that “homosexually inclined Dutch soldiers should not be put in command of German soldiers, if at all possible.”⁴⁴ The archives are silent as to whether this actually occurred or not.

Soldiers in the German Air Force training regiment located in the Dutch town of Budel still recalled the astonishing openness that reigned among the Dutch Army in the early Nineties in comparison to the Bundeswehr. The Dutch Air Force took out ads for future pilots in gay magazines that showed the cockpit of a fighter jet bearing the catchphrase: “There are more exciting places than the darkroom.” The relaxed attitude the Dutch took to homosexuality had an effect on the German soldiers stationed there. One contemporary eyewitness recalled his swearing-in at Budel in 1990. A conscript had invited his long-term partner to the event – the two greeted each other with a kiss in plain sight, directly in front of the company build-

40 BArch, BW 2/38353: Embassy of the Federal Republic of Germany in The Hague, defense attaché to the BMVg, 21 December 1994. Previously issued with the same wording in *ibid.*, I. (GE/NL) Corps, German division G1 to the BMVg, 19 December 1995.

41 *Ibid.*, photocopy and translation of the brochure “Homosexualiteit en Defensie” from May 1992.

42 BArch, BW 2/38353: BMVg, Füs I 4, 20 June 1996.

43 *Ibid.*; and previously in *ibid.*, I. (GE/NL) Corps, German division G1 to the BMVg, 19 December 1995; *ibid.*, BMVg, State Secretary Wichert to Deputy Ruprecht Polenz, 14 February 1996.

44 BArch, BW 2/38353: BMVg, Füs I 4, 20 June 1996.

ing. The German soldiers present had been flummoxed; there were no negative reactions to speak of. “Wow, he’s got guts!” had been the words of one.⁴⁵

3. Great Britain: “Immediate Dismissal as Unfit to Serve”

Winston Churchill is credited with one famous saying about “traditions” in the Royal Navy: “Naval Tradition?” He reportedly said as the First Lord of the Admiralty in 1911 (other sources put it in 1913), “Monstrous. Nothing but rum, sodomy, prayers and the lash.”⁴⁶ A closer look at the sources reveals the attribution to be spurious. Churchill’s personal assistant, Anthony Montague Browne attested to asking Churchill about the quote, to which Churchill replied: “I never said it. I wish I had.”⁴⁷

Writing in 1908, Karl Franz von Leexow noted the strict line British armed forces took against homosexuals in their ranks “to promote discipline and morality.”⁴⁸ Yet Leexow also quoted “one of the best-known English generals” (Lord Kitchener, by Magnus Hirschfeld’s account) as saying, “If we run out of officers in the Sudan, I’ll use the retired homosexuals.”⁴⁹ Rumors about Herbert Kitchener’s own homosexuality swirled about the Army officer during his lifetime (1850–1916), reaching back to his time as commander of the Egyptian Army between 1892 and 1899.⁵⁰ “Is a soldier married a soldier spoiled?” the women’s magazine *Home Chat* asked on a 1910 cover in reference to one of Kitchener’s statements, picturing the officer alongside.⁵¹ The reality was different: During World War I, 22 officers and 270 NCOs or enlisted soldiers were sentenced by court martial for homosexuality. Dubbing it a “German perversion,” the press campaign against actual or alleged homosexuals as German agents reached a highpoint in 1916.⁵²

Homosexuals also (predictably) served in the British Army, Royal Navy and Royal Air Force during World War II, among them highly-decorated officers and

45 Interview with Winfried Stecher, Hamburg, 25 January 2018.

46 Hewlett, “When and why did Winston Churchill say: ‘The traditions of the Royal Navy are rum, sodomy and the lash?’”

47 Churchill, *Churchill by Himself*.

48 Leexow, *Armee und Homosexualität*, 100.

49 Ibid., 101; Hirschfeld, *Von einst bis jetzt*, 152.

50 Bourne, *Fighting Proud*, 5–11.

51 Reproduction of the cover and the article in Bourne, *Fighting Proud*, 109–11.

52 Schwartz, *Homosexuelle, Seilschaften, Verrat*, 153–57. Among those who fell victim to suspicion were economist John Maynard Keynes, employed at the time in London’s Ministry of Finance. Ibid., 154.

war heroes. Wing Commander Ian Gleed (1916–1943) was one; Gleed entered the Royal Air Force in 1936, fought in the “Battle of Britain” in 1940, was twice honored by King George VI and became a Wing Commander in 1941 before being shot down and fatally wounded in Tunisia in 1943. In *Arise to Conquer*, an autobiographical account of the “Battle of Britain” that came out in 1942, Gleed alluded to a secret lover named Pam at the advice of his publisher. There never was a Pam, but there was a Christopher.⁵³ Christopher Gotch (1923–2002) entered the Royal Air Force at nineteen, receiving pilot training in a squadron led by Wing Commander Gleed. The two quickly became lovers, with the twenty-five-year-old Gleed initiating the relationship by Gotch’s account. Gleed was taking a risk; sex between men stood under special threat of punishment for being considered morally corrosive, or a “load of rubbish” as Gotch put it. Gotch publicly disclosed his relationship to Gleed for the first time in 1997, in the BBC documentary “It’s not unusual.”⁵⁴

Nothing changed after World War II; in 1997 the air force, army and navy all still had just a single word for an officer whose homosexuality became public knowledge: Out. Homosexuals were sought out by means of the intelligence services. In 1967, or two years before West Germany, the “Sexual Offences Act” altered sex crimes in Great Britain, decriminalizing consensual sexual activity between men over the age of twenty-one.⁵⁵ The provisions in the new law drew an explicit exception for soldiers and other members of the armed forces, for whom service branch law continued to apply.⁵⁶ Article 66 of the 1955 Army Act, like its counterparts in the air force and navy, made “disgraceful conduct of a cruel, indecent or unnatural kind” liable to punishment, prescribing up to two years in prison. Article 64 also saw to it that any officer who “behaves in a scandalous manner, unbecoming the character of an officer and gentlemen, shall, on conviction by court-martial, be cashiered.” Under the two articles, Her Majesty’s Armed Forces also made homosexual activity punishable by at least twenty-eight days’ arrest. NCOs would as a rule be demoted to the lowest possible rank, officers would be dismissed. Simplified disciplinary measures did not exist. Less serious offenses might be “regarded and treated as medical cases” by troop physicians and wind up in transfer or dismissal.⁵⁷

53 Bourne, *Fighting Proud*, 97–104.

54 Ibid., 102–3.

55 BArch, BW 1/187212: Germany Embassy in London, head of the military attaché office, 20 February 1969. For a full account of the debates about decriminalization in the House of Commons see Ebner, *Religion in Parliament*, 42–94. On the 1967 Sexual Offences Act in particular see 94–95.

56 BArch, BW 1/187212: German Embassy in London, head of the military attaché office, 20 February 1969.

57 Ibid.

BMVg jurists returned to take another look at other armed forces' policies in 1970. With a volunteer Army, the British did not accept men with homosexual "tendencies" for service. If the fact were "recognized" once they had already entered the military, the soldier would be immediately dismissed as "unfit for service."⁵⁸ Yet by all accounts there were exceptions to the stringent policies, especially with high-ranking officers. One military historian close to General Johann Adolf Graf von Kielmansegg recalled the general telling him in 1967 or '68, while Kielmansegg was serving as NATO's Commander in Chief of Allied Forces in Central Europe and living in Bad Krozingen outside Freiburg, that the British kept "both eyes closed" for generals whose homosexual orientation was an open secret.⁵⁹ A retired naval officer had something similar to report. A former commander with years of training England, he laconically interjected at one point that "the transition from camaraderie to homosexuality was fluid on the island."⁶⁰

In contrast to the impression these individual accounts might give, the legal landscape was quite unambiguous: Up until 1994 homosexuality constituted a criminal act within the British armed forces. In 1997 the German Army attaché reported from London that the British government had "made it clear that homosexuality would not be tolerated in the armed forces [...] in the future either." The armed forces "had reserved the right to distinguish themselves from society." Simply put, the position of the British Ministry of Defense was that "homosexuals exercise a bad influence on morale in the armed forces."⁶¹ An internal survey had shown soldiers strictly opposed to accepting homosexuals into the armed forces, while those who were identified as homosexuals were generally dismissed. Between 1990 and July 1997, 417 soldiers were released from service, with the annual figure ranging between 42 and 65. That included a surprisingly high number of women; in 1996, for example, 43 men and 22 women were dismissed, with similar numbers for the previous year. In summary, the German military attaché found "the UK Ministry of Defense resolved neither to adhere to ECJ legislation nor give in to what was currently somewhat subdued social pressure on the delicate issue, [and] prepared to risk action before the ECJ with the backing of the government."⁶²

Such was the state of things in July 1997. Initially at least, Tony Blair's Labour government showed as little will to change as Germany's Red-Green coalition would the following year. Two years and two months later, the European Court

⁵⁸ BAArch, BW 24/7180: BMVg, VR IV 1, 29 September 1970.

⁵⁹ Interview with Dr. Georg Meyer, Freiburg im Breisgau, 7 September 2019.

⁶⁰ Letter from Ret. Navy Commander Heinrich Franzen in *Die Bundeswehr* 11, 2020, 120.

⁶¹ BAArch, BW 2/38358, Germany Embassy in London, deputy army attaché, 29 July 1997.

⁶² Ibid.

of Human Rights brought an end to the persecution and prosecution of homosexuals in the British armed forces. The lawsuit revolved around four former career soldiers, both women and men, who had been dismissed from the armed forces for their sexual orientation. The final ruling on 27 September 1999 found that the current personnel policy as it pertained to homosexuality was not “legally sustainable,” as Defense Minister Geoff Hoon conceded in parliament. The court opinion made it clear that the existing rules would have to change, the minister continued frankly, calling on the head of the joint staff to make an urgent review of current regulations.⁶³ On 12 January 2000 Hoon presented a revised code of conduct to the House of Commons that had the armed forces’ operational readiness – but not differences in lifestyle – at the center of its focus. The second sentence of the code explicitly addressed itself to all members of the armed forces “regardless of their gender, sexual orientation, rank or status.” “Personal relationships do not lend themselves to precise prescription,” the document continued, nor was it practicable to list every possible inappropriate form of behavior individually.⁶⁴ Instead, the new orders put a test question, or “service test” at the heart of evaluating conduct: “Have the actions or behavior of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the service?” Before the House of Commons, Hoon explained that since operational effectiveness would be the lone criteria in assessment going forward, there were no longer any grounds for rejecting homosexuals from military service. In consequence, the ministry had decided to repeal the existing ban against homosexuals. The revisions took effect that same day, 12 January 2000.⁶⁵ Twenty years later, on 12 January 2020, the central Ministry of Defense offices and Royal Navy HQ in Portsmouth were lit up by rainbow flags, celebrating the opening of the military to LGB personnel.⁶⁶

⁶³ “Homosexuality and the Armed Forces,” speech by Defense Minister Geoff Hoon before the House of Commons on 12 January 2000, forwarded in the original English by BMVg Section PSZ III 1 on 3 April 2000 to the joint chiefs of the armed forces, BArch, BW 24/37667.

⁶⁴ British Ministry of Defense: The Armed Forces Code of Social Conduct Policy Statement. An English-language copy was also forward by PSZ III 1 on 3 April 2000 to the joint chiefs of the armed forces, BArch, BW 24/37667.

⁶⁵ Speech of British Defense Minister Geoff Hoon before the House of Commons on 12 January 2000, BArch, BW 24/37677.

⁶⁶ “Ministry of Defense lit in rainbow colours to celebrate LGB personnel.”

4. The U.S.: “No Queens in the Marines”

So many queens think everybody's gay, and John Wayne is gay, and Gary Cooper is gay, and he's a cocksucker even though he's got a wife and two kids. But a square guy is a square guy, and there were no queens in the Marines.⁶⁷

Such was the account one paratrooper gave of serving in the U.S. Marines in the Pacific theater during World War II, going on to recall the intimacy that developed in the course of the fighting and everyday life in between battles. “But the closeness there had absolutely nothing to do with the gay thing at all. Because if you were gay you were kicked out of the goddamned Marine Corps immediately. Even if they *thought* you were gay you were kicked out of the Marine Corps. It was not a common thing like it was in the fucking navy. If a guy were gay he normally went in the navy, because of clean living aboard ship and everything, and the nice white uniform.”⁶⁸

Criminal legislation of sexual behavior in the U.S. occurred at the state level, with a number of states criminalizing sexual activity between men as “sodomy.” For the armed forces the Uniform Code of Military Justice (UCMJ) applied, whose §925 Article 125 also made “sodomy” punishable by law.⁶⁹ In 1969, the German Army attaché in Washington reported that the death penalty could be imposed in such cases, but generally sexual activity between adult men where force was not involved brought four years’ “hard labor,” i.e. a labor camp. Convicted soldiers would receive dishonorable discharge from the armed forces.⁷⁰ As in the UK, homosexual soldiers were sought out in the U.S. using intelligence methods, with gays and lesbians who had been identified as such by one means or the other dismissed “without honor.” This was not the same as dishonorable discharge, which incurred “disgrace” and held grave social consequences for the future, as Colonel Dr. Brickenstein described in 1966.⁷¹ Even so, Dr. Brickenstein continued with palpable regret, “U.S. armed

67 Bowers, “No Queens in the Marines,” 80.

68 Ibid., 82. For a full account of the situation facing gay and lesbian U.S. soldiers during World War II see Bérubé, *Coming Out Under Fire*.

69 The offense of “sodomy” also made heterosexual anal intercourse punishable: “Any person [...] who engages in unnatural carnal copulation with another person of the same or opposite sex or with an animal is guilty of sodomy. Penetration, however slight, is sufficient to complete the offense.” Available online at <https://ucmj.us/> and in BArch, BW 1/187212: German Embassy in Washington D.C., military attaché, 17 February 1969.

70 Ibid.

71 BArch, BW 24/3736: Lt. Col. (MC) Dr. Rudolph Brickenstein, “Probleme der Homosexualität in der Sicht des InSan im BMVg,” in BMVg, InSan: “Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller,” 1966, sheets 22–34, here 24.

forces' infiltration by homosexuals could not be prevented entirely."⁷² Unlike in Germany or Great Britain where "the problem chiefly [played out] in the navy," the U.S. largely encountered the problem in the air force. In making this claim, Brickenstein drew on a study attributed to Arnold Mysior, a psychologist working for the U.S. Air Force.⁷³ According to Brickenstein, Mysior saw the causes for this as lying in the broad mobility of soldiers in the air force; like his German colleague, Mysior was certain that homosexuals formed "sociological groups of their own [in the Army], with shared jargon, near unerring recognition of one another and a widespread system of mutual acquaintanceship linked to treason, addiction and criminality."⁷⁴ In order to investigate homosexuals more effectively the U.S. military had created the Office of Special Investigations, which sought to track down gays secretly serving in the military via intelligence, "eyewitness testimony and verifying biographical as well as hereditary anamnesis."⁷⁵ (Here Brickenstein was likely overly focused on homosexuality. The Air Force Office of Special Investigations pursued all kinds of leads related to security, by no means only those linked to homosexuality.)

Homosexuals were requested to report other soldiers they knew to be homosexual, a practice mentioned explicitly in U.S. Army service regulations. To follow Brickenstein's account, Mysior was convinced that "true homosexuality" was present only when sex between men "was the expression of psychological experience."⁷⁶ The phrasing, which is not elaborated on, may echo a distinction the Bundeswehr also attempted to draw between true, consistent homosexuality and sexual "slip-ups" that were context dependent (e.g. excess alcohol consumption by someone who was "actually" heterosexual). The service regulations in the U.S. Armed Forces evidently followed a somewhat different definition: Only a person who actually engaged in homosexual activity should be regarded as such. This

72 Ibid., 25.

73 Ibid. Starting in 1947 Arnold Mysior (1921–2015) worked counterespionage in the Air Force Office of Special Investigations. After retiring in 1965, Mysior became Director of Psychological Services at Georgetown University, where he taught until 1977. <http://arnoldmysior.com/bio> (last accessed 6 March 2019).

74 BArch, BW 24/3736: Lt. Col. (MC) Dr. Rudolph Brickenstein, "Probleme der Homosexualität in der Sicht des InSan im BMVg," in BMVg, InSan: "Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller," 1966, sheets 22–34, here 25.

75 Ibid. Brickenstein's mention of "hereditary anamnesis" is chilling, recalling the darkest eras of German medicine, and German psychiatry in particular. The era lay just twenty years in the past; the doctors were often the same.

76 Ibid.

pregnant point was not elaborated on either in 1966, prompting the obvious question of whether it applied conversely that a soldier who abstained sexually but was homosexual by all outer appearances was not seen as such, and thus did not have any restrictions to fear – i.e. dismissal. If so, did it constitute a further parallel to the position taken by the Catholic Church? The jurist presenting for the German Navy at the same work conference in 1966 also took a look over the pond; the U.S. Navy did not simply crack down on homosexuality in its ranks with “severe punishment,” “but by consciously promoting a natural sex-cult.”⁷⁷ The navy lawyer put it more concretely. By “promoting the distribution of risqué depictions of pin-up girls,” the navy strove to “channel soldiers’ sexuality along natural courses and avert homosexual deviations,” although “the extent to which the American Navy has succeeded in these methods with true homosexuals unfortunately could not be determined.”⁷⁸

The Naval Military Personal Manual in use in 1983 contained the following:

Homosexuality is incompatible with naval service. The presence in the naval environment of persons who engage in homosexual conduct or who, by their statements, demonstrate a propensity to engage in homosexual conduct seriously impairs the accomplishment of the naval mission. The presence of such members adversely affects the ability of the Department of the Navy to maintain discipline, good order, and morale; foster mutual trust and confidence among service members; ensure the integrity of the system of rank and command; facilitate assignment and worldwide deployment of service members who frequently must live and work under close conditions affording minimal privacy; recruit and retain members of the Department of the Navy; maintain the public acceptability of the Department of the Navy; and prevent breaches of security.⁷⁹

The corresponding passage in the U.S. Army Manual featured the same wording.⁸⁰ At least on individual occasions, soldiers who were taken into custody for activities of the sort were also subjected to physical violence by military police. One witness speaking for a television documentary recalled the German police and the Military Police Corps appearing suddenly outside his hotel room in the 1960s. A U.S. soldier had rented the room to spend the night with the German, who was sixteen at the

77 BArch, BW 24/3736: “Erfahrungen mit homosexuellen Soldaten in der Marine,” in BMVg, InSan: “Beurteilung der Wehrdiensttauglichkeit und Dienstfähigkeit Homosexueller,” 1966, sheets 64–77, here 66.

78 Ibid.

79 BArch, BW 2/31224: Embassy of the Federal Republic of Germany in Washington D.C. naval attaché, 24 November 1989, containing a copy of SECNAVINST 1910. 4A from 27 December 1983. Identical wording in the Naval Military Personal Manual, 3630400.

80 Ibid., containing a copy of the Army Policy of Homosexuality.

time. The eyewitness recalled that the soldier had been dragged out of the room and later “been savagely beaten with a rubber club.”⁸¹

Beginning in the late Eighties, a glimmer of hope appeared on the horizon in the U.S. for gays and lesbians in the military, a development that can also be gleaned from reports and newspaper articles sent to Bonn by the German military attaché in Washington.⁸² One of the first signs came in a study put out by the Pentagon’s Personal Security Research and Education Center in Monterey, California. The increasingly liberal and open stance toward gays and lesbians within the broader population, paired with homosexuality’s decriminalization, had decreased the pressure on homosexuals to conceal and hide themselves. This meant that gay and lesbian soldiers were no longer susceptible to blackmail and thus no longer presented a security risk. For the researchers in Monterey, it also meant the time had come to consider how homosexuals might be integrated into the armed forces. The German Navy attaché added that the Pentagon “continued to be as steadfastly opposed as before. Homosexuality was incompatible with the living conditions that military service entailed; it disturbed soldiers’ coexistence, undermined order and discipline and thus detracted from the armed forces’ ability to fulfill its mission.”⁸³

While the Pentagon’s arguments read similarly to Hardthöhe’s, the consequences were different. In the U.S. armed forces, any soldier identified as gay or lesbian was unfailingly discharged without honor; their West German counterparts on the other hand were allowed to keep their uniforms and serve out the remainder of their term (with the exceptions described earlier). It is worth noting in this context that a military draft had not existed in the U.S. since the 1970s, meaning all U.S. soldiers were either fixed-term or career. The German Navy attaché included a personal take on the issue with his report. To date, the U.S. military had made use of “the easily understandable argument of homosexuality as a security risk almost exclusively, and too vehemently.” This let other, “equally weighty” arguments sooner be classified as “as excuses from a group of conservatives reluctant to apply societal changes they did not like to their own sphere of activity.” The risk of political or legal decisions against the military’s position was on the rise, as the

⁸¹ Reported in the television documentary “Der Schwulen-Paragraph,” broadcast 10 October 2019 at 11.15 p.m. on HR-Fernsehen.

⁸² For example, BArch, BW 2/31224: Embassy of the Federal Republic of Germany in Washington D.C., naval attaché, 24 November 1989, containing copies of multiple newspaper articles, among them Schneider, “Rethinking DOD Policy on Gays”; Sciolino, “Report Urging End of Homosexual Ban Rejected by Military.”

⁸³ BArch, BW 2/31224: Embassy of the Federal Republic of Germany in Washington D.C., naval attaché, 24 November 1989. For a more complete analysis of U.S. gay and lesbian soldiers in the 1970s and 1980s see Shilts, *Conduct Unbecoming* and Wells-Petry, *Exclusion*. Both works came out in 1993.

end of general conscription meant that fewer and fewer “members in the legislative and judicial spheres” would be familiar with life in the armed forces from personal experience.⁸⁴

The Navy attaché’s prognosis proved correct; in 1993, newly elected President Bill Clinton enacted a new policy on homosexual soldiers. (In line with the attaché’s warning, Clinton had no personal experience in the military.) Clinton had promised to grant all citizens access to the armed forces on the campaign trail in 1992, but even as president had not been able to prevail over the resistance he met from the Pentagon and military commanders. U.S. generals’ skepticism emerged in causal remarks as well, such as one voiced by an old guard in the military to State Secretary Wichert: “As long as it was forbidden nobody could agree more than me, now that it is tolerated I can live with it, as soon as it gets mandatory I’ll quit the service.”⁸⁵

As the internal discussion surrounding Clinton’s planned revisions progressed, U.S. politicians consulted with the BMVg about its own approach. Aside from the crisis posed by the collapse of Yugoslavia, U.S. Senator John Warner had homosexuality high on his agenda when he came to visit Bonn in April 1993.⁸⁶ Warner was not a run-of-the-mill senator; a widely respected military expert, he had been tasked with resolving the conflict between Clinton’s campaign promise and the military’s resistance to lifting restrictions against gay and lesbian soldiers. The Warner Commission, which took its name from the senator, landed on a compromise in the phrase “Don’t ask, don’t tell.” The new policy essentially mirrored the approach the Bundeswehr had taken since the 1970s. It is possible that Warner got the idea for it on his visit to Hardthöhe. The parallels were self-evident to Peter Wichert – the Bundeswehr unspokenly followed the principle the U.S. later set about implementing.⁸⁷ Even at the time, the BMVg viewed it in a similar light: “Upon initial review, the relevant reforms in the U.S. armed forces aim at a procedure comparable to the [Bundeswehr].”⁸⁸ The parallels also presented themselves to *Der Spiegel* in an article from February 1993 that asked “Gays in the Army? In the U.S. Bill Clinton wants to let homosexuals in the military – nothing new for the Bundeswehr.”⁸⁹ Compared with U.S. practices to date, the German military was not so bad after all. “If homosexual tendencies are discovered within officers already in service,

84 BAArch, BW 2/31224: Embassy of the Federal Republic of Germany in Washington D.C., naval attaché, 24 November 1989.

85 Email from retired State Secretary Peter Wichert to the author, 26 April 2019.

86 BAArch, BW 2/38355: BMVg, Staff officer for the chief of Füs staff, 31 March 1993.

87 Interview with retired State Secretary Peter Wichert, Bad Münstereifel, 10 April 2019.

88 BAArch, BW 2/32553: BMVg, Füs I 4, 3 February 1993. Also available in BW 24/14249.

89 “‘Versiegelte Briefe.’”

military intelligence does not intervene, as in the U.S.”⁹⁰ (Of course, this study has shown the Bundeswehr absolutely did intervene.)

President Barack Obama made a new attempt at removing restrictions against gays and lesbians in the U.S. military, issuing a clear pronouncement in his 2010 State of the Union address: “This year, I will work with Congress and our military to finally repeal the law that denies gay Americans the right to serve the country they love because of who they are.”⁹¹ Chairman of the Joint Chiefs of Staff Admiral Mike Mullen gave the green light himself at a congressional hearing: “I personally believe it is right to allow homosexuals and lesbians to stop hiding. Current practice forces young men and women to deny their identity so that they can defend their fellow citizens. For me personally, this is ultimately about integrity. That of the soldiers and that of our institution.”⁹² In 2011, President Obama lifted all restrictions against gay and lesbian soldiers.

U.S. soldiers took advantage of their newfound freedoms. Particularly on foreign assignment they were now able to strike up new friendships and meet sexual partners, both within their own ranks as well as among soldiers from other countries. German soldiers stationed in Afghanistan reported especially frequent and intimate contact with U.S. soldiers, who as of 2011 were now able to move about freely and easily with their sexuality, at least as a general rule. One German NCO recalled an unusual encounter with another sergeant in Camp Mazar-e Sharif in 2011. The sergeant did not appear alone to the date the two had fixed for sex, but came with yet another sergeant in tow. Contrary to the German’s sudden expectation that the date would turn into a threesome, the second sergeant did not take part at all but remained seated on a chair, without the least interest in the sex that was taking place directly in front of him. The unusual observer explained that the sergeant had brought him along as a witness in order to respond to any potential accusations or complaints that might arise about sexual misconduct, even rape. The trepidation and fear regarding lawsuits of the sort led some U.S. soldiers to reach for reassurance – the sergeant certainly was not alone in the practice, and it seems to have been even more widespread among heterosexual U.S. soldiers.⁹³

Up to this point in the study, one country and Army have been left out that present perhaps the most obvious point of comparison: The GDR and its National People’s Army (Nationale Volksarmee, NVA). Though it may be astonishing, while the Ministry of Defense in Bonn kept regular tabs on the regulations of every mil-

⁹⁰ Ibid.

⁹¹ McGreal, “Barack Obama promises to end gay army recruit ban.”

⁹² Rissman, “Obama: Bald ‘Ask and tell?’”

⁹³ Interview with H., Berlin, 2 July 2018.

itary conceivable from Norway to Portugal, it never did so for the NVA. No document turned up in the Hardthöhe archives pertaining to how the GDR armed forces handled the subject of homosexuality.

5. The NVA and GDR Border Troops: Operational Personal Checks by the MfS

After 1950, the previous, more lenient version of §175 StGB as it appeared in the constitution of the German Empire applied in the GDR. The high court in East Berlin ruled that the more stringent version had been a “Nazi” form of injustice, recommending at the same time that legal proceedings allowed by the version of the paragraph from the National Socialist era be discontinued due to the minor nature of the crimes involved. This explains why research literature consistently refers to the fact that the GDR legal system stopped using §175 in the Fifties. Court rulings from the archived files of the East German military prosecutor’s office and the Ministry for State Security (Ministerium für Staatsicherheit, MfS), however, belie this assumption, at least up through 1968.⁹⁴ That year (one year before the Federal Republic revised its own criminal code), the new GDR criminal law book did in fact abandon §175 and cease to prosecute homosexual activity between grown men. In its place, the new §151 now criminalized homosexual acts by adults of both sexes with youth under eighteen in the GDR. (This included consensual activity, though it was listed in the new GDR criminal law book under the section “Sexual Abuse of Adolescents.”⁹⁵) In 1987 the East German high court ruled that homosexual people

94 In 1959, for instance, Magdeburg District Court sentenced two men to one and three years’ penitentiary respectively for “illicit sex contrary to nature – crimes pursuant to §175 StGB” (in addition to another five years for other crimes). BStU, MfS, AU 647/59, a copy of Magdeburg District Court ruling from 3 October 1959. In 1961, Berlin-Lichtenberg City District Court sentenced a man to eight months in prison for “continuing illicit sex pursuant to §175 StGB.” BStU, MfS, GH 70/61 volume 2 contains a copy of the ruling from 3 October 1961. In January 1968, Rostock Military Court sentenced a twenty-one-year-old People’s Police cadet to six months’ prison on probation for “illicit sex contrary to nature pursuant to §175 StGB.” The cadet had performed consensual masturbation on and active anal intercourse with a fellow cadet on multiple occasions. BArch, DVW 9/35646 b: Ruling at Rostock Military Court on 3 January 1968.

95 §151 StGB of the GDR: “An adult who engages in sexual conduct with a juvenile of the same sex shall be punished by imprisonment for not more than three years or sentencing on parole,” <http://www.verfassungen.de/ddr/strafgesetzbuch74.htm> (last accessed 22 January 2020). For a detailed legal history of the paragraph in question see Burgi and Wolff, *Rechtsgutachten*, 22–25. Könné gives a good overview of homosexual men and women’s situation in the GDR in Könné, “Schwule und Lesben in der DDR.”

did not stand “outside of socialist society” but were “entitled to the same civil rights as all other civilians.”⁹⁶ Likely as a result, the criminal laws were amended in December 1988, and §151 was formally struck from the GDR criminal code on 1 July 1989 along with the other remnants of separate criminal status for homosexuals of both sexes.⁹⁷ (The 2017 criminal rehabilitation act for those convicted of consensual homosexual acts after 8 May 1945 also repealed any GDR rulings that came about based on consensual homosexual activities under §151.)

a.) “Not an Issue”

Even with the repeal of the old version of §175 in 1968, trepidation still prevailed among homosexuals in the GDR “as though it were still a crime that could be prosecuted.” Looking back, one contemporary recalled that “homosexuality was so hushed up in society people [in the GDR] simply couldn’t deal with it.”⁹⁸ The same was true to an even greater extent for the armed forces. A former senior midshipman in the People’s Navy remembered that being gay had been an “absolute no-go” in the GDR even as a civilian, not to mention the Army. “I myself wouldn’t have even dreamed of thinking to tell somebody.” The fact coming to light in service would have brought one’s career to a full stop. The professional, personal and social consequences were unforeseeable; they could not be reckoned on. Even for conscripts it had been “downright dangerous” to be identified as homosexual.⁹⁹ A profoundly coarse tone reigned among many of the conscripts at the time, as confirmed by another former soldier looking back on his days in Pontoon Regiment 3 in Dessau. When one soldier tried to avoid military service by wearing women’s underwear to show that he was gay, “it totally backfired. The attempt was immediately revealed as shirking military service in his barracks. There was tremendous pressure in the barracks. It ended with a plunge from the second floor of the company building. No serious injuries.”¹⁰⁰

Up through the end of the 1980s, homosexuality was just as taboo in the East German armed forces as it was in the Bundeswehr.¹⁰¹ Practically none of the former NVA officers interviewed for this study could think back to a single instance of

⁹⁶ Backovic, Jäschke and Manzo, “Werd endlich ein bisschen Mann.”

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Email from Andreas T. to the author, 7 December 2017.

¹⁰⁰ Email from Wulfried G. to the author, 30 June 2017.

¹⁰¹ See Smith, “Comrades in Arms: Military Masculinities in East German Culture,” published after the German manuscript of this study was completed in early 2020.

homosexuality during their time in the service. The subject as a whole was hushed up. One former NVA officer later accepted into the Bundeswehr as a lieutenant colonel offered freely that homosexuality had not “been an issue” among the troops he led.¹⁰² After long pause for reflection the officer did end up recalling one incident: In 1978, a relationship between a captain from the staff of a pioneer battalion and a conscript had been observed and admitted to. The two men had been “caught” during a walking inspection of a technical facility – of all people by the officer responsible for state security, a position that existed within every unit. In search of a simple solution to an uncomfortable problem, the battalion commander settled on issuing the captain a warning and transferring the conscript to another unit. The officer got off very lightly in this case, with an embarrassing incident cleared up informally. This allowed the captain to continue his career without further complications, something that would have been unthinkable in the Bundeswehr at the time. “The topic of homosexuality wasn’t much liked in the NVA; you avoided it if at all possible. If there was a need for regulation it was decided with extraordinary leniency, and people often got off surprisingly lightly. The main thing was no scandals.”¹⁰³ Other reports seem to confirm that avoiding scandal had been the primary objective of commanding NVA officers.

Two medical examiners were not able to recall a single case of a young man stating his homosexuality in their interviews. Their replies do not lay any claim to being representative, as both physicians worked in rural Western Pomerania and there certainly would have been cases of gay soldiers announcing themselves as such in larger cities. The entrance regulations from 1987 listed the rules for handling instances of homosexuality in chapter 7 (Neurology/Psychology) under section 9 (after alcoholism): “Homosexuals should [...] be rated as fit for service. They are not fit, however, to serve as fixed-term soldiers, fixed-term non-commissioned officers, fixed-term officers, career NCOs, ensigns or career officers. If homosexuality appears in connection with a severe personality abnormality or neurosis, assessment should proceed according to paragraphs 8 or 11 of this appendix.”¹⁰⁴

This meant the homosexual men were as a rule fit for service, as they had been in the Bundeswehr since 1979. The exception made for “severe personality abnormality or neurosis” further matched the Bundeswehr’s phrasing; homosexuals’ exclusion from longer-term service as NCOs or officers presents another note-

102 Interview with Ret. Lieutenant Colonel B. (of the Bundeswehr and formerly the NVA), Potsdam, 26 January 2018.

103 Ibid.

104 MfNV, Ordinance 060/9/002 concerning the work of the NVA medical assessor commission in the field of military medical assessment (assessor order) from 5 August 1987, here 110.

worthy similarity. As with the 1984 BMVg personnel guidelines, the NVA even ruled out homosexual soldiers' reassignment to the ranks of the enlisted (referred to in the NVA as fixed-term soldiers). For both German armies, then, the same principle applied for homosexual men: Conscription yes, career no.

Homosexuality had been "completely taboo" in day-to-day life within the East German armed forces, with gay soldiers unanimously stressing that they never discussed their "personal secret" up through the end of their time in the service.¹⁰⁵ Still, a handful of incidents surfaced, whether from observers or involved parties. One colonel recalled his time as a student at the former "Ernst Thälmann" Officers' College for Ground Forces in Löbau, where he and a friend had boxed together in the Army sports club. After both becoming company commanders in a division in the early 1970s, he learned "to his complete surprise" that his former boxing companion had been dismissed without notice; the man was rumored to have carried on a sexual relationship with a soldier. "He had always been an excellent comrade in my mind, an exceptional boxer and certainly a highly qualified officer."¹⁰⁶ A young officer in a paratrooper division in the early 1960s offered a similar recollection; during the GDR skydiving championship (probably in 1963), he had learned that one of his former classmates from officers' college had been dishonorably discharged as a lieutenant for homosexuality, whether purported or actual. "I was surprised, but that was probably due to my naivety about the topic at the time. Back then I thought that homosexuality was a 'professional disease' for hairdressers and ballet dancers, and wouldn't show up outside those groups."¹⁰⁷

Another contemporary recalled multiple incidents of homosexual soldiers "coming on" to him sexually during his time as an NCO and later as a staff sergeant in the NVA. One time it had been a young lieutenant, after a party with heavy drinking in the singles' dormitory in the barracks, years later it was a first sergeant one night while at home. The witness had rejected the advances in both cases, keeping his own homosexuality a secret. He had not reported either incident, "of course not."¹⁰⁸ In general, the memories are striking for how rarely minor incidents with a homosexual motivation were reported to superiors (almost never in fact). This applied in equal measure for the Bundeswehr as for the NVA. The taboo seems to have reigned even more strictly in the NVA, with the positive outcome for homosexual soldiers that any advances did not raise the proverbial alarm, or even merit

¹⁰⁵ Interview with Ret. Master Sergeant R., 7 February 2018.

¹⁰⁶ Email from Ret. Colonel L. (NVA) to the author, 13 February 2018.

¹⁰⁷ Email from Peter G. to the author, 9 February 2018.

¹⁰⁸ Interview with Ret. Master Sergeant R., 7 February 2018.

a report to the commanding officer. They were hushed up instead, partially out of a sense of camaraderie, partially out of shame.

Soldiers who were dismissed for their sexual orientation also experienced shame, but bit their tongues – how could they have defended themselves? Administrative courts did not exist in the GDR, “there was no legal protection worthy of the name in administrative affairs.”¹⁰⁹

Still, there were cases of those who had been convicted, dismissed or demoted looking to put up a fight. One involved a staff sergeant accused of “having greatly damaged the reputation of the Army in the public view by [carrying on] homosexual relationships with different persons.”¹¹⁰ He was dismissed from active service in 1964 and demoted to the lowest rank of pilot by order of the head of the Air Force and Air Defense. As was customary, he was also expelled by party procedure from the SED (“struck as a member”). The staff sergeant filed a complaint with the SED Central Committee. The party control commission at Air Force Command conducted a “detailed investigation” and reached the conclusion that “M. had neither violated the law nor brought harm to the public reputation of the NVA.” As a result, the disciplinary measures – his demotion to the lowest service rank – were repealed, although his dismissal was not. Instead, a new justification was found, namely “exceedingly difficult personal circumstances,” as per §24 Paragraph 1 of the service career regulations.¹¹¹

A twenty-two-year-old petty officer 2nd class in the People’s Navy also fought back after he was arrested under warrant in 1964 for “crimes under §175a StGB” (abuse of a relationship of subordination). The officer stood accused of “three counts of masturbation and one count of oral intercourse” with a twenty-year-old staff seaman under his command. The 2nd Criminal Senate at the superior military court in Neubrandenburg upheld the officer’s appeal; Wolgast District Court had not “thoroughly examined [the facts of the case before issuing the arrest warrant], as the present investigation findings do not justify pressing suspicion of a violation of §175a StGB.” The aggrieved staff seaman had been heavily under the influence of alcohol and was asleep when “the accused was said to have performed illicit acts on him [the seaman].” “If, however,” the criminal court continued, “illicit acts are committed against a sleeping male person under twenty-one years of age, that does not meet the elements of a crime under §175a numbers 2 and 3 of the StGB, as no

¹⁰⁹ Ramsauer, “150 Jahre Verwaltungsgerichtsbarkeit.”

¹¹⁰ BArch, DVW 1/17043: MfNV head of LSK/LV to the Minister, 15 January 1965.

¹¹¹ Ibid. The repeal of the disciplinary measures took effect on 22 January 1965 by orders of the minister of defense, signed personally by Army General Heinz Hoffmann. Ibid., Order of the Minister No. 5/65.

‘abuse of a relationship of subordination’ (Number 2) or ‘seduction’ (Number 3) [...] have occurred.” Nor were there any criminal elements in further acts that had occurred once the sleeping sailor woke up. The petty officer had further stated that he too was heavily under the influence of alcohol, and had not been conscious of the “illicit acts” in his state of “total inebriation.”¹¹² West German judges ruled and reasoned in similar fashion.

b.) 1988 and On: “Equal Rights and Duties for All”

1988 saw a new line of thinking take root on the matter at the East German Ministry of National Defense in Strausberg. A memo prepared for the defense minister found that the preceding years had seen “repeat decisions that cannot be justified by medical circumstances” when it came to determining the military eligibility of homosexual men.¹¹³ Against regulation, homosexual men had not been “admitted” to military service or had themselves succeeded in being mustered out of the military. So as to “clearly delineate” the factors in conscripts’ medical assessment, the document recommended striking the current stipulation that homosexuals “are not fit [...] to serve as fixed-term soldiers, fixed-term non-commissioned officers, fixed-term officers, career NCOs, ensigns or career officers.”¹¹⁴ The memo was issued and signed by the minister’s deputy and head of rear services, Lieutenant General Manfred Grätz, according to whom it had been coordinated with all the minister’s other deputies, which would have included the chiefs of the joint staff and service branches. On closer inspection, the document’s wording reveals a gap between its content and reasoning, the latter of which sought to enable homosexuals to perform military service, or alternatively block their intention to avoid it.

Flanking the document in both date and subject, the head of the administrative cadre commissioned a series of “principles for working with applicants, professional cadres and members of the NVA in fixed-term positions in instances of homosexuality” and presented it to the minister. This document also expressly stated that homosexuality was not grounds for exclusion from the NVA; everybody was “granted the right due to them to protect the socialist fatherland.” An assessment as to military eligibility should only be made for cases “where problems arose out

¹¹² BArch, DVW 9/13935: Neubrandenburg Superior Military Court, 2nd Criminal Senate, ruling on 31 December 1964.

¹¹³ BStU, MfS, HA I 15318: MfNV, Chief Kader to Administrative Head 2000, 7 July 1988 containing the memo cited here, Lieutenant General Manfred Grätz to the defense minister, undated.

¹¹⁴ Ibid.

of sexual-erotic differences.”¹¹⁵ Point 1 of its preceding section on “social views of homosexuality” stated that the “capabilities, accomplishments and social properities” of homosexual people were “neither better nor worse than those of heterosexuals.”¹¹⁶ Point 2 contended that “from a moral political standpoint, every citizen has the right to live and [...] enter partnerships in accordance with his sexual orientation.” Yet the consequences one might then expect to find based on these grand expressions of tolerance did not follow. On the contrary, the armed forces still intended to block volunteers who were known homosexuals from longer-term service. Applicants that fell into this category “should have it explained to them in confidential meetings that pursuing a civilian career would be more expedient for them due to the particularities of military life,” and should not be admitted either as fixed-term or career soldiers.¹¹⁷

The 1988 paper did introduce a novelty, however. “If no complications arose,” soldiers identified as homosexual who were already serving in the NVA in a fixed-term or career capacity would now be able to continue to serve. This was expressly made to apply for the duration of training at military teaching facilities as well. The paper cited “material or financial dependency, disturbances to the superior–subordinate relationship and educational issues” as potential complications; their presence would result in dismissal. Soldiers affected by the policy should hear explicitly that the reason for their dismissal “was not homosexuality but the complications arising from it.”¹¹⁸ The paper was still in draft form, although the final version approved by the defense minister in September 1988 does not show any emendations. The minister’s imprimatur also endorsed prospective officers and NCOs recognized as homosexual continuing to train and serve, again provided none of the complications cited came about, and further affirmed that “great care, tact and

115 BStU, MfS, HA I 16634: Border Troop Command, deputy head of border troops and chief of staff to the chief of Administration 2000, 21 October 1988, containing a copy of MfNV, “Grundsätze für den Umgang mit homosexuell veranlagten Bewerber Berufskadern und NVA-Angehörigen auf Zeit” (“Principles for handling homosexually inclined applicants, professional cadres and NVA members in fixed-term positions”). The MfS received multiple copies of the same MfNV paper from different senders, among them the chief of staff for the border troops. Major General Dieter Teichmann explicitly drew attention to the fact that the responsible department in the NVA only required verbal instruction on the new regulations.

116 BStU, MfS, HA I 15318 and HA I 16634: Copy of MfNV, “Grundsätze für den Umgang mit homosexuell veranlagten Bewerber Berufskadern und NVA-Angehörigen auf Zeit.”

117 Ibid.

118 Ibid.

consideration” would be exercised with all decisions and “any form of discrimination” avoided.¹¹⁹

By 1988 the NVA had thus pulled even with the Bundeswehr’s practice of not terminating existing service relationships early, i.e. not dismissing homosexuals from service. Anyone who was already a fixed-term or career soldier could now serve out the remainder of his time in service (provided “no complications arose”). East German forces even outdid the Bundeswehr in tolerance on one count in 1988. Though the new orders did not explicitly mention it, outwardly homosexual officer and NCO candidates were allowed to continue their training as before, and eventually graduate into the ranks as full officers or NCOs. This meant that differently from the Bundeswehr, the new regulations opened the door for homosexuals to become NCOs, officers and even career officers in the GDR. The NVA’s weekly paper *Die Volksarmee* wrote about the new regulations in January 1990: “Up until September 1988, a regulation existed under which homosexuals were unfit for a military career. This rule was repealed in order to guarantee equal rights and duties for all.” Still, “making the right military decision is one thing – putting it into practice is another.”¹²⁰ It also deserves mention that in May 1988, the same year the NVA changed its course, the honorific title of “Ludwig Renn” was assigned to Pioneer Battalion 24. Up to his death in 1979 Renn, who had fought in the Spanish Civil War, had lived an astonishingly open life as a homosexual in Dresden. Renn had previously made it onto a short list of names for a foreign officers’ training college in Prora on the island of Rügen in 1980–81, but was passed over at the time.¹²¹

c.) “Beaten Up in the Washroom.” NVA Soldiers’ Experiences

This process of liberalization set in a year before the momentous upheaval in the GDR military, state and social order known as the *Wende*, or turning point. The *Wende* brought social liberation to gays and lesbians living in East Germany, even if the last crimes specific to homosexuality had already been struck from the books, as described. Gays serving in the NVA now began to speak out about their experiences, several of which were reported on in the first edition of the magazine *Die Volksarmee* in 1990, albeit under protection of anonymity: “Bernd, 24, non-commis-

¹¹⁹ BStU, MfS, HA I 15342, 158–161: MfNV, cadre chief to head of Administration 2000, 28 September 1988, containing a copy of the “Grundsätze für den Umgang mit homosexuell veranlagten Bewerbern Berufskadern und NVA-Angehörigen auf Zeit” as approved by the minister of defense.

¹²⁰ Siemann, “Coming out in der NVA?”

¹²¹ See Storkmann, *Geheime Solidarität*, 419.

sioned officer: Jokes get made all the time. But if you're actually gay, you better keep your mouth shut. All the fun stops there; the others take offense and feel threatened. Even our superiors usually think they still might have to protect soldiers from someone like that."¹²² So far, the observations might have come from the Bundeswehr in 1989. Yet what follows sets them apart entirely. NCO Bernd continues:

The worst thing happened to me in H., where the company political officer warned everyone about me and demanded that any incidents be immediately reported to him. After that I got beaten up in the washroom, naked, they were doing their best to stick a broomstick up my butt. All the KC [company chief] said was that I had myself to blame, and it shouldn't come as a surprise.

Every experience indicates that a company chief would not have kept his eyes closed had such an incident occurred in the Bundeswehr – he would not have been allowed to. The company chief's comment would hardly have been conceivable and, if it had in fact occurred and been reported, would have resulted in severe disciplinary consequences.

One deputy political officer in a battalion reported to *Die Volksarmee* that "there aren't any soldiers like that [in my unit], I keep an eye out for that." "The soldiers have a stressful job; anyone with time for little games like that probably hasn't been used to their full capacity." The editors at the weekly publication set the officer's words in direct juxtaposition to those of a homosexual soldier, reportedly from the same battalion:

I go along with it all here. Coming back from vacation I tell stories about my experiences with girls, I get mail from my boyfriend every three months at my home address when I go back. My boyfriend gets all the letters together and then we read them. I wrote him a letter here once on the toilet. I don't know how I'm going to make it through the rest of the year.

These experiences quickly recall those of Bundeswehr conscripts, even from as late as 1989. Andreas, an officer and secretary in the state youth group Free German Youth (Freie Deutsche Jugend, FDJ) likewise echoed the experiences of Bundeswehr officers nearly verbatim: "The worst thing is that you can't talk with anybody about it. I feel totally isolated – that's my real problem, not being gay. How am I supposed to find a boyfriend? I don't want to leave the Army, but sometimes I think it might be my only chance."

¹²² Here, and in what follows: Siemann, "Coming out in der NVA." Lesbian soldiers did not speak out in the *Volksarmee* piece, nor were they mentioned.

Five weeks later, *Die Volksarmee* published a letter from a major: “It is high time that the VA [Volksarmee] turned itself to the subject of homosexuality in the NVA,” the major wrote. As a superior he had found himself confronted with the issue on multiple occasions.

I have [...] always made an effort to develop a genuine relationship of trust with Army members. One part of that is human tolerance. It was also possible before the *Wende*. That was the basis for most of the gays reporting the problems they had with others to me. Most of the time I succeeded in creating a climate of acceptance. Gays are regarded as strange creatures by the others and are subject to greater public scrutiny [...] On the other side one has to tell gays openly, honestly and tactfully about where they isolate themselves socially [...] The young people in question first experience their coming-out during their time in the NVA. It isn't rejection or isolation they need but words of encouragement [...] Those stirring the pot against homosexuality are mostly sexually repressed themselves, often even ashamed of being naked. That's how they try to conceal their own problems. Gays are people like you and I. The ones who impose themselves are an absolute exception. It isn't gays who are perverse, but the people who refuse to accept their fellow humans.¹²³

The GDR Ministry for State Security likewise showed little to no acceptance of gay NVA soldiers up through 1989. The MfS kept a close watch on gays or suspected cases in the NVA (as well as within its own ranks), relying on a tightly woven network of informants to do so.

d.) OPK “Lover” and other Surveillance Measures

The formidable power of the MfS was typical of the East German state, and greatly distinguished the GDR's approach to homosexuality from that of the Federal Republic. In 1984 the BMVg was reproached for keeping lists with the names of homosexuals. The ministry denied the accusation in a press release, while a state secretary went before the Bundestag to clarify that no lists were kept, nor was any surveillance conducted.¹²⁴ The MfS, on the other hand, did keep lists; they are preserved under the title “People with homosexual tendencies” or simply “Homosexuals.” Twenty-three people were registered between the years 1977 and 1979 including one colonel, a naval commander and multiple majors, with NCOs and enlisted men (simply called soldiers in the NVA) predominating. After the colonel's name one finds the remark, “dismissal from post.” For the majors and other service ranks (outside of conscripts and NCOs) one finds the phrase, “transferred to the reserve,”

¹²³ Letter from Major Andreas T. in *Die Volksarmee* 6, 1990, 4.

¹²⁴ See chapter 5.

which in plain language also meant dismissal from active service. Five new entries are listed for 1982 and seventeen for 1983, among them lieutenant colonels and majors, although once again sergeants, NCOs and enlisted soldiers make up the bulk. A note following the name of one sergeant reads, “suicide attempt.”¹²⁵ The list for 1984 contains eight names, including that of a major in the Border Troops with the remark, “early dismissal.” After the name of a captain studying at a military academy one reads, “summary dismissal.”¹²⁶ No further notices of dismissal are found in 1985 or the following years for any service rank.¹²⁷

Behind practically every one of these names there stood an MfS surveillance operation, or an “Operational Personal Check” (Operative Personenkontrolle, OPK) as it was termed, which nearly always came with a more or less imaginative code-name attached. The MfS generally reserved surveillance measures for officers suspected of being homosexual, but would do so for NCOs as well, and in isolated instances for enlisted soldiers in security-relevant positions.

Every OPK meant a deep intrusion into the private life and intimate sphere both of the person under surveillance as well as that of his partner. It is not the intention of this study to cast yet another light on these private stories, even if this time it is from an academic perspective. The activities of state security and their impact on those being monitored, however, are of interest.

As one example, OPK “*Lover*” was conducted against a lieutenant colonel, a deputy regimental commander who was slated to take full command of the regiment. This apparently led MfS to conduct a routine investigation, in the course of which “personnel reconnaissance brought references of homosexual conduct to light.” The officer’s sexual orientation had in fact been “brought to light” by a former classmate, who informed MfS about a relationship he had with the lieutenant colonel at military academy. State security now assigned the informant to the “target person” as an informal collaborator. After employing the collaborator for two months along with measures “26A” (phone line surveillance) and “26B” (acoustic surveillance of private residence), the MfS drafted an interim report. The lieutenant colonel in question led a withdrawn life, watched West German television and – of particular interest to the MfS – the informal collaborator was without doubt the only homosexual partner the officer had ever had. MfS passed along the report to the NVA with the goal of preventing the officer’s assignment to regiment commander. The cadre department (“cadre” was the GDR term for personnel) not

¹²⁵ BStU, MfS, HA I 12881.

¹²⁶ BStU, MfS, HA I 4176.

¹²⁷ 1985 had nine new names; 1986, twelve; 1987, eleven (including a major as the highest service rank represented); 1988, three; and 1989 listed six names (including two majors). *Ibid.*

only decided against the officer's promotion, but dismissed the lieutenant colonel from active service, an action the NVA consistently couched in the phrase "transferred to the reserve." (The other officer who had informed MfS about the relationship as an informal collaborator was also dismissed.)¹²⁸

The influence that state security wielded on military personnel decisions – forceful and direct, not only when it came to suspicions of homosexuality, though certainly on that count as well – set the NVA apart from the Bundeswehr. As has already been shown in some detail, discoveries by MAD could also lead to unfavorable decisions for Bundeswehr members. Yet the lieutenant colonel would not have been dismissed from the Bundeswehr; MAD would not have advised such harsh measures for homosexuality, and if it had, the officer would have had every legal route available to him in contesting his dismissal or early retirement before administrative court. The same could not be said for in the GDR, giving one clear example of the crucial difference between a constitutional state founded on the rule of law and its absence in the GDR. In the West, administrative judges would have had the final say (toward the end the judges at the Federal Constitutional Court nearly had theirs); in the East the arbitrary exercise of power reigned supreme, even on highly particular topics such as this one. Still, one parallel remained: Had MAD issued a similar report, it is entirely likely that the lieutenant colonel would no longer have been appointed regimental commander. Nor is it hypothetical to observe that lawsuits against a decision of this sort stood practically zero chance of success in the Federal Republic up until the turn of the millennium; the contention is supported by numerous court rulings.

Subjects of surveillance by MfS, in contrast, had no court of appeal at their disposal, as the following case shows. In the late 1980s, MfS received word from an informal collaborator that an officer directly outside a general's office at the Ministry of Defense was "most likely homosexual" and living in a committed domestic partnership. The MfS began an OPK, assigning multiple collaborators to the target. The operation also brought in the heavy artillery of technical surveillance, monitoring both the subject's work and private phones as well as his partner's home line; conducting acoustic surveillance of both men's residences; opening the mail of the target person, his partner and relatives; and investigating and monitoring the partner's family. The stated goal was to clarify "whether based on the [target's] homosexual orientation and the current contacts his partner's family has in non-socialist countries, the target offers points of approach for enemy agencies, even if he himself is entirely unaware of them." An interim report was composed after six months, and it was decided both to continue with Measures 26A and 26B and take

128 BStU, MfS, HA I 13148.

on new collaborators.¹²⁹ In this case too, the end of SED rule and the MfS in fall 1989 brought an end to the surveillance.

One master chief petty officer in the People's Navy was not as lucky, cropping up on the radar of state security one year too soon. The opening salvo was likely a letter from the parents of a petty officer 2nd class informing the commander that their son had had sex with his superior, the master chief petty officer, in their summer house. The NCO was demoted by one rank, although not because of this incident but another. Independently of his demotion, MfS began surveillance on the officer in May 1988.¹³⁰ In the course of monitoring his mail it came out that he had been in touch with homosexual citizens of the Federal Republic, and that the men were planning to meet in Hungary on vacation. (Before 1989, Hungary was popular as one of the only destinations where Germans from both German states could meet relatively inconspicuously.) In considering the living circumstances of the master chief petty officer "to be analyzed operatively," MfS gave an objective rendering of the pressures under which NVA members had to serve and live: "He has had to 'conceal' his homosexual tendencies from others for years now, i.e. he cannot show them openly or pursue them as a member of the NVA."¹³¹ The officer was closed off in service and kept his distance from others. His wife had filed for divorce three years after marriage. Among other measures, the MfS assigned three informal collaborators to continue checking the subject's mail.¹³² It is characteristic of the methods of the MfS and its collaborators that numerous copies of personal, even intimate letters were archived, at times even torn or crumpled up originals presumably gathered from the waste basket by an informant.¹³³ The OPK ended with the officer's dismissal from the Navy in December 1988; that October MfS staff had conducted an "operational clarifying talk" seeking his consent for "removal from active service." The plan worked; the officer agreed to hand in a request for dismissal. In exchange the MfS offered "help and support in a smooth dismissal from service." The former officer received an assignment at a new civilian post.¹³⁴

A staff officer and lecturer at a prominent NVA training facility was also released from service (or "transferred to the reserve") in the Eighties. Word about

¹²⁹ BStU, MfS, HA I 15009.

¹³⁰ BStU, MfS, AOPK 344/89, sheets 96–103: MfS, HA I, Department People's Navy, Introductory Report to OPK "Wächter" from 31 May 1988.

¹³¹ BStU, MfS, AOPK 344/89, sheet 99.

¹³² Ibid., sheets 309–314: MfS, HA I, Department People's Navy, Implementation plan for OPK "Wächter" from 10 October 1988.

¹³³ Ibid., sheets 114 and 117–18.

¹³⁴ Ibid., sheets 347–50: MfS, HA I, Department People's Navy, Concluding report for OPK "Wächter" from 20 December 1988.

the lecturer's homosexuality had prompted MfS to comb through the man's entire military career as well as those of soldiers (or "comrades" in GDR terminology) who had served with him in the past. In its report, the MfS described the surveillance target as "holding strong homosexual inclinations" and a "destabilizing factor in the context of protecting secrets." State security recommended that the NVA transfer the lecturer to the reserve, which happened once the omnipresent state apparatus found him a suitable position as the departmental head of a civilian firm.¹³⁵

Surveillance did not necessarily end in release. In the case of a major in 1988, the MfS decided only that he could not continue serving in his current regiment "from a security perspective." The key factor allowing the major to remain in service (and retain his rank) was his "political reliability." After fifteen months of observing the major, the MfS found his "ideological convictions and assured character" made him "uncompromisable in terms of his homosexual disposition."¹³⁶ The MfS arrived at this view after fifteen months of surveillance; in September 1987 "current information" had come together with earlier tips ("predominately suppositions and rumors") to form an "actual basis."¹³⁷ The "action plan" involved three informal collaborators and the usual measure of inspecting the target's mail. The following summer in 1988, an MfS official invited the major to an "operational discussion" and confronted him with what the state security apparatus had learned of his private and intimate life. The major "admitted to his homosexual disposition without hesitation" and "was prepared to give comprehensive information on every question without restriction."¹³⁸ As described, the OPK concluded in December 1988, with a collaborator assigned to keep an eye on the major until he was transferred to a new service post.

Surveillance of a sergeant serving in a particularly sensitive post at a communications center reached a similar conclusion in 1988. In April of the preceding year, the MfS ran a routine OPK in advance of the sergeant's assignment to a new security-sensitive position. The central department responsible for the NVA at the MfS, Central Department I, received news of the sergeant's homosexuality from its exterior Defense department; while the sergeant sought out contact with women, it found no sign of intimate relations. Rather, MfS suspected the sergeant of trying to distract from his "inclination." The sergeant also visited upper-crust wine bars and

¹³⁵ BStU, MfS, HA I 15114.

¹³⁶ BStU, MfS, AOPK 3769/89, sheets 186–91: MfS, HA I/Military District V, Concluding report for OPK "Palast," from 15 December 1988.

¹³⁷ Ibid., sheets 4–9: MfS, HA I/Military District V, Introductory report for OPK "Palast" from 6 September 1987.

¹³⁸ Ibid., sheet 183.

restaurants in Berlin and possessed foreign currency that he used to shop with at Intershop. The MfS assigned four informal collaborators to the sergeant; his immediate superior, a colleague at the communications center, a gay man who had been intimately involved with the target in the past and a fourth who lived in the same house as the sergeant. In addition to this tight network of informants the MfS relied on its usual methods of opening mail, this time the target's and his mother's.¹³⁹

In an interim report from November 1987, the MfS "confirmed" the sergeant's "negative personal characteristics"; the informal collaborator assigned to the target, himself homosexual, had "proven [X.'s] homosexual tendency." Surveillance continued, with an additional NCO brought in for a "skimming interview" to clarify the target's circle of associates. Meanwhile the sergeant's immediate superior, himself a collaborator, made sure the sergeant did not receive access to any secret or confidential material.¹⁴⁰ Surveillance ended in June 1988 once the sergeant's "personality profile" had been "comprehensively" established. In addition to his sexual orientation, the MfS rated the sergeant's contacts in non-socialist countries and his unstable personality as relevant to security, and recommended that the commanding officer not assign the sergeant to the new, sensitive post.¹⁴¹ The archives give no indication that the sergeant wanted to be transferred out of the communications center, much less dismissed from the NVA. In classifying the case, it is important to recall that it is standard procedure within all armed forces for intelligence services to conduct reviews before a soldier is assigned to a sensitive post; in the U.S. these go by the term "clearances."

Gay NCOs or enlisted soldiers were also generally removed from or transferred out of security-related positions in the NVA, though they were not dismissed. Such was the case for an enlisted conscript involved in logistics at the same communications center as the sergeant, who was revealed by an informant to be homosexual. Surveillance measures began in 1983 under the codename "Anus."¹⁴² Once again, the files contain what are at times highly intimate reports and descriptions from informants. The MfS ceased surveillance after just one month; suspicions had been confirmed, but no criminally-relevant activity detected. The soldier was still rated a security risk, however, due to the frequency with which he changed partners,

¹³⁹ BStU, MfS, HA I 16444, sheets 608–16: MfS, HA I/Department MfNV, Introductory report for OPK "Reblaus" from 26 May 1987.

¹⁴⁰ Ibid., sheets 617–23: Interim report for OPK "Reblaus" from 26 November 1987.

¹⁴¹ Ibid., sheets 631–36, Concluding report from OPK "Reblaus" from 16 June 1988.

¹⁴² BStU, MfS, HA II 15932 as well as HA I 15203 and AOPK 9404/83.

including men from West Berlin, and he was transferred.¹⁴³ Here too it is essential to consider other armed forces' security review policies in situating the case.

e.) Excursus: Homosexuals in the Ranks of the MfS

Aside from the NVA, East German conscripts were also assigned to serve in the "Feliks Dzierzynski" guard regiment, which belonged to state security. One contemporary recalls serving in the battalion starting in 1985, which guarded the bunkered command and control post for state and party leadership in the forests outside Prenden (today often referred to colloquially as "Honecker's bunker"). The battalion consisted of close to 500 men between the ages of eighteen and twenty-one, with only the group leaders – holding the rank of NCO – somewhat older. In contrast to the regular NVA, a high percentage of the conscripts in the battalion had completed their *Abitur*, the qualifying exam for university entrance. This made a palpable difference on the internal climate of the battalion, the interviewee recalled; longer-serving soldiers did not harass younger soldiers as was otherwise common in the NVA. Instead, the priority lay with safeguarding prospects of a place at university by avoiding "conspicuous behavior of any sort (neglecting guard duty, alcohol)" or causing trouble for one's parents. Superiors did not act in a demeaning manner toward subordinates, as occurred in the regular armed forces. Nor did homosexuality ever come up for discussion; the eyewitness could not recall a single incident from his time in the service. If from time to time one or the other soldier was suspected or rumored to be homosexual, there was never any bullying or harassment. "With 500 soldiers you can assume at least twenty-five to thirty gays. Well? It wasn't an issue." In the rear services company, one soldier assigned as a cook had "definitely" been gay, but he was also treated "in a friendly, joking way" without any visible psychological strain: "The soldiers quickly lost interest in his case." Still, the interviewee recalls suffering feelings of loneliness and the unswerving pressure of having to constantly pull himself together and stay vigilant. He did not always manage. During his first year he had "checked out [a comrade's] package for too long" in the shower once after guard duty. The other had looked up quickly in surprise, and whispers as to his potential homosexuality had trailed briefly after the incident. Yet "at the time [1986] the World Cup made everything sink back into insignificance. The terror subsided."¹⁴⁴

¹⁴³ AOPK 9404/83, MfS, HA I, Department MfNV, Concluding report for OPK "Anus" from 28 July 1983.

¹⁴⁴ Email from R. to the author; 1 May 2018.

The archived files of the guard regiment, however, confirm that homosexual NCOs were in fact being dismissed while the eyewitness was guarding Honecker's bunker. The Stasi files for an NCO released in 1986 open with a letter written by an acquaintance from the officer's hometown (a conscript in the NVA himself at the time). The denunciation ends with a request to treat the information confidentially. The MfS began surveillance on the soldier, and in the course of collecting data came across another report that the NCO's address had turned up with a homosexual man in a different GDR district. The NCO was ordered to the medical station in the guard regiment for assessment. The physicians confirmed the suspicions of homosexuality and the officer was released as permanently unfit to serve.¹⁴⁵

If full-time members of the Stasi (short for *Staatssicherheit*, or the MfS) were discovered to be homosexual, the organization typically responded with dismissal. The policy rested on a view shared by practically all intelligence agencies, that homosexuals were susceptible to blackmail and thus presented a security risk. The same opinion prevailed in the GDR: In the late Eighties a young officer, recently graduated from a university outside the purview of the MfS and now at the start of his career in the service, became ensnared in the web of his own institution. When the MfS came up with a number of the man's sexual partners from the previous years and listed them off by name, the young officer responded "unapologetically," according to one note. "He repeatedly expressed a lack of understanding for the MfS' position of not recognizing homosexuals, and described the branch's decision [his release] as a professional ban. He was of the opinion that in a matter of years, homosexuals would be equal partners in [MfS]."¹⁴⁶

State security did not take its eyes off the former officer even after his dismissal but instituted comprehensive surveillance measures, including acoustic surveillance of the subject's residence.¹⁴⁷ The MfS instituted similar surveillance measures in another case, assigning informal collaborators and opening the mail of a prospective officer after he was dismissed. Among other things, the archives contain the copy of a highly personal letter the officer wrote to a man he loved.¹⁴⁸ The sublieutenant was dismissed from his post in an MfS district administration office in 1986 as "'permanently unfit to serve' due to a dominant homosexual disposition that cannot be corrected."¹⁴⁹ As always with cases like his, the MfS found

145 BStU, MfS, BV Pdm KD Brandenburg 1076, vol. 3.

146 BStU, MfS, BV Rst Abt XX 1204.

147 Ibid.

148 BStU, MfS, BV Suhl Abt KuSch 2497, sheets 18–19.

149 The rank of Sublieutenant in the East German MfS, Armed Forces and police was of Soviet origin. It did not exist in West Germany; BStU, MfS, BV Suhl Abt KuSch 2497, sheet 7.

him a new post in the civilian workforce, where informants were still passing along rumors about his homosexuality in 1989 without knowing about their colleague's past in the MfS.¹⁵⁰

The archives also document a particularly tragic case. A cadre department report from the MfS dated 16 March 1966 details a discussion conducted with a sergeant the day before at an MfS district administration branch. Accused of homosexual acts with a member of the MfS guard regiment in Berlin Adlershof, the sergeant's interrogation had proceeded in a "calm and objective atmosphere." "The causes of his deviant sexual activity could not be completely clarified, but may be sought chiefly in improper education in the parental home." It was not an option for the sergeant to remain at the MfS. The sergeant's superior informed his father, a member of the People's Police, "with the aim of continuing to exercise a positive influence on the son's development."¹⁵¹ A further conversation between the sergeant and his superior had been scheduled for the start of service on 16 March, to which the sergeant had been instructed to bring a written statement. A private conversation with the father in the son's presence was planned for the same day.¹⁵² It did not come to that, however. When the sergeant handed in the required statement at 7.45 that morning, his superior revealed the planned meeting with his parents. According to the MfS account of what happened, the sergeant

gave the impression that he was not comfortable having a conversation with his parents. He was simply told by his superior that this was how life had to go from now on, and that he had to detach himself from abnormal sexual things by finding a girl. Comrade [X.] then inquired whether he should count on being dismissed [...] He was told that if it did come to dismissal, he would depart the body [the MfS] with honors. It was explained once again to him that he was not being pushed out under any circumstances but would leave with honors. It was necessary, however, for him to steady himself and lead an orderly life. He was advised to take his necessary personal belongings such as his shaving kit, etc. home with him.¹⁵³

At 8.45 a.m., the sergeant was discovered lying in a pool of blood in his quarters, the result of a near-fatal head wound he had inflicted on himself with his service pistol about forty-five minutes before. He died later that day at 4 p.m., at the age of twenty-two.¹⁵⁴

¹⁵⁰ Ibid., sheet 20.

¹⁵¹ BStU, MfS, GH 194/85, sheets 9–15: MfS, HA KuSch, 16 March 1966.

¹⁵² Ibid., sheets 9–12: MfS, HA KuSch, 16 March 1966.

¹⁵³ Ibid., sheets 16–17: MfS, BV Dresden, Abt. KuSch, 16 March 1966.

¹⁵⁴ Ibid., sheet 70: MfS, HA KuSch, 16 March 1966, including Erich Mielke's handwritten endorsement, among others.

When the East German Ministry of Defense adopted a fundamentally new stance toward homosexual officers and NCOs in 1988, the MfS explicitly continued its policy of rejection: "There is no place for people like that in the MfS. They cannot work in a reconnaissance organization, the danger is too great. Such comrades must be spoken to sensibly and no confrontation allowed, they will be dismissed for reasons of health. It must be made sure in any event that no harm comes to them."¹⁵⁵ A list of personnel decisions at Dresden District Administration from summer 1989 includes a note from a local office reading "not-suitable/homosexual."¹⁵⁶

f.) OPK "Traitor"

On the long list of names taken down on Stasi filing cards, the case of one homosexual lieutenant in the Border Troops sticks out especially. Toward the end of 1978 the lieutenant revealed his intention to flee to West Berlin to an acquaintance, an alleged friend of his who turned out to be an MfS informant. The secret service set more informants on the job and began, under the codename "Traitor," an OPK of the man, referred to as "Schulze" in what follows. The aspiring officer was removed from his post on the border and transferred onto regimental staff; with that the state security officers believed themselves to have the lieutenant under control, assuming they had made it impossible for him to flee. They were mistaken. Putting his intimate knowledge of security installations to work, in May 1979 the lieutenant succeeded in escaping to Wannsee in West Berlin, where his partner was waiting for him. His boyfriend, here given the name "Mihailescu," was a Romanian man who, the MfS later discovered, had been in contact with the U.S. Secret Service since that month.¹⁵⁷ Mihailescu and the lieutenant had met several weeks before at a friend's apartment in Prenzlauer Berg in East Berlin. At his new friend's insistence, Schulze had gathered together all the Border Troop documents and papers he had access to in the days leading up to his flight, including the regimental Defense plan, its telephone directory and a list of names, as well as patterns for authorization cards to enter the property. On 25 May Schulze left the documents in a bag at the Ostbahnhof luggage office. The following day he gave the key to Mihailescu, who then returned to the GDR for the bag. According to subsequent MfS investigations,

¹⁵⁵ BStU, MfS, BV Dresden, AKG 7590: MfS, BV Dresden Abt KuSch, Report from cadre leadership conference on 25 November 1988, dated 28 November 1988.

¹⁵⁶ BStU, MfS, BV Dresden, Abt KuSch, No. 4314, MfS, BV Dresden Abt KuSch, 15 September 1989.

¹⁵⁷ BStU, MfS, HA IX 23866, sheets 4–5.

Mihailescu smuggled the bag back to West Berlin on May 27 or 28 “by deceiving the border patrol” and promptly handed it over to the American secret service.¹⁵⁸ Mihailescu even had the chutzpah to ring the on-duty officer at the border company several days before Schulze deserted and ask to speak with the lieutenant. Schulze was not on site. No less astonishing is that scarcely two weeks after he did flee, the lieutenant called the on-duty officer at his old company and demanded to speak with an NCO. In the MfS report, the surprised officer let slip a spontaneous “Are you nuts?”¹⁵⁹ The officer denied any private connection to Schulze under subsequent interrogation, although his name appears on later lists of suspected homosexuals.¹⁶⁰ Central Department I at MfS, in charge of observing the NVA and Border Troops, later “worked out that the motivation for desertion was [...] undoubtedly his homosexual disposition, in addition to political and ideological motives.”¹⁶¹ After meeting him in West Berlin in September 1979, the lieutenant’s father also reported to MfS that his son’s “only motive” had been his “homosexuality and his ideas about life.”¹⁶²

After his westward flight the lieutenant found himself back in an office, this time run by the U.S. Secret Service in Zehlendorf, where he was questioned for close to a month about his service in the Border Troops.¹⁶³ MfS later identified other enlisted soldiers, NCOs and young officers in the NVA and the Border Troops with whom Mihailescu had been in contact.

Taking advantage of his homosexual disposition, he kept up intimate contact with the deserting officer and was instrumental in his recruitment and successful desertion. [Mihailescu] is known in homosexual circles within the GDR capital and Halle. In Halle it was [...] determined that he is purposefully recruiting people in homosexual circles and offering to smuggle them. He is said to have ties to the U.S. Secret Service [...] He regularly travels to the GDR capital. He [...] holds a West German passport and is a Romanian citizen.¹⁶⁴

158 Ibid.

159 BStU, MfS, AOP 1761/80.

160 BStU, MfS, HA I 12881.

161 BStU, MfS, HA I, AOP 2431/79, MfS, HA I, Department of Exterior Defense, Plan for dispatching IMS [X.] into the operational territory of West Berlin from 7 September 1979, here p. 9. In June 1979 the MfS noted “a strongly pronounced homosexual disposition” as the primary cause and motivation for the flight. BStU, MfS, AOP 1761/80, vol. 1, sheets 13–17: MfS, HA I, Concept for further handling the deserting officer from the Border Troops 2nd lieutenant [X.] from 26 June 1979.

162 BStU, MfS, HA II, 32736, MfS, HA I, Department of Exterior Defense, 13 September 1979.

163 For a detailed account of the lieutenant’s successful escape and the backstory, see Storkmann, “Einmal West-Berlin und zurück.”

164 BStU MfS, AOP 1761/80, vol. 1, sheet 113: MfS, HA I, Department of Exterior Defense, UA 1, Opening report for developing an operation against [X.], born in Bucharest, resides in West Berlin, from 4 September 1979.

All this set off alarm bells at the MfS; the organization's suspicions about homosexual officers in the NVA and among its own seemed fully confirmed in the present case. As shown throughout this study, the stereotype of gays as untrustworthy and potential traitors has a long history, and this was not by any means only on display in the GDR secret service.

Mihailescu continued to travel to the GDR from West Berlin and meet new men, preferably soldiers, a situation that led to growing jealousy on Schulze's part. On 31 August the lieutenant called the People's Police, requested that they connect the MfS, and then divulged the time and place of his partner's next entry into the GDR, along with a precise description of his person. One day in September in 1979, the Romanian crossed the checkpoint on Friedrichstraße (better known as Checkpoint Charlie) in his VW Golf, where he was immediately apprehended. (On 17 July 1980 military judges sentenced him to seven years in prison for espionage in conjunction with an aggravated case of assisting a deserter.¹⁶⁵) At 8 a.m. the same day the lieutenant's father returned to East Berlin on the S-Bahn with his son in tow, where MfS officers were waiting for them. The father had brought his son back on their behalf. The lieutenant was questioned extensively by state security in the weeks following his return; he named his love for the Romanian in West Berlin as one explicit motive for his flight, along with a general wish to live openly and freely as a homosexual in West Berlin. In the course of his deposition he revealed names from his circle of homosexual acquaintances, including officers in the Border Troops.¹⁶⁶

Stasi interrogators could scarcely believe their ears as they learned about a circle of homosexual students at the Border Troop officer's school in Plauen that would meet in the apartment of a greengrocer. The names of other NVA soldiers surfaced during Mihailescu's interrogation by state security; enlisted soldiers, NCOs and officers the Romanian man knew to be gay. The number of filing cards for homosexual soldiers grew considerably in 1979. The interrogations resulted in a detailed list of names entitled "Information on officer affiliations jeopardizing the security of the armed forces," and was presented to the NVA chief of staff in October 1979 by the head at MfS Central Department I (which went under the pseudonym of "Administration 2000" in its dealings with the NVA). Among the information the MfS gathered from the Romanian was the name and address of a first lieutenant from Cottbus. The Air Force officer had met Mihailescu at a pub in East Berlin –

¹⁶⁵ BArch, DVW 13/65439: Senior military prosecutor for the GDR, reference file M, containing the ruling from Berlin Superior Military Court on 17 July 1980.

¹⁶⁶ On the subsequent twists in this gripping and somewhat dizzying tale about the shadowy world of borders, secret services, love and jealousy, see Storkmann, "Einmal West-Berlin und zurück."

a “meeting point” for homosexuals, as MfS characterized it. The first lieutenant had promptly “revealed his affiliation with the NVA and place of service in Cottbus to the U.S. agent, knowing that he lived in West Berlin.”¹⁶⁷ Both men made their way to a border crossing upon leaving the pub; the Romanian drove into West Berlin only to return a short while later to the GDR, where the lieutenant was waiting in a taxi. They then drove on to the lieutenant’s NVA residence in Cottbus, where the NVA officer slipped his acquaintance through the backdoor and past the guard. The Romanian returned to West Berlin after spending the night. The MfS noted down the “strong homosexual tendencies” of the first lieutenant as a motive.¹⁶⁸ The MfS also reported to the NVA chief of staff on another lieutenant in the Border Troops with whom the Romanian had been in contact, who carried on “homosexual relationships with civilians and military personnel in frequent succession,” often in parks and at times while in uniform. In the eyes of the MfS the lieutenant posed a “considerable threat for the security of the armed forces” and should be dismissed “on short notice.”¹⁶⁹ The Romanian was also reported to have had contact with a Navy sailor in Stralsund.¹⁷⁰

Meanwhile, despite exoneration from criminal charges, Lieutenant Schulze grew increasingly dissatisfied with his new old life in the GDR. The MfS had also arranged work for him as a waiter at an Interhotel and found him an apartment, while setting him under renewed surveillance with an operation simply entitled “Gay.”¹⁷¹ The thickly assembled circle of MfS informants kept Schulze in view at all times. In October 1980 he tried again to flee to West Berlin, this time not by climbing over the border fence with a rope ladder but with deception. His plan was to pass himself off as a permanent representative of West Germany in the GDR who had lost his papers, presenting a monthly transportation pass he had kept from West Berlin as evidence. The pass had long since expired, so he falsified its period of validity and thus “armed” set off on 16 October 1980. He did not make it far. The People’s Police detained him in front of the entrance to the Permanent Represen-

167 BStU, MfS, AOP 23179/80, vol. 2, sheets 292–93. Chief of Administration 2000 to Deputy Minister for National Defense and Chief of Staff at the NVA, 10 October 1979, as well as AOP 23179/80, vol. 3, sheets 7–9: Interrogation protocol for the Romanian from 25 September 1979.

168 Ibid.

169 Ibid. For one comprehensive account of the Ministry for State Security’s hold over the NVA see Wenzke, *Ulbrichts Soldaten*, sheets 540–46.

170 BStU, MfS, AOP 1761/80.

171 Ibid., vol. 4, sheets 232–33: HA I, Department of Exterior Defense, Resolution to create Operation “Gay” from 20 September 1979; *ibid.*, vol. 1, sheets 207–8: HA I, Department of Exterior Defense, Information on Operation “Gay” from 30 September 1979; *Ibid.*, vol. 4, 229–31: HA I, Department of Exterior Defense, Concluding Report on Operation “Gay” from 22 November 1979.

tative Mission and brought him to the station “to clarify the facts of the matter,” in the well-known GDR phrase. That same day an arrest warrant was issued on suspicion of attempted unlawful border crossing.¹⁷² The previous investigation into the lieutenant’s desertion was also reopened, and on 10 September 1981 the judges at Berlin Military Court announced their decision – or more likely the ruling that state security had fixed ahead of time. “The accused is sentence to eight years imprisonment for the crime of espionage – §97 (1) StGB – aggravated desertion – §254 (1) and (2) [...] StGB – aggravated premeditated unlawful border crossing – §213 (1) and (3) [...] StGB – and unauthorized possession of a weapon – §206 (1) StGB.”¹⁷³ Schulze had to serve out his sentence to the last day, until his release in October 1988. One year later, SED rule and its omnipresent secret service came to an end.

g.) “You’ll Be Here at Eight!” Rulings on Sexual Assault

Cases involving sexual assault among soldiers were subject to court discipline in the GDR. Unlike the Federal Republic, East Germany possessed a code of military law that handled all criminal proceedings involving soldiers, including those occurring outside of service.¹⁷⁴ Just like their counterparts in the Bundeswehr or the U.S., soldiers serving in the NVA experienced sexual assault and violence, which in the vast majority of cases involved a soldier abusing his position of authority. During the first four months of 1956 internal statistics registered a total of eight “crimes against morality,” among them four cases of rape against women and three cases of “illicit sex between men that exploited a relationship of dependence,” as laid out in §175a StGB.¹⁷⁵ In what follows, a handful of the numerous cases involving sexual assault or abuse that have come down through investigative documents from the office of the GDR military prosecutor are sketched briefly.

In 1959 an NCO in the Border Police (the institutional forerunner to the Border Troops) was sentenced to two years and three months in prison under §174 StGB for continued illicit sex, exploiting a relationship of dependence for what at times was consensual, and at times non-consensual, sexual activity with other soldiers.¹⁷⁶

172 BStU, MfS, HA IX, sheets 1–19.

173 BAarch, DVW 13/48246: Berlin Military Court, 1st Military Criminal Senate, ruling on 10 September 1981.

174 On military law, justice and courts in the GDR see Wenzke, *Ulbrichts Soldaten*, 527–32, as well as a more detailed analysis in Wenzke, *Ab nach Schwedt!* 50–109.

175 Senior prosecutor for the People’s Police, 30 May 1956: “Analyse über Strafverfahren gegen Offiziere im Dienstbereich des MfNV 1.1. bis 30.4.1956,” classified material.

176 BStU, MfS, AU 31/60. The MfS had complete control of the case, i.e. the investigations, as the

That same year, a staff sergeant charged under the same paragraph received two years in prison for sexually assaulting five direct subordinates in his company.¹⁷⁷

An arrest warrant was issued for another staff sergeant by Rostock Military Court in July 1978.¹⁷⁸ The sergeant stood accused of, starting in November 1977, having ordered around fifteen NCOs in training under his command to his quarters then forcing them to expose themselves. In the majority of the cases the sergeant had also demanded that the NCOs masturbate in front of him, with some acceding. One NCO was ordered to insert a matchstick into his penis, with the sergeant threatening he would do it to the NCO himself if he did not comply. In October 1978 the Rostock court sentenced the sergeant to two years and two months in prison on multiple counts of attempted and completed sexual abuse, as well as multiple counts of insulting subordinates.¹⁷⁹ The remainder of the staff sergeant's sentence was suspended in June 1979 after just under a year spent in prison including pretrial detention; the sergeant had already been ordered dismissed from active service before the trial began.¹⁸⁰

Prior to that, in December 1976, a sergeant in the reserve who had previously been discharged from service likewise stood trial at military court in Halle/Saale on charges of coerced sexual activity and abuse. The indictment accused him of having, once in February of 1976 and again on two separate nights in September, forced an NCO to engage passively and actively in sexual activity under threat of violence, even punching him in the jaw.¹⁸¹ The court gave the sergeant one year in prison and three months on probation.¹⁸²

In one case that stands slightly apart, an active-duty sergeant was arraigned before military court in Schwerin in 1977 on multiple sexual acts against several soldiers while they were sleeping, and thus Defenseless. In bringing charges, NVA investigators ultimately had to base their indictment on the statements of the accused duty sergeant. The centerpiece of the investigation was an NCO who, having grown suspicious, was only feigning asleep when the sergeant stole up to his bed one night. When the sergeant's hand grazed the NCO's genitalia, the NCO shot

NCO also worked as an informal collaborator for state security.

177 BStU, MfS, AU 77/60. The MfS took over investigations itself, as the staff sergeant was an informal collaborator for state security and threatened to reveal as much if he was investigated.

178 BAArch, DVW 13/64809: Rostock Military Court, arrest warrant from 17 July 1978.

179 Ibid., Rostock Military Court, ruling on 13 October 1978.

180 Ibid., Rostock Military Court, ruling on 19 June 1979.

181 BAArch, DVW 13/54795: Leipzig military prosecutor, indictment from 22 November 1976.

182 Ibid., Leipzig military court, ruling on 8 December 1976.

up and struck the sergeant with his fist. The court punished the unwanted touching with one year on probation.¹⁸³

Another example from 1982 shows just how much enlisted soldiers could fear the direct superiors in a platoon or company, usually NCOs or sergeants.¹⁸⁴

I was forced to put up with [X.'s] sexual fondness for me so as not to suffer any disadvantages during my time in the service, and also so I could have my vacation and leave. From what I knew of Sergeant [X.], he absolutely had the power to inflict those sort of disadvantages if I turned him down [...] In my opinion [X.] acted like that in part for sexual arousal, and in part to demonstrate his power over us as soldiers.¹⁸⁵

This was how one conscript responded when asked in his witness statement why he had not defended himself more resolutely against a master sergeant. Within the space of two months in 1982, the accused had sexually abused direct subordinates on five separate occasions, each time by fondling their genitalia against their will until ejaculation. Witness statements had the sergeant “really ordering [the soldiers] to him” with the words “You’ll be here at eight!”¹⁸⁶ In each case he had either threatened to withdraw vacation time that had already been approved, or tempted the individual soldier by promising a leave-slip despite the company chief’s ban. As one conscript serving under the master sergeant at the time later said, “It was generally known in the unit that [X.] held the keys to vacation and leave [...] He would use expressions like ‘I’m going to fuck you till the water boils in your ass.’”¹⁸⁷ Other soldiers in the company gave a similar account on questioning.

You want to go on vacation don’t you, well why don’t you show how hard you’ve got it, prove it to me [...] 1. He threatened that I should bring him a vote of confidence or he would [...] make life hard for me. 2. I wouldn’t receive any more time off or vacation [...] on the evening of February 8 he wanted to try again and showed me the leave slip. I should at least accept being touched. I didn’t go along that time either. I asked him why he was doing it. He got agitated wondering what I was thinking and tore up the leave slip. He let me pick up the snippets [...] The master sergeant flaunted the fact that he could cancel vacation approved by the colonel. I was in such a state at that point that I said: It’s all the fucking same to me, the main thing is it’ll

183 BArch, DVW 13/54475: Schwerin Military Court, ruling on 8 March 1977.

184 For a detailed account of the internal conditions in the NVA see Wenzke, *Ulbrichts Soldaten*, 451–526 as well as Rogg, *Armee des Volkes*?

185 BArch, DVW 13/86440, Military state prosecutor, investigative files Az Str. II-23/83 (Bln.-Gr), Witness examination of B., 15 March 1983.

186 Ibid.

187 Ibid.

be over soon, preferably quickly and painlessly. I was disgusted the whole time [...] Sometimes I didn't get to bed until after midnight.¹⁸⁸

The highly restrictive policies in the GDR armed forces regarding vacation and leave should be kept in mind when assessing the extortion potential for denying either. NVA soldiers were strictly barracked and usually had to remain on standby even in the evenings and on weekends. Unlike the Bundeswehr, going out at night and weekend leaves were subject to authorization from the commanding officer, making the threat of denying vacation time particularly effective.¹⁸⁹ The master sergeant abused one private fifteen times within a two-month window. One of the soldier's roommates later recalled it had been "awful" how often the soldier had been ordered to the sergeant. The other soldiers in the room had laughed at first when the sergeant ordered other soldiers to him before bed. "We didn't think anything of it, we assumed there was a service context." Yet the private had always been "pretty beat" after returning to the barracks dormitory without ever saying why, another witness stated.¹⁹⁰

Another private recounted the master sergeant as saying: "Think it over, I've got power and a lot can happen." The sergeant abused this soldier as well, touching him intimately on four occasions. When asked why he had not reported anything, the soldier replied that he had been warned by another private "just not to mess with the sergeant," things could "get dangerous and he wanted to be left in peace until he was dismissed."¹⁹¹ The master sergeant had "so much power in the company that I did not know how I was supposed to act." Other soldiers had been ordered to appear before the sergeant dressed only in their underwear. The sergeant had threatened one soldier who suspected the sexual motivations behind the orders and refused that "he wouldn't let me on leave for six to eight weeks and let me stew the whole time in the service." "You want to go on vacation, don't you," the sergeant told another conscript to his face. "Well prove to me that you need it." Then he grabbed the soldier by his genitals and said "You know what that's there for!"¹⁹²

The military prosecutor summarized the results of his investigations in an inditement in late March 1983: Between December 1981 and February 1983 the accused had "coerced subordinates to sexual acts in abuse of his official post," on

¹⁸⁸ Ibid., Witness examination of S., 1 March 1983.

¹⁸⁹ For more on "military discipline as [a form of] repression," see Wenzke, *Ulbrichts Soldaten*, 533–34.

¹⁹⁰ BArch, DVW 13/86440: Witness examination of K., 10 March 1983.

¹⁹¹ Ibid., Witness examination of W., 1 March 1983.

¹⁹² Ibid., Witness examination of S., 1 March 1983.

at least twenty-five separate occasions, each time in his service quarters.¹⁹³ In early April 1983, before main proceedings were set to open in military court, the sergeant was demoted to the lowest service rank and dismissed from the NVA by personnel order for “gross violation of orders and regulations, abuse of official authority and jeopardizing combat readiness.”¹⁹⁴ Other researched cases reveal that the accused was nearly always dismissed from the NVA before a case went to trial. This spared the People’s Army from having to haul active-duty soldiers in uniform before the courts for such serious crimes. A similar method would have been inconceivable in the Bundeswehr, where military service courts only ruled on dismissal after hearing the evidence.

Military court sentenced the now former master sergeant to one year and three months in prison for “coercion to sexual acts, in partial conjunction with repeated failure to follow orders” (referring here to the defense ministry’s ban on consuming alcohol in the barracks). The court ruling again listed the twenty-five proven crimes in detail. The NVA judges surprisingly stuck to the lower end of the range of punishment when determining the sentence, as they themselves emphasized.¹⁹⁵ The sergeant’s appeal was rejected by superior military court in Berlin.¹⁹⁶ The former sergeant began to serve his sentence in civilian prison in June 1983, and was released early on good conduct by March 1984.¹⁹⁷

As elsewhere, sexual misconduct in the GDR was not always sexually motivated, but could also be a show, or rather abuse, of power. In examining the interrogation transcripts, it is striking that nearly every culprit stubbornly denied any sort of sexual motivation, instead putting a desire to exhibit their boundless power over subordinates in the foreground. Evidently this seemed more advantageous to them than being considered homosexual.

Multiple eyewitnesses agreed on how coarsely superiors had treated their subordinates. Soldiers recall occasionally suspecting that a concealed or subconscious sadistic streak was being expressed. Thinking back to his second year of service in 1983–84 as a young NCO, one man described his superior, a captain and later a major, as being “very severe” with him and “mistreating” him by different means on at least seven separate occasions within the space of a single year, all without the NCO knowing or being told what he had done wrongly. One weekend the captain

¹⁹³ Ibid., Berlin military prosecutor, inditement from 22 March 1983.

¹⁹⁴ Ibid., Border Troops, Border Command Center, cadre order from 6 April 1983.

¹⁹⁵ BArch, DVW 13/86440: Berlin Military Court, 2nd Military Criminal Division, ruling on 22 April 1983.

¹⁹⁶ Ibid., Berlin Superior Military Court, 3rd Military Criminal Senate, ruling on 6 May 1983.

¹⁹⁷ Ibid., Berlin, 2nd Military Criminal Division, ruling on 3 February 1984.

had ordered the NCO to his residence and had him “stand at attention” in his apartment. This had struck the NCO as “odd,” “but you don’t ask questions as a nineteen-year-old NCO, and especially not in the NVA.” No sexual advances came about in this instance, but in retrospect the eyewitness recalled suspecting at the time that the superior was “compensating for some kind of secret sexual preferences” with his orders and punishments. “It wasn’t normal behavior.” This suspicion only grew when the officer, by now a major, forced his wife and child out of their shared apartment after the *Wende* in early 1990 and moved in with a man in his NVA service apartment.¹⁹⁸

It was not always possible for investigating bodies to fix, beyond all shadow of a doubt, the border between treating subordinates roughly and in an uncouth way, between inhumane behavior on the part of superiors and acts with a sexual motivation. The archives of the SED Central Committee contain a complaint received in 1979 from a married couple living in Dresden that accuses a military superior, “given to drink and usually bellowing,” of having attempted “to approach soldiers indecently and set after them homosexually.” A son of relatives, a private, had been repeatedly grabbed on the backside and bit on the back by the sergeant. “The private had defended himself so far, but feared the revenge of the spurned.”¹⁹⁹ The couple now turned their accusations toward higher authorities: “It’s inconceivable to us how such a corrupter of youth could stay in our socialist Army [...] Not a single superior knows about the abnormal passion? Inconceivable! Is there no check on superiors that fear could be permitted to spread in such a way?”²⁰⁰ The senior military prosecutor began an investigation and presented the results to the Central Committee’s division for security affairs. No crime had been confirmed, including in the opinion of the private himself, “to whom it had never occurred to regard the improper actions of the ranking officer as sexual.”²⁰¹

A conscript similarly assumed there was a proper, official backdrop to a phone call he received from a captain on regimental staff one evening in June 1989. The conscript arrived at the captain’s quarters as requested at 7 p.m. When the captain locked the door from inside and laid out an alleged affidavit binding the soldier not

198 Interview with retired Master Sergeant R., 7 February 2018.

199 SAPMO-BArch, DY 30/IV B 2/12/261: Hans and Gerda D. to “General state prosecutor at NVA Supreme Court in MfNV” (they intended the senior military prosecutor) dated 11 January 1979, likewise as a complaint submitted to the SED Central Committee, forwarded to Senior Military Prosecutor Major General Leibner by the committee’s Division of Security Affairs on 1 February 1973. The author is grateful to Dr. Christoph Nübel at the ZMSBW for directing him to this source.

200 Ibid.

201 SAPMO-BArch, DY 30/IV B 2/12/261: Senior military prosecutor to SED Central Committee Division of Security Affairs, 21 February 1973.

to speak about the following conversation, the soldier assumed he would likely be interviewed about other soldiers. (On its own, this seemingly obvious assumption is revealing of the conditions in the NVA.)

Instead, the captain, still dressed in uniform, showed him heterosexual and homosexual pornographic images and presented him with a questionnaire containing thirty questions about the conscript's private life, including intimate questions about his own body-build and sex life. The soldier answered every oral and written question, still believing there was a professional context for the "review" of his "sexual conduct." "Inwardly I was waiting to find out what it all meant, the meaning wasn't clear to me yet. The officer [...] was ultimately a kind of confidante for me."²⁰² Yet the soldier grew increasingly circumspect, and when the officer ordered him to get undressed and masturbate in front of him, the soldier rebuffed him forcefully. The officer then spent nearly two hours trying to convince the soldier, with the soldier rejecting his advances. The soldier was finally allowed to leave the captain's quarters around 9.30 p.m. The following day he told an NCO about what had happened, who advised him to report the incident. "After some hesitation," the soldier did four days later.²⁰³

When interrogated by the military prosecutor, the captain initially denied any homosexual intent. "I wasn't aware that [...] images where men show themselves naked and pleasure themselves [...] was itself an indication of homosexuality. I neither can nor could imagine that to be the case." The officer justified his avid interest in the soldier's genitals on near biological grounds: "What do his genitals look like, and most of all what does it look like if he pleasures himself nearly every day?"²⁰⁴ (The military prosecutor's office did not accept this overly simple excuse, and later obtained a confession from the captain that the soldier was such a "pretty young man."²⁰⁵) Once again, a line of Defense disputing any and all homosexual interest emerged here that was equally familiar in the Bundeswehr as in the NVA. In a distressing turn that would have been unthinkable in the Bundeswehr, the military prosecutor brought in the captain's wife to ask her details about the sexual life of the married couple.²⁰⁶

The captain freely confessed to pressuring soldiers who showed a conspicuous lack of discipline by verbally upbraiding them or threatening them with NVA

²⁰² BArch, DVW 13/48584: Erfurt military prosecutor's office, question protocol for Soldier B., 28 June 1989.

²⁰³ *Ibid.*, Complaint of Soldier B., 27 June 1989.

²⁰⁴ *Ibid.*, Statement of Captain [X.], 8 July 1989.

²⁰⁵ *Ibid.*, Additional statement of Captain [X.], 17 July 1989.

²⁰⁶ *Ibid.*, Question protocol for Mrs. [X.], 6 July 1989.

military prison in Schwedt, all with the long-term goal of cowing soldiers into submission and “making them docile” in order “at a later point to somehow come into sexual contact with them.”²⁰⁷ One opportunity presented itself when a Bible was found in a soldier’s living quarters, and the soldier had initially viewed his conversation with the captain and the unusual questions in this context.²⁰⁸ The case never reached military court; instead the military prosecutor passed “the matter” along for the regimental commander to apply the disciplinary code.²⁰⁹ The Ministry of Defense ordered the captain to be dismissed from active service and demoted to lieutenant in the reserve.²¹⁰

Another investigation was likewise called off in 1980 after a captain tried to seduce two NCOs in training in his residence hall. One of the two quickly withdrew; the other stayed, at first. Subsequently, under the pretext of having to take a leak, he was able to inform the residential officer on duty of the captain’s intention “to perform sexual acts on him.” For whatever reason, the NCO then went back into the captain’s room, where he was later “fetched” by a loud knock on the door. The military prosecutor eventually discontinued his investigation into suspected coercion to sexual acts under §122 (1) of the GDR criminal code when the criminal elements for force could not be shown to be present. The NCO could have “freed” himself from the situation at any point, nor was any relationship of military subordination in effect at that hour in the evening in the residence hall. On its own, the difference in service rank was not enough to satisfy the crime of abusing one’s professional position.²¹¹ Nevertheless, the captain’s behavior had been “politically and morally reprehensible to a high degree,” all the more so as the investigation had turned up previous, albeit consensual homosexual activity with NCOs in training, NCOs and officers. The matter was left to the commander to apply the disciplinary regulations. The investigations also prompted disciplinary action against another captain and company head who was likewise reported to have engaged in (consensual) homosexual activity with NCOs in training, NCOs and the already accused captain.²¹²

Dismissals linked to criminal convictions under Section 151 of the GDR Criminal Code also merit special consideration. Introduced in 1968, the section crimi-

207 Ibid., Concluding examination by the office of the state prosecutor, 17 July 1989. The mere threat of “Schwedt” was enough to frighten soldiers. For more on the Schwedt prison see Wenzke, *Ulbrichts Soldaten*, 539–40, and a full account in Wenzke, *Ab nach Schwedt!*

208 BArch, DVW 13/48584, Complaint of Soldier B., 27 June 1989.

209 Ibid., Military prosecutor at Border Command South, order from 4 August 1989.

210 Ibid., MfNV, orders of the minister from 29 August 1989.

211 BArch, DVW 13/66204: Löbau military prosecutor, order from 21 March 1980.

212 Ibid.

nalized all same-sex activity, consensual or not, between adult men or women and youth under the age of eighteen. GDR military prosecutor archives record twelve investigations under §151 after the law was passed, with sentences ranging from a year on probation to two years and eight months in prison. Two sets of legal proceedings were suspended. Before drawing any conclusions about these numbers, however, it is essential to distinguish between consensual and non-consensual acts in reviewing court opinions. To give one example, in 1988 the military court in Dresden sentenced an *Oberfähnrich* to seven months in prison under §151 (in the NVA the position *Oberfähnrich* did not refer to an officer candidate as in the Bundeswehr, but a separate career track between NCO and officer, comparable to a specialist officer). Accused of sexually coercing and abusing a seventeen-year-old, the officer had already been dismissed from the NVA by order of the personnel department before court proceedings began, as was custom.²¹³ This ruling does *not* fall under the 2017 act rehabilitating people convicted of consensual homosexual acts under §151.

h.) An East German Military Career

As for the Bundeswehr, to conclude this chapter, the service career of one NVA soldier will be sketched in its entirety. Born in Saxony in 1952, the soldier had thirteen years in the service behind him when he was dismissed for his homosexuality in 1984.²¹⁴ It could not have been the first time his sexual orientation came to the Army's attention; as a young man, the soldier remembered giving a feminine impression, coming across as somewhat "of a swish" in his own words. Devoted to ballet, he had already passed his entrance exam for the state ballet school in Dresden when military conscription struck a cross through his future plans.

His feminine style had not given rise to any problems when he was mustered into service in 1971; more than simply being declared fit to serve, he was asked at Army district command whether he wanted to commit to career service. (Unlike the Bundeswehr, ten years in the service sufficed to achieve the status of career soldier; fixed-term soldiers served between three and four years.) While the young Saxon did not harbor any future ambitions beyond eighteen months of basic service, the

²¹³ BAArch, DVW 13/70093: Dresden Military Court, 2nd Military Criminal Division, ruling on 14 October 1988.

²¹⁴ This section is based on an in-person interview in Dresden and multiple conversations with the former soldier over the phone.

rejection he had received from ballet school due to his impending conscription made “it all the same” to him at the time, and he signed on for ten years as an NCO.

Even during basic training at the “Paul Fröhlich” school for non-commissioned officers in Zwickau, he held a singular reputation among comrades for his noticeably “camp” appearance. At one point, the school commander told him point blank that “Normally you shouldn’t have been allowed to be confirmed as a career soldier in the first place.”

Looking back today, the former soldier still attributes his acceptance as a career NCO to an error or omission on the part of Army district command. Yet it may not have been an error at all but basic need; the NVA was wanting for longer-term volunteers. It likely occurred the way it has for armies the world over in every era: Need creates fitness for service. The whispers continued when the NCO was put in charge of the mess hall at Reconnaissance Battalion 7 in Dresden; “Here comes the ten-year-homo” fellow soldiers would say of the NCO, and later warrant officer, referring to the amount of time to which he had committed. “I had to put up with idiotic comments,” the retiree recalls. When a friendship developed between him and another soldier, the latter was warned by other superiors that he should take care, the cadet was gay.

In 1973 the warrant officer was assigned to the task force in Pioneer Construction Battalion 22 in Biesdorf outside Berlin, to assist with constructing the Palace of the Republic and other projects planned for the capital. At night and on the weekends, the soldier took advantage of his post in the city to immerse himself in the small gay scene in the East Berlin neighborhood of Prenzlauer Berg, recalling them as his “vagabond days.” Yet all throughout his exploits, he was constantly on the lookout not to be discovered by other soldiers. “Nobody, and I mean nobody could get wind of it.” The thought “Hopefully nobody sees you!” constantly ran through his mind. “More than enough!” the witness answered when asked whether he knew other gays in the NVA. He had met a number of gay soldiers in his Biesdorf battalion, though there had not been any sexual contact. “I couldn’t afford that.” The conscripts themselves were quite free in their sexual encounters; the witness had caught two soldiers in *flagrante delicto* more than once while walking through the barracks dorms at night. “It wasn’t forbidden, which meant they weren’t dismissed from service for it.” One gay soldier from Plauen openly told him who he had been “in the sack” with. For commanding officers like him, however, sexual escapades in the barracks were taboo. Gays were also at risk of being exposed by their immediate families. This happened to one master sergeant in the construction battalion, whose wife caught him with another man and reported him. The sergeant was subsequently demoted then dismissed.

Aside from the prattle and half-witted comments of other soldiers, the former soldier stressed that he did not experience any career obstacles while serving in the

NVA, and was promoted to master sergeant according to plan, the highest service rank for an NCO. In 1982 he extended his contract to fifteen years and switched over to the career track for prospective officers. The obvious discrepancy with the regulations, between the soldier's reassignment and promotion on the one hand and knowledge of his homosexuality on the other, once again demonstrates the gap between claim and reality in the NVA.²¹⁵

In 1984 the now warrant officer experienced a rapid and unexpected end to his career. He himself had provided the impetus; while drunk he had "tried to get into the pants" of a young conscript. The conscript, who was drunk himself, had refused and punched the warrant officer, a significantly higher-ranking and senior soldier, "right in the trap." The company commanders could not turn a blind eye to an attack on a superior, and a talk was set up between the deputy battalion commander responsible for the mess hall, the battalion political officer, the SED party secretary and the liaison officer for the MfS in the battalion.

The group decided to dismiss the soldier for reasons of health, referring him to the psychiatric unit at the Army hospital in Bad Saarow. (As shown, the Bundeswehr also looked regularly to psychiatric evaluation as the "royal road" for "getting rid of" homosexual soldiers.) At the hospital a physician showed the soldier erotic images of women to gauge his level of arousal – all in vain. The medical diagnosis avoided the term homosexuality, speaking instead of "sexual deviation" or "abnormal sexuality," as the doctor phrased it simply. "Sexual deviation" also went down as the diagnosis in the warrant officer's personnel form.²¹⁶ His personnel file (or cadre file, in the language of the NVA) lists "insufficient pre-qualifications for a military career," prompting the battalion commander to request dismissal from active service.²¹⁷ This meant the warrant officer, still a soldier, now had to find a civilian post; once he had found one in the gastronomy sector he was dismissed from the NVA. By way of a side-note – in clear contradistinction to West German service court rulings on similar cases, no demotion in rank was associated with the dismissal. Upon dismissal the warrant officer received a final evaluation that was entirely positive in tone to accompany him on his way into the civilian job market (a "friendly and open-minded nature, respected in the group of career NCOs as a

215 NVA: *Anspruch und Wirklichkeit* (NVA: claims and reality) was the name of a 1993 book about the history of the NVA edited by retired General Klaus Naumann.

216 Personnel form, medical evaluation from 22 August 1984. (The author would like to thank the witness for sharing a copy of this and other documents.)

217 Suggested dismissal from active service from 28 August 1984.

comrade, polite and disciplined toward superiors”). The report did not contain a single reference to the incident or its underlying causes.²¹⁸

It was only after the GDR and its Army ceased to exist that the witness learned from former comrades from Biesdorf that nobody in the battalion had been told the reasons why he, well-known in the barracks as the cook, had disappeared so suddenly. While the other soldiers had been at a loss, they had not asked any questions, as was characteristic in the NVA. Still, word had gotten round about the incident in the barracks with the young soldier, letting the soldiers put two and two together.

The numerous rulings in West German service courts this study has considered give an idea of how the Bundeswehr might have proceeded in the event of a similar incident within its own ranks. During the 1980s, the period in question, military service courts would commonly have settled on a reduction in rank for a comparable case – a one-time instance of minor sexual assault against a lower-ranking soldier from the same unit. On rare occasion the company chief might decide to dismiss the soldier in question. Strictly speaking, the warrant officer was not legally dismissed from the NVA for his infraction but released as unfit for service based on a psychiatric evaluation by a military physician. Standard procedure in the Bundeswehr would have involved a formal disciplinary hearing; in Biesdorf it was the commander, deputy political officer and party leadership in conjunction with state security opting for a discreet solution. The unpleasant incident was silently “swept under the rug”; the chosen path not only for sexual incidents but anything that did not fit the ideal image of the NVA as a socialist Army. The key was no unrest in the troops, no scandals that might eventually make their way into the public sphere. In the Biesdorf case, the fact that other soldiers in the battalion did not learn anything of the warrant officer’s fate speaks to the motives underlying the matter’s quiet resolution without disciplinary proceedings. Not that the Bundeswehr would have posted its disciplinary measures on the bulletin board or announced it by loudspeaker; data privacy laws and the personality rights guaranteed to all soldiers stood in the way. At the same time, it is safe to assume that word would have gotten out about the measures, even become public in the case of a reduction in rank. The true aim of any disciplinary measures within the Bundeswehr was their corrective influence on the accused, after all, as well as on the comrades in his orbit. The crucial difference between the case in Biesdorf and a comparable incident in the Bundeswehr lies in the presence of formal procedures in the West that followed clear rules and guaranteed rights to the accused. Nonetheless, the Bundeswehr also had the “solution” of having military physicians evaluate soldiers whose sexuality had drawn notice with a view to their fitness to serve, then potentially dismissing

218 Final evaluation from 28 August 1984.

them as unfit. “That’s exactly what happened with me!” was the former warrant officer’s spontaneous reaction when reading about similar cases in the Bundeswehr in the context of his interview.²¹⁹

Postscript: In 1988 the warrant officer, now in the reserve, was called up for “reserve service” (the East German term for a reserve duty training exercise). He refused the call, however, thinking “first they kick me out and now they want me back? I don’t think so!” In 1989 he received a second inquiry from Dresden Army District Command asking whether he would join the draft board. This time he did not say no, and served from March to August 1989 in his previous service rank.

²¹⁹ Interview on 5 January 2018.