

Conclusion

The following conclusion is presented in the form of succinct theses, based on the questions formulated at the outset of the study.

1. Male Homosexuals' Fitness for Military Service

During the first two decades of the Bundeswehr, men who either declared themselves to be homosexual or were identified as such during their mustering were consistently rejected for military service. It was not until the end of the 1970s, when low birth-rates in the years coming up for conscription combined with a greater availability of alternative national service programs to raise the number of conscripts, that homosexuality ceased to constitute a reason for ineligibility from military service on its own – much to the surprise of actual or alleged homosexuals themselves. From that point on, homosexual conscripts were considered in essence fit for service unless a medical, that is psychiatric, report attested to a given conscript's inability to integrate into a "male society within confined quarters." Throughout the 1980s and 1990s, homosexual men could expect to perform basic service, but could not expect a professional military career.

2. Personal Recollection and Experience

Eyewitnesses provided vivid and credible reports as to the intense pressure under which they served for years, even decades, as homosexual NCOs and officers. *Die Zeit* spoke to the heart of the matter in commenting that the armed forces drove their homosexual soldiers to "psychological self-mutilation." The sword of Damocles hovered perpetually over the heads of gay officers and NCOs, threatening to come down at any moment and end their career. Gay soldiers, both former and current, gave compelling accounts of how acutely aware of the danger they were, and how much it weighed on them psychologically and restricted their lives, including their private lives. On the other hand, there are the many eyewitnesses who reported a much greater degree of tolerance existing among troops than the regulations in fact permitted. Especially by the 1990s, there was no lack of officers and NCOs serving at all levels of leadership whose homosexuality was an open secret.

3. Male Homosexuality in Criminal and Disciplinary Law

After 1949, the Federal Republic maintained the more stringent version of § 175 adopted in the National Socialist era. Soldiers who were found guilty in criminal court faced additional charges from military prosecutors and conviction in the military service courts. Homosexuals who “drew attention” to themselves were routinely dismissed from the armed forces up through the late 1960s. The social misfortunes soldiers experienced went beyond their civil conviction to include the loss of their profession and social milieu, which often concentrated exclusively around their company and fellow soldiers. If they returned home to a rural area or smaller city, the subsequent stigmatization and exclusion often required a fresh professional start elsewhere, in a different place “where nobody knew them.” In comparing criminal court rulings with those of the disciplinary courts, it is significant that the latter arrived at much harsher decisions, although again one cannot deduce a miscarriage of justice in disciplinary proceedings on that basis. Different interests count in criminal proceedings compared to disciplinary proceedings; it is a well-known fact that the same matter can be unobjectionable in criminal court and still constitute an official misdemeanor. It was not uncommon for cases involving consensual sexual activity between soldiers to be punished in a disciplinary court even after criminal proceedings had been abandoned by the state prosecutor or court.

Criminal prosecution of homosexual activity reflected social – as well as ethical, moral and religious – values (or prejudices). Until 1969 any conviction under §175 automatically triggered disciplinary proceedings that often resulted in the dismissal of the accused, with the same applying to soldiers as for civil servants at the federal, state and district levels. The violation of any criminal law or prevailing moral standard was usually punished as an official misdemeanor, with homosexual activity ranking among “the most serious.”¹ On this count, the laws for civil servants were the same as for the Bundeswehr. “A great deal of politics is contained within this assessment; as a public employer, the state accedes to the concepts and demands held by the majority of its citizens. In this way, civil service law becomes a means of enforcing and maintaining collective expectations regarding conduct by way of example.”² Behind the laws stood the image of the civil servant as a representative of the state, a quality that applied not only during work but after hours as well, at all times and universally. It did not just apply to higher-ranking administrative posts, police officers or teachers but more “minor” positions as well – post

¹ Gollner, “Disziplinarsanktionen gegenüber Homosexuellen im öffentlichen Dienst,” 105.

² *Ibid.*

office clerks, firemen, train engineers and ticket inspectors.³ This point also reveals another clear parallel to the expectations the Bundeswehr had for its soldiers, particularly for NCOs and officers as reflected in § 17 (2) of the Soldier's Act, which governed their behavior both on and off duty.

Court rulings that lay thirty or forty years in the past should not be evaluated by today's standards. At the time, reservations toward homosexual men existed among the broad majority of the population and were reflected in the way soldiers and their commanding officers thought, as well in employees' and jurists' work at the Ministry of Defense and in the court system. "Most historians fail to situate themselves vis-a-vis the decisions facing their period of study, or fully comprehend them. All too often, they want to accommodate the current *Zeitgeist*, which is highly pernicious for being so emotionally laden. Historians who write in the spirit of the *Zeitgeist* are essentially looking at the present, not at history."⁴ Yet still they pretend to be investigating the historical record. The disciplinary law internal to the armed forces had (and still has) other interests to weigh than the criminal justice system at large. The actions and decisions of Bundeswehr officials and jurists, those of legal advisors, military prosecutors as well as the judges themselves were bound by law and justice as a matter of course. Yet the law and the laws followed different norms in the 1960s and 1970s than they do in 2020.

Up through the late 1960s, military service judges set an explicit emphasis on the "cleansing effect" of their rulings for crimes that might have jeopardized "troop cleanliness." Yet those same "purifying disciplinary measures" were imposed for all kinds of other official offenses – it both was and remains a common form of expression among jurists. Beginning in the 1970s, "troop cleanliness" was supplanted by the softer, more technical-sounding phrase "jeopardizing troop order and discipline," which was then used repeatedly to justify disciplinary punishment in cases of outed homosexuality under the new versions of §175 adopted in 1969, then again in 1973. The Bundeswehr and its jurists were following general legal norms when applying disciplinary law. In 1970 a military service senate ruled logically that since simple homosexuality had been decriminalized, it no longer constituted an official breach of duty when it occurred between soldiers – unless, that is, there was a connection to the chain of command. Still, the Bundeswehr reserved its own discretionary power of interpreting what exactly constituted a connection to the line of duty. In 1970 that could be taken to mean two soldiers simply carrying on sexual

³ In the TV documentary "Der Schwulen-Paragraph," Günter Landschreiber describes a letter he received dismissing him as a prospective postal employee after he was taken into custody in Gelnhausen in Hessen when his ex-boyfriend's mother reported him.

⁴ Ret. Surgeon General Dr. Horst Hennig in an interview, Cologne, 20 June 2018.

relations, even if it took place exclusively in private and the soldiers had no official contact. This strict framework was steadily relaxed in the service courts over the years, although sexual relations between superiors and subordinates continued to be handled strictly, with even an abstract relationship of command sufficing under the directive governing superior–subordinate relations. Sexual activity between soldiers in the same unit was also subject to disciplinary action, independently of service rank. The ban on sexual activity inside the barracks was lifted in 2004.

Dismissals under § 55 (5) of the Soldier's Act present a blind spot; intended for official misdemeanors that posed a serious threat to military order, the paragraph allowed soldiers within the first four years of their service to be summarily dismissed from the Bundeswehr in a simplified procedure that did not involve a ruling at disciplinary court. This study managed to identify only a handful of isolated instances through chance findings or eyewitness tips. What remains is the suspicion that the number of soldiers affected by the provision is far higher than the number of soldiers dismissed by ruling at the service courts.

The study drew a clear distinction between consensual sexual activity and cases involving sexual assault. Sources attest to the high rate of sexual assault or similar attempts by officers and NCOs against lower-ranking, often younger soldiers. Up to the present day, such cases would be (and are) punished under disciplinary law, and potentially criminal law, independently of the question of homosexuality. In early January 2000, a personnel section at the Bundeswehr determined once again that homosexual activity did not hold any fundamentally different relevance for disciplinary action than heterosexual activity.

4. Unfit to Command?

Even below the threshold of disciplinary action, until 2000 the Bundeswehr considered homosexuality a severe stigma, with it usually entailing serious consequences for military service. Even an officer or NCO with a flawless service record did not stand a chance of being appointed to career service if he had been identified as homosexual. The Bundeswehr usually blocked any such soldier from reassignment, denying even willing conscripts the chance to continue to serve in the ranks of enlisted men.

Still, commencing in the 1970s, soldiers of every service rank who were known to be homosexual were generally no longer subject to early dismissal, as remained standard practice in the British and U.S. armed forces. Rather, the Bundeswehr allowed soldiers to serve out their military contracts, while anyone already in career service would likely be allowed to remain until he reached retirement age.

The same degree of protection was not extended to prospective officers and NCOs. If a soldier in one of these groups came out as homosexual, he was dismissed in simplified proceedings as allegedly unfit for service.

Even if soldiers identified as homosexuals were no longer subject to early dismissal (with the named exceptions), the BMVg usually deemed them ineligible to serve as immediate commanders or instructors, through a blanket policy that expressly ruled out case-by-case decisions. The deciding factors in this context were an anticipated loss of authority and the associated risks for troop discipline; the Bundeswehr saw its combat readiness threatened. Ensuring full combat readiness in turn laid the groundwork for the armed forces to fulfill its mission to defend, and national defense ultimately had constitutional priority. These were the arguments grounding the ministry's belief that it was well equipped for a lawsuit at the Federal Constitutional Court, a lawsuit that looked increasingly likely as the years passed. The judges at the high court never actually reached a decision on the matter; when they were first called to in 2000, the BMVg conceded at literally the last possible minute, thus avoiding a ruling. For the thirty years leading up to 2000, each and every attempt to bring about looser restrictions through legal action was stonewalled in the administrative courts. In the 1980s and 1990s, the Ministry of Defense noticeably tightened its restrictions against homosexual superiors serving in the military, adhering undeterred to its strict path into the new millennium, and often prompting gay men to refrain from petitioning or applying of their own accord.

The Bundeswehr missed out on a large pool of potential personnel in pursuing its policy. After completing their studies, some officers would take advantage of the personnel guidelines to cut short the time they had left in the service either as genuine or apparent homosexuals, thereby securing a quicker exit to the broader jobs market. In terms of effective personnel policy, these were ultimately own goals. Former Parliamentary State Secretary Brigitte Schulte looked back in wonder at "how misinformed and narrow-minded [...] civilian and military leadership in the Bundeswehr and our society were up into the twenty-first century."⁵ The reference to society is key here; up through the late 1970s, the Bundeswehr was little more than a mirror to society, although the reflection grew more and more distorted as time wore on.

Numerous examples, on the other hand, show that as long as homosexual officers or NCOs simply lived their lives without any grand pronouncements, they were able to make their way through the ranks of the armed forces and achieve prominent positions with astonishing ease.

5 Letter from Ret. State Secretary Brigitte Schulte to the author, 2 June 2019.

Here too, it is crucial not to assess decisions that lay decades in the past exclusively by today's standards. In the minds of the officers in charge, jurists and officials, the age-old wisdom about the military as a school for masculinity lived on.

The Bundeswehr was not alone in discriminating against homosexuals. At least in the first decades of its existence, it acted in accordance with traditional cultural values and norms held by large portions of mainstream society in which tolerance toward homosexuals was not an outstanding feature. Homosexuals who came out as such would likely have suffered professional consequences in practically any line of work. The social consensus came out in untold numbers of jokes and sayings about gays, such as CSU Chairman Franz Josef Strauss' quip that he "would rather be a cold warrior than a hot brother."⁶

Whether or not something can be spoken aloud is the deciding measure of its acceptance in society. The same applies in the armed forces. Openly announcing oneself as gay was a common topos within the homosexual movement; in the military it was a major step after which regulations usually took hold. Courageous activists opted for this stony path consciously, likely in the knowledge that they would not achieve anything (yet) except the end of their career and defeat in court.

Despite the well-known restrictions, homosexual men still opted for a military career. During public talks, audiences have occasionally asked the author of the present study in disbelief how a person could even think about becoming a career soldier in the Bundeswehr as a homosexual, knowingly exposing himself to such a "homophobic environment." Yet for anyone who did want to take up the career of a soldier, whether because he was convinced of the Bundeswehr's mission or simply because he wished to be a soldier, turning back from such a decision would have amounted to a form of self-abandonment or self-discrimination. Looking back, a staff officer involved in personnel matters who was not affected by the policies himself recalled his attitude to the situation in 1999: "We denied homosexuals any sort of career, even when the vast majority were already cowering and withdrawn so as not to attract any attention to themselves. And these men consciously chose to serve in the armed forces as officers or NCOs despite this rejection and all the discrimination."⁷ One way or the other, the armed forces' approach to homosexuality exerted a considerable influence on the lives of those it affected.

⁶ Franz Josef Strauß cited in the *Neue Osnabrücker Zeitung* on 6 March 1970. Strauß repeated the same line nearly verbatim at a CDU election rally the year after in West Berlin, cited in *Der Spiegel*, 12, 1971, p. 21.

⁷ Interview with Lieutenant Colonel (of the Reserves) Joachim Meier, Karlsruhe, 16 July 2018.

5. Homosexuality as a “Security Risk”

Into the 1980s, internal security clearance guidelines generally rated homosexuality and other forms of sexual conduct considered “abnormal” as security threats. The regulation was not specific to the Bundeswehr, however, but stemmed from the Federal Ministry of the Interior, and applied in equal measure to all departments in the federal government. New regulations drafted in 1983 stipulated that homosexuality was no longer liable to blackmail when practiced openly, and as such no longer posed a security risk. The new security clearance regulations took effect in 1988. If officers and NCOs kept their homosexuality to themselves (in service), MAD classified them as potentially susceptible to blackmail and thus in jeopardy of “being approached by [enemy] intelligence contacts.”

Contrasting this are the accounts of numerous gay soldiers from a wide range of ranks and branches of service, who insist they never experienced any problems with MAD. Still, the restrictions in place against homosexual officers and NCOs made it nearly impossible for them to come out to the personnel leadership – except, of course, at the cost of their professional future. *Die Zeit* addressed this virtually inescapable conflict directly in January 1984, quoting Michael Lindner at the height of the Wörner–Kießling affair: “It is discrimination that creates susceptibility to blackmail in the first place,” and “the Bundeswehr is creating its own security risks.”⁸ There is only one way to avoid this sort of situation, which is refusing to grant the categories of heterosexual, homosexual, bisexual and transsexual any relevance in the matter. An open and tolerant atmosphere that permits everyone to be open about their sexual orientation is the only means of combatting malicious gossip and suspicion by removing any cause for secrets in the first place; only then will homosexuals no longer be liable to blackmail, and thus not a threat to security. The particular irony in the tragedy of the Wörner–Kießling affair lies in the fact that this realization should have to come with the downfall of a man who – according to everything his close friends had to say and what his own writing expresses – was not homosexual to begin with. The only way out of the endless loop was a change in the Bundeswehr’s stance toward homosexuality. It was a step that was both long hoped for and long called for, and was finally taken in 2000.

⁸ “Homosexualität – ein Sicherheitsrisiko?”

6. A New Millennium – a New Era

Such a change was only possible from “on high” as it were, at the ministerial level, and then only when coming from the political leadership. While Rudolf Scharping’s hesitation and timidity before the military leadership does not leave a good impression where the primacy of politics was concerned, it was in keeping with the minister’s cautious nature and his intermediary role. Scharping did not want to steamroll the military leadership, but rather include them on the path to change. As Scharping himself said to the Bundeswehr, it was an “imperative of wise leadership to make a view one holds to be correct, bearable, palatable and understandable in reasonable fashion [...] tolerance had to be made possible to understand and develop, and in this way to learn.”⁹ Scharping showed greater willingness to open himself and his party up to the accusation of breaking a campaign promise than let things deteriorate with the generals. It was only under heavy pressure, including from a pending decision at the Federal Constitutional Court, that the minister changed course in 2000 and steered the ship in the opposite direction, prevailing over the bitter resistance of the military leadership. Scharping’s decision allowed the BMVg to avoid a ruling in Karlsruhe that might have established the unconstitutionality of the Bundeswehr’s previous position toward its homosexual soldiers. The chiefs of the services, the chief of defense and their staffs, on the other hand, preferred – to draw an admittedly inappropriate analogy to the fleet in November 1918 – to go down fighting. Scharping, however, had no interest in running the ship aground at Karlsruhe. He was a politician and made a political decision, even if at the last minute. It resulted in a historical break, and the abandoning of a line that had been held for forty-five years.¹⁰

In 2000 the German armed forces opened fully to women by court order, a development that ran in parallel to the end of restrictions on homosexuals. In the public perception and in the troops’ own self-image, the two combined to paint the picture of a rapidly changing Bundeswehr. While each chain of events occurred independently of the other, they remain inseparable. The answer as to why, after decades, the Bundeswehr suddenly became accommodating toward its homosexual soldiers and threw every last long-standing principle overboard within a few short months, is found primarily at the European level, in the course of changing European concepts regarding human rights and freedom from discrimination.

9 German Bundestag, 14th legislative period, typed transcript of the 95th Session, 23 March 2000, 8844–45.

10 In other words, “The break with tradition could hardly have been more dramatic.” Schaden-dorf, *Der Regenbogen-Faktor*, 72.

7. Historical and Lateral Views of other Armed Forces

Homosexuality has been and remains a topic within armed forces all over the world. This means the Bundeswehr's own approach has to be assessed within a greater, transhistorical and international context; comparing the Bundeswehr to other armed forces helps situate its methods within a broader framework. At times, Bundeswehr practices closely resembled those revealed by sources from the Imperial Navy, the Prussian Army in the time of the German Empire and the Reichswehr. Yet, after due consideration, the fact comes not so much as a surprise as typical of the armed forces as such.

Historically, the Bundeswehr does not rank all that negatively by international comparison: unlike the armed forces of the U.S., British, and other NATO states, starting in the 1970s, officers and NCOs known to be homosexual were no longer generally subject to dismissal, and certainly not immediate dismissal, from the Bundeswehr. It was not until 1993 that the U.S. introduced similar regulations, though admittedly not under such a pointed policy title. Granted, the U.S. policy of "Don't ask, don't tell" did not give *carte blanche* to gays and lesbians in the armed forces; soldiers who were open about their sexual orientation were still in danger of being thrown out of the military. U.S. armed forces did not open fully to homosexuals until 2011, eleven years after the Bundeswehr.

In the UK, homosexuals were likewise subject to immediate dismissal from the armed forces. While Great Britain ceased criminal prosecution of male homosexuals one year before the Federal Republic, in 1968, Her Majesty's Armed Forces stayed the course, maintaining a harsh and restrictive line thirty years after the laws had changed. The British practice of summarily dismissing homosexual soldiers first ended in 1999 by a court ruling at the European Court of Human Rights. Still, in the context of NATO it was not the armed forces of West Germany who stood at the forefront of tolerance toward homosexuals. That role was reserved for the Dutch.

Homosexuality presented just as great a taboo in the East German armed forces as it did in the Bundeswehr. The BMVg itself did not take an interest in NVA practices, as shown in the lack of relevant documentation. If it had, the jurists and officers in Bonn would have found that much like the BMVg, NVA personnel guidelines ruled homosexuals out for any further assignment (laid out explicitly in mustering regulations), never mind acceptance for career service as an NCO or officer. Both German armies took the same position on homosexual men: military service itself was possible, but not a career. Looking back, nearly every former NVA officer interviewed for this study recalled the topic had been "hushed up." Some were nonetheless able to recall a handful of related incidents, whether as observers or participants. The individual case studies indicate that there was no uniform

response to a fixed-term or career soldier in the NVA being identified as homosexual. Decisions ran the gamut, ranging from dismissal from active service by personnel order (described consistently as “transferred to the reserve”), dismissal for alleged medical reasons following on the “results” of medical inspection by military physicians, transfer to another place of service, to no discernible (written) restrictions.

The heavy hand that state security had in military personnel decisions – by no means only in cases of suspected homosexuality, although definitely in these cases – set the NVA apart from the Bundeswehr. The MfS placed soldiers from every service rank suspected of homosexuality under surveillance operations termed “Operational Personal Checks.” If those suspicions were confirmed, the MfS generally advocated that officers be dismissed or “transferred to the reserve.” This demonstrates once again the crucial differences between a state founded on the rule of law and its absence in the GDR. In the West, administrative judges would have had the final say (and toward the end the judges at the Federal Constitutional Court nearly had theirs), while in the East the arbitrary exercise of power reigned supreme concerning this particular topic. In 1988 the NVA stance toward homosexual soldiers shifted; if before it had rejected homosexuals for service as volunteers and conscripts, it now stated explicitly that homosexuality did not constitute grounds for exclusion from the military. Fixed-term or career soldiers already serving in the NVA whose homosexuality came out could continue in active service “as long as no complications” arose, a policy that applied explicitly for teaching positions as well. Unlike the Bundeswehr at the time, the regulatory shift in 1988 opened the door for homosexuals to serve as NCOs, officers and even career officers.

8. The Matter of Lesbian Soldiers

In the past, it was always male homosexuality that was meant when the topic surfaced for discussion in the Bundeswehr. Aside from two exceptions in 1999 and 2000, no documents concerning lesbian soldiers were discovered within the extensive archives of the BMVg and the armed forces for the period under consideration. The same holds true for decisions in military court, and for that matter any other disciplinary measures based on sexual activity between two female soldiers. Lesbian soldiers first received mention in February 1999 in a BMVg response to the Gay Association in Germany, which noted it was “neither legally nor factually objectionable to keep homosexually oriented soldiers, whether they be gay or lesbian, at a remove from assignment as troop leaders or instructors as soon as their tendency

is known.”¹¹ Yet a lack of sources can be revealing in and of itself, in this case of the fact that lesbian women were not perceived as a significant factor or any sort of a problem by the Bundeswehr or the BMVg.

It remains to be seen whether this was out of ignorance or tolerance. Multiple officers who dealt with the subject in a professional capacity summed it up in hindsight by saying “Lesbians? They were never an issue.” It almost seems as though lesbian soldiers did not appear on the radar of the defense ministry, military leadership or Bundeswehr jurists until the new millennium. There are two possible explanations for this. It is possible, on the one hand, there was a problem of perception in the sense of a total ignorance about women loving other women, which would have meant that the Bundeswehr did not see it as a problem. Yet it is also possible that male conceptions of sexual activity between women were at work, which have not always regarded that activity as a form of homosexuality but a sort of sexual game, even an object of male fantasy.

Criminal law followed the Bundeswehr and BMVg in not giving serious consideration to female homosexuality, incidentally; § 175 only ever applied to male homosexuality. On the other hand, the proportion of lesbian soldiers may have been so small based alone on the minuscule number of women accepted into the Bundeswehr and their restriction to two areas of service up until 2000 that the BMVg saw no need for regulation. This would partially explain the ministry’s perceptions, or lack thereof. This does not mean of course that it was easy for lesbian soldiers to live openly with their sexuality, or that it did not lead to problems in individual cases. In either case, the lack of written sources meant that research on the subject only came about via eyewitnesses, whose recollections of serving in the 1990s show, for example, that women in uniform encountered the same issues with security clearance checks. At the same time, interviewees attested to widespread tolerance in the troops, in spite of any number of sexist, dim-witted or at the very least ill-considered comments.

9. “We Have to Betray the Essence of Who We Are”

Speaking to *Der Spiegel* in 1993, a BMVg spokesperson declared that there was no “injunction to prosecute or witch burning” in the Bundeswehr.¹² “What soldiers do ‘off duty’ does not interest us,” the spokesperson continued. Things looked differ-

¹¹ BArch, BW 2/38358: BMVg, Parliamentary State Secretary Walter Kolbow to the SVD, 26 February 1999.

¹² “Versiegelte Briefe,” 54.

ent in reality. True, gay soldiers were not being burned at the stake, but in the first years of the Bundeswehr they were most certainly subject to legal prosecution, and were still experiencing discrimination at the turn of the millennium.

To the extent that freedom is also the absence of fear, homosexuals had not been free in Germany for centuries, not in the first decades of the Federal Republic, and not up until the new millennium in the case of the Bundeswehr. Throughout the first four decades of the Bundeswehr, as in armed forces the world over, the situation was as actor Simon Curtis summed it up in the fallout from the public scandal surrounding sexual assault and the widespread, but perpetually concealed, homosexuality within the U.S. film industry: “Gay men aren’t allowed to be who we are. In order to work and follow our dreams we have to betray the essence of who we are.”¹³ In the Federal Republic, homosexual soldiers were considered unfit for their profession up to the end of the 1970s, and thus ineligible to serve in positions of leadership. Instead, they were placed under general suspicion by military intelligence, had allegations brought against them by state and military prosecutors, and were alternatively shunned and tolerated by fellow soldiers.

Part of any objective appraisal must include setting earlier decisions within their historical context. The Bundeswehr was a mirror of society. As incomprehensible as it may appear from today’s perspective in 2020, up until the late 1980s the jurists, officials, officers and politicians at the BMVg knew themselves to be operating in harmony with mainstream society. Discrimination was not specific to the Bundeswehr; society at large did the same, as numerous court rulings against suits filed by homosexual soldiers can attest. Society opened up to sexual minorities over the course of the 1990s, showing increasing levels of tolerance and acceptance. Neither the BMVg nor Bundeswehr followed suit until 2000, and then not on its own initiative or out of conviction, but only when forced to do so by politicians, the constitutional court and the media – in short, the public opinion of a changing society. In March 2020 Minister of Defense Annegret Kramp-Karrenbauer expressed her regret for the unjust treatment homosexuals had received from the Bundeswehr: “They have been subjected to considerable discrimination on the basis of their sexual orientation, not least in the consequences they suffered in their professional development.”¹⁴ Until the year 2000, Kramp-Karrenbauer continued, homosexuals had been put at a “structural disadvantage in the Bundeswehr;” with the regulations “repealed at far too late a date,” in the minister’s opinion.¹⁵

¹³ Diez, “Er ist so nett.”

¹⁴ Federal Ministry of Defense, “Vielfalt im BMVg: Jeder Einzelne wird wertgeschätzt,” (BMVg communication) from 3 March 2020.

¹⁵ Ibid. The defense minister directed her ministry to “draft proposals for a new legal basis that

Today all of this lies in the past for the Bundeswehr, even if the not all-too-distant past. To this day, many soldiers in other armies, both female and male, are still forced to deny the essence of who they are. In 2018 a master sergeant looked on the hitherto unimagined degree of freedom and tolerance that prevailed in the contemporary Bundeswehr with satisfaction, viewing it as a “gift” to soldiers, “to all soldiers, regardless of whether they’re gay, lesbian, hetero, bi, transgender, or part of another sexual minority.”¹⁶ The soldiers of decades past could not have dreamt of a similar sort of openness and liberalism. At present the Bundeswehr was “even a social pioneer in matters of accepting minorities.”¹⁷

The growing self-assurance among homosexual women and men in uniform is also reflected in the activities of the national group *QueerBw* (known until March 2020 as AHsAB, the Working Group for Homosexual Members of the Bundeswehr). In response to the group’s demands of legal rehabilitation and compensation for homosexual soldiers who had suffered disciplinary measures and other professional setbacks, the Ministry of Defense wrote in 2018 that while the clock could not be turned back, it was a personal concern of Minister Ursula von der Leyen “to direct public attention to the dire experiences of those affected.” In saying so, the minister also made it clear that “everyone both male and female, regardless of whether they are gay, lesbian, trans- or heterosexual, is welcome in the Bundeswehr today.”¹⁸ Within the Bundeswehr, she continued, every individual was valued and respected. Discrimination would also be made subject to punishment, as Defense Minister Kramp-Karrenbauer stressed in March 2020.¹⁹

would do more justice to the legitimate concerns of those left at a disadvantage than has been the case to date.”

¹⁶ Interview with Master Sergeant H., Berlin, 2 July 2018.

¹⁷ Ibid.

¹⁸ BMVg, R I 5 to the Working Group for Homosexual Members of the Bundeswehr, 16 August 2018.

¹⁹ Federal Ministry of Defense, “Vielfalt im BMVg: Jeder Einzelne wird wertgeschätzt,” (BMVg communication) from 3 March 2020.