

**Behind Closed Doors:
Domestic Violence, Citizenship and State-Making in
Divided Berlin, 1969-1990**

By

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Abstract

This dissertation investigates the approaches taken to address domestic violence in East and West Berlin between 1969 and 1990. Both Germanys created a language to define domestic violence, which not only reflected and reinforced their self-definition as liberal or socialist states, but did so in a way that had important consequences for women and marginalized communities. Indeed, the contested interactions between the state, activists and citizens in responding to gender violence often centred on competing ideas on the role of gender and gender equality in society.

Through an analysis of official state and grassroots responses to domestic violence, this dissertation argues that in addressing these forms of violence, competing visions of citizenship were negotiated by politicians, everyday Germans and activists alike. Although official efforts often only solidified normative heteropatriarchal visions of gender relationships, activists from either side of the Berlin Wall used citizenship as a standpoint to critique the state for failing to protect women from violence. Despite different levels of support available to women living with abusive partners in East and West, women across Germany were primarily responsible for tackling domestic violence and fomenting everyday gender equality. Placing the stories of East and West together then, makes these historically constituted processes of women's marginalization visible, highlighting the similarities that existed across the Berlin Wall, despite very different political systems.

This research, one of the first in depth historical examinations of domestic violence in Germany, sheds light on the role of gender in the postwar processes of state-

making in East and West by examining how domestic abuse was addressed and discussed at the state level, by feminist activists and by citizens, critically looking at how this impacted women's lives and their ability to leave a violent partner. This not only provides insight into how women's voices are heard within and by the state, but it also draws our attention to the way violence works to create and reinforce gendered forms of citizenship.

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List of Abbreviations

- BIG *Berliner Initiative gegen Gewalt an Frauen* (Berlin Initiative Against Violence Towards Women)
- CDU *Christlich Demokratischen Union* (Christian Democratic Union)
- DFD *Demokratischer Frauenbund Deutschlands* (Democratic Women's League of Germany)
- EU European Union
- FDP *Freie Demokratische Partei* (Free Democratic Party)
- FRG Federal Republic of Germany
- GDR German Democratic Republic
- NVA *Nationalen Volksarmee* (National People's Army)
- PDS *Partei des Demokratischen Sozialismus* (Party of Democratic Socialism)
- SDS *Sozialistischer Deutscher Studentenbund* (Socialist Student Association)
- SED *Sozialistische Einheitspartei Deutschland* (Socialist Unity Party)
- SPD *Sozialdemokratische Partei Deutschlands* (Social Democratic Party)
- UFV *Unabhängiger Frauenverband* (Independent Women's Association)

Introduction

According to a 2013 World Health Organization study, approximately one in every three women – around 35% of all women worldwide – experience some form of physical and/or sexual violence, most commonly at the hands of an intimate partner. Some national statistics, like those from Ethiopia, even indicate that upwards of 70% of women have lived with a violent partner.¹ In Germany, current research by the Berlin Initiative Against Violence Towards Women indicates that one in four women will face domestic abuse at least once in their lifetimes.² These statistics are unquestionably shocking in a modern world, where human rights, including the right to a peaceful home, are so firmly entrenched in political dialogue, and it is not surprising that some activists have labeled domestic violence as an “epidemic” in need of an emergency response.³

Such experiences of violence, if not also the fear of potential sexual and physical violence, tangibly shape the lives of women and girls. Whether it is walking the long way home from the bus stop to avoid a dark alley, ensuring that a female friend’s drink is not left unattended, or being cautious about inviting male acquaintances for dinner or drinks, the omnipresent potential of violence in the lives of women influences how they interact

¹ World Health Organization, *Violence Against Women. Intimate Partner and Sexual Violence Against Women*, Fact Sheet 239, accessed November 19, 2015, <http://www.who.int/mediacentre/factsheets/fs239/en/>; UN Women, *Facts and Figures: Ending Violence Against Women*, accessed November 19, 2015, <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>.

² BIG e.V. “Über uns,” accessed November 19, 2015, <http://www.big-berlin.info/node/22>.

³ Ursula Malone and Juanita Phillips, “Domestic violence of epidemic proportions a ‘national emergency’: campaign groups,” *ABC News*, May 5, 2015. Accessed November 18, 2015, <http://www.abc.net.au/news/2014-05-05/domestic-violence-reaches-epidemic-proportions/5426214>; Serpil Senelmis and Eliabeth Kulas, “Intimate Brutality: the Epidemic of Domestic Violence,” *ABC Radio National*, March 2, 2015. Accessed December 6, 2015, <http://www.abc.net.au/radiounational/programs/sundayextra/intimate-brutality-the-epidemic-of-domestic-violence/6273516>.

with the physical world and with men.⁴ More than that, however, violence also affects women's experiences of citizenship and belonging in a national community. Official responses to gender violence, whether through policing, the law or the welfare system, shape women's relationship with the state, as they delineate ideas about women's rights and frames how and in what ways women can access state services and protection.

Examining violence against women then, sheds important light on how gender is constructed, policed and reinforced, not only by violent acts, but also by official responses to violence.⁵

In spite of the significant role of violence in shaping women's lives, gender violence is a topic left largely unanalyzed in contemporary historical research on postwar Europe and Germany. While there has been much research on sexual violence and rape both during World War II and in the immediate postwar occupation of Germany, gender violence during peacetime has not received the same level of attention.⁶ Although work is gradually emerging on violence against women during détente in former Soviet bloc

⁴ Ann Cahill, *Rethinking Rape* (Ithaca: Cornell University Press, 2001).

⁵ See: Viviane Namaste, *Invisible Lives: The Erasure of Transsexual and Transgendered People* (Chicago: University of Chicago Press, 2000).

⁶ On sexual violence and rape in Europe, see: Elissa Mailander, *Gewalt im Dienstalltag: Die Aufseherinnen des Konzentrations- und Vernichtungslagers Majdanek* (Hamburg: Hamburger Edition, 2009); Mary Lou Roberts, *What Soldiers Do: Sex and the American GI in World War Two France, 1944-1946* (Chicago: University of Chicago Press, 2013); Atina Grossmann, *Jews, Germans and Allies: Close Encounters in Occupied Germany* (Princeton: Princeton University Press, 2007); Atina Grossmann, "A Question of Silence: The Rape of German Women by Occupation Soldiers," *October* 4 (1995): 42-63; Norman Naimark, *The Russians in Germany: A History of the Soviet Zone of Occupation, 1945-1949* (Cambridge: Belknap Press, 1995); Regina Mühlhauser, "Vergewaltigung in Deutschland 1945: Nationaler Opferdiskurs und individuelles Erinnern betroffener Frauen," in *Nachkrieg in Deutschland*, ed. Klaus Naumann (Hamburg: Hamburg Institut für Sozialforschung, 2001), 384-408; Jennifer Evans, "Protection from the Protector: Court-Martial Cases and the Lawlessness of Occupation in American-Controlled Berlin," in *GIs in Germany: the Social, Economic, Cultural, and Political History of the American Military Presence*, eds. Detlef Juncker and Thomas Maulucci (Cambridge: Cambridge University Press, 2013), 212-233.

countries, research on Germany has developed more slowly.⁷ Aside from a few studies focusing on gender and the private sphere that address abuse in the family, most of the scholarship on violence against women in divided Germany comes from the fields of social work and criminology.⁸ This is a serious shortcoming in the literature on postwar Germany. Violence against women, not only affects the lives of the women who experience it, but reverberates throughout the family and community, affecting children and even men. I address this lacuna in this dissertation as I investigate the approaches taken to deal with domestic violence in East and West Berlin from 1969 over the 1989 *Wende*, or turning point, and into the reunified German state, examining both the way it was discussed and the practical efforts to end violence in the family.

Domestic abuse, defined here as any form of physical, emotional or spiritual violence taking place within an established intimate relationship, provides a particularly

⁷ See for example, Barbara Klich-Kluczecka, “The Culture of Violence, Socialist Modernity and Social Health. Domestic Violence in People’s Poland of 1970s and 1980s” (paper presented at the Physical Violence and State Legitimacy in Late Socialism – Final Conference, Berlin, Germany, February 27-March 1, 2014) and Zofia Lorand, “New Feminist Identity and Politics through Conceptual Transfers and Activist Inspiration in Yugoslavia in the 1970s/80s” (paper presented at the workshop New Subjectivities, New Emotions, New Politics: Oppositional Politics and Counter Cultures across the Iron Curtain during the Long 1970s, Frankfurt an der Oder, Germany, June 12-13, 2015).

⁸ For historical literature see: Donna Harsch, *Revenge of the Domestic: Women, the Family, and Communism in the German Democratic Republic* (Princeton: Princeton University Press, 2007); Paul Betts, *Within Walls: Private Life in the German Democratic Republic* (New York: Oxford University Press, 2010). For sociological analysis see: Carol Hagemann-White et al, *Hilfen für misshandelte Frauen: Abschlussbericht der wissenschaftlichen Begleitung des Modellprojekts Frauenhaus Berlin* (Stuttgart: Verlag W. Kohlhammer, 1981); Monika Schröttle, *Politik und Gewalt im Geschlechterverhältnis: eine empirische Untersuchung über Ausmaß, Ursache und Hintergründe von Gewalt gegen Frauen in ostdeutschen Paarbeziehungen vor und nach der deutsch-deutschen Vereinigung* (Bielefeld: Kleine Verlag, 1999); Birgit Bülow, “Gewalt gegen Frauen im ‘anderen Deutschland’,” in *Dokumentation Fachforum 2 – Frauenhaus in Bewegung, 20.-22.11.1996* (Berlin: Diakonisches Werk der Evangelischen Kirche in Deutschland, 1996), 27-37; Gabriela Eßbach and Vera Fünfstück, *Frauen mit Gewalterfahrung in der ehemaligen DDR: Wahrnehmungszugänge und Bewältigungsstrategien. Eine Untersuchung aus dem Blickwinkel autonomer Frauenhausarbeit in Sachsen* (Diplomarbeit, Evangelischen Fachhochschule für Sozialarbeit Dresden, 1997); Antje Sölch, “Sozialarbeit in der ehemaligen DDR. Intervention bei Menschen in unterschiedlichen Krisensituationen am Praxisbeispiel des ‘Krisenhauses’ in der ehemaligen DDR - unter berücksichtigung der Situation geschlagener Frauen” (Diplomarbeit, Fachhochschule für Sozialwesen, Esslingen, 1991/92); Jutta Elz and Almut Fröhlich, *Sexualstraftäter in der DDR. Ergebnisse einer empirischen Untersuchung* (Wiesbaden: Eigenverlag, Kriminologische Zentralstelle e.V., 2002).

important lens for examining gender and gender violence historically. ‘Wife battering’, as it was once known, was one of the first forms of violence against women addressed in depth in Germany and internationally.⁹ Although the women’s movement protested domestic violence as early as the late nineteenth and early twentieth century, it was not until the 1960s and 1970s that the sustained activism of the postwar women’s movement brought violence in the home into the mainstream political consciousness and defined the terms of the discussion. Across the western world, feminist organizers opened shelters and lobbied for legal and social change.¹⁰ A central part of this activism was shining a light on the abuses taking place behind closed doors and making them a public issue, as activists forged a platform for speaking about and tackling violence against women. In West Germany, the domestic violence movement, based predominantly in West Berlin, not only established services for women living with abuse, but their efforts laid the path for addressing other forms of gender violence, such as rape and sexual assault.

Significantly, this activism was taking place in the context of the division of Germany. As many scholars have shown, gender and gender equality were important Cold War battlegrounds.¹¹ Indeed, women’s official emancipation in East Germany, demonstrated through female employment and the introduction of policies that enabled

⁹ For a more detailed overview of the development of research into domestic violence internationally, see: Richard J. Gelles, “Violence in the Family: A Review of Research in the Seventies,” *Journal of Marriage and Family* 42 (1980): 873-885. In the German context see: Cheryl Benard and Edit Schlaffer, *Die ganz gewöhnliche Gewalt in der Ehe. Texte zu einer Soziologie von Macht und Liebe* (Hamburg: Rowohlt Taschenbuch Verlag, 1978) and Michael-Sebastian Honig, *Verhäuslichte Gewalt: sozialer Konflikt, wissenschaftliche Konstrukte, Alltagswissen, Handlungssituationen; eine Explorativstudie über Gewalthandeln von Familien* (Frankfurt am Main: Surkamp, 1986).

¹⁰ On the nineteenth century history of domestic violence in Germany see: Honig, *Verhäuslichte Gewalt*.

¹¹ Jennifer Evans, “The Moral State: Men, Mining, and Masculinity in the Early GDR,” *German History* 23 (2005): 355-370; Katherine Pence, “Women on the Verge: Consumers between Private Desires and Public Crisis,” in *Socialist Modern: East German Everyday Culture and Politics*, eds. Katherine Pence and Paul Betts (Ann Arbor: University of Michigan Press, 2008), 287-322; Harsch, *Revenge of the Domestic*.

women to both work and mother, was held up by the ruling Socialist Unity Party (*Sozialistische Einheitspartei Deutschland*, SED) as an example of socialism's moral superiority to capitalism. However, in spite of the SED's claim to have emancipated women from the strictures of bourgeois gender roles, domestic violence remained a problem shared across the Berlin Wall.

While socialist skepticism of feminist politics, thought to be unnecessary under proletarian rule, meant that domestic violence was addressed in very different ways under socialism, women on either side of the Cold War divide worked to create paths for dealing with abusive relationships, whether informally as in the East or within the women's movement as in the West. Furthermore, in both German states official responses to domestic violence were shaped by political evaluations concerning the appropriate mode of behaviour between men and women in intimate relationships, which were informed both by contemporary ideological differences and the legacies of a shared prewar past. As a result, studying domestic violence not only raises questions that are important for thinking about gender in the postwar era, in particular the role of violence in constructing gendered differences, but it also opens up key issues for understanding postwar developments in divided Germany, such as the negotiation of the private/public divide, questions of women's rights and citizenship, and the role of activism in processes of fomenting social and political change.

In this dissertation, I examine the contested interactions between the state, activists, and citizens in responding to gender violence. I further analyze how, in the process of addressing violence in the family, both Germanys created a language to define domestic violence, which not only reflected and reinforced their respective self-definition

as liberal or socialist states, but did so in a way that had important consequences for women and marginalized communities. Indeed, discussions surrounding violence and intervention in the private sphere in divided Germany, both at the level of the state and in everyday life, often centred on competing ideas of the role of gender and gender equality. By focusing on domestic violence, I show how, in addressing these forms of violence in Germany, normative relationships were solidified around certain maxims and how this was challenged and reinforced by activists seeking to tackle violence against women. My research sheds light on the role of gender in the postwar processes of state-making in the German Democratic Republic and the Federal Republic of Germany by examining not only how domestic violence was addressed and discussed at the state level, by feminist activists and by citizens, but also by critically looking at what this meant for women's lives. Doing so provides insight into how women's voices are heard within and by the state, and also draws our attention to the way violence works to create and reinforce gendered forms of citizenship at the level of everyday life.

Historiography and Methodology

My dissertation speaks to three key themes important for the postwar history of Germany: citizenship, gender and feminism. Historians Michael Geyer and Konrad Jarausch have encouraged scholars to re-think twentieth century German history to reflect the relative stability of (Western) Europe since 1945.¹² They ask us to examine the creation of liberal, and to a lesser extent socialist, citizens, by examining how people “pasted together their ruptured lives...how they maintained and recreated social bonds

¹² Konrad Jarausch and Michael Geyer, *Shattered Past: Reconstructing German Histories* (Princeton: Princeton University Press, 2003).

and values” in light of the horrors of World War II and the Holocaust.¹³ In particular, Jarausch and Geyer highlight the importance of both normative gender roles and citizenship to understanding the history of Germany in the twentieth century. While their work has encouraged historians to examine the interplay between state and society and between macro-levels of power and daily life, there has too often been a failure to take into account the gendered nature of citizenship. In doing so, a value-laden, heteropatriarchal vision of citizenship is reified within the history of the postwar German success story, a framework this dissertation begins to dismantle.

As historian Kathleen Canning has argued, examining women’s citizenship and the ways in which citizenship is gendered can provide fruitful insights into the boundaries of belonging.¹⁴ Citizenship is understood here as having a “dual nature,” namely that it represents both a political status and a set of social practices.¹⁵ As a political status, citizenship offers rights and benefits in exchange for the performance of civic duties.¹⁶ One of these rights is protection from the illegal use of physical force/violence. In this way, citizenship provides a subject position for claims-making, giving citizens a discursive framework in which to protest the failure of the state to protect their rights.

However, as a set of practices, citizenship not only defines relationships between individuals within a community, but also between individual citizens and the state.¹⁷

¹³ Ibid, 29.

¹⁴ Kathleen Canning and Sonya O. Rose, *Gender, Citizenship and Subjectivities* (Oxford: Blackwell Publishing, 2002); Kathleen Canning, “Class vs. Citizenship: Keywords in German Gender History,” *Central European History* 37 (2004), 225-244.

¹⁵ Ruth Lister, *Citizenship: Feminist Perspectives* (Basingstoke: Macmillan, 1997); Sylvia Walby, “Is citizenship gendered?” *Sociology* 28 (1994), 379-95; Nira Yuval-Davis, “Theorising Gender and Nation,” in *Gender and Nation*, ed. Nira Yuval-Davis (London: Sage, 1997), 1-25.

¹⁶ Most famously T.H. Marshall, *Citizenship and Social Class and Other Essays* (Cambridge: Cambridge University Press, 1950).

¹⁷ Lister, *Citizenship*.

Feminist scholars have argued that this practice of defining relationships is a heteronormative and patriarchal process as subjects are made visible and legible to the state, and furthermore, that access to the privileges and rights of citizenship is influenced by intersecting factors including gender, sexuality, class and race. My dissertation examines the entanglement of these two definitions of citizenship in the way violence against women was addressed in East and West Germany. By focusing on domestic violence, I am interested in studying both how normative relationships between men and women were solidified, and how advocacy groups used claims to citizenship as a standpoint from which to protest the failure to protect women from violence.

The second major theme I explore is gender, which has been an important category of historical analysis since Joan Scott encouraged historians to see gender as a system of power based on “perceived differences between the sexes.”¹⁸ Doing so, argued Scott, would allow scholars to understand how women’s marginalization is historically constructed and iterated, specifically “how difference is established, how it operates, how and in what ways it constitutes subjects who see and act in the world.”¹⁹ Domestic abuse, much like other forms of violence directed at women, is an important part of determining how these gendered differences are established. Not only has research shown that women are most frequently subjected to abuse at the hands of men within the home, but as a form of gender-based violence, domestic violence works to support and concretize inequalities and patriarchal power imbalances between men and women.²⁰

¹⁸ Joan W. Scott, “Gender: A Useful Category of Historical Analysis,” *The American Historical Review* 91 (1986): 1067.

¹⁹ Ibid; Joan W. Scott, “The Evidence of Experience,” in *The Lesbian and Gay Studies Reader*, eds. Henry Abelove, Michele Aina Barale and David Halperin (New York: Routledge, 1993), 400.

²⁰ This is not to say that men do not experience violence in the home.

While studying domestic violence contributes to our understanding of women's marginalization, I am also interested in how the women's movement has challenged patriarchal systems and what this has meant for feminism and women's everyday lives. Throughout this dissertation, I frequently refer to 'the women's movement' and 'feminism', which are distinct, yet also overlapping terms. The creation of a women's movement marks the point at which women come together, transcending cultural, class and political differences, to unite on the basis of shared experiences of gender. Feminism, as a politics of protest against the established patriarchal order, is appealing to such movements, as it provides an ideological framework within which women's movements can operate. Indeed, feminism has become an established and accepted form of advocacy for women's rights, particularly in Western Europe. Nevertheless, it must be noted that not all women involved in a women's movement will identify themselves as feminists. This is particularly the case for East Germany, where women's rights activists were initially hesitant to identify as feminist, possibly as a result of the influence of socialism. Where important, I distinguish between the labels 'feminist' and 'women's movement'.

The third major issue I address in this dissertation focuses on feminism in the mainstream political agenda, in particular the question of what has been gained/lost in the popularization of certain feminist issues. While the various rights-based movements of the 1970s brought significant changes in the recognition of equality for women and the gay community, the assessment of Jarausch and Geyer that these movements "produced a

Emerson Dobash and Russell Dobash, *Violence Against Wives: A Case Against the Patriarchy* (New York: Free Press, 1979); Emerson Dobash and Russel Dobash, *Women, Violence, and Social Change* (New York: Routledge, 1992); Holly Johnson, Natalia Ollus and Sami Nevala, *Violence Against Women: An International Perspective* (New York: Springer, 2008); G. Johnsson-Latham, *Patriarchal Violence: An Attack on Human Security* (Stockholm: Government of Sweden, 2005).

surprising degree of sexual freedom and more permissive post-material and post-national definitions of the family” that suggests “a gradual feminization of the most recent incarnation of the German nation” is perhaps overly positive.²¹ Instead, I argue that while the popularization of domestic violence activism has created important services for women living with abuse, it has also curtailed the realization of feminist politics and women’s equality. Indeed, as cultural theorist Angela McRobbie has argued:

The various political issues associated with feminism, are understood to be now widely recognised and responded to (they have become feminist common-sense) with the effect that there is no longer any place for feminism in contemporary political culture. But this disavowal permits the subtle renewal of gender injustices, while vengeful patriarchal norms are also re-instated.²²

Getting violence against women into the popular political field was an important part of this process of mainstreaming feminism in Germany. Unlike the debate surrounding abortion and reproductive rights, which faced a lot of controversy, domestic violence, and violence against women more generally, was quickly taken up and received cross-partisan support in West Berlin as the women’s shelter movement worked together with the Federal Government and West Berlin Senate. Following reunification, this support transferred to the former East, as new shelter projects quickly found political traction. The end result of this official support, however, was the co-optation and dilution of the feminist politics that had initially guided the shelter movement. Part of my project then, examines what the stakes have been in these state-civil society partnerships, and in particular what this relationship has meant for feminism and women’s equality in reunified Germany.

²¹ Geyer and Jarausch, *Shattered Pasts*, 26.

²² Angela McRobbie, “Top Girls? Young Women and the Post-Feminist Sexual Contract,” *Cultural Studies* 21 (2007): 720.

Examining these issues, I follow the historical trajectories established in the 1990s by historians Robert Moeller and Elizabeth Heineman.²³ In particular, I trace how the discussions of women's equality and the status of the family as a protected institution in West Germany found expression throughout the period of German division. Studying postwar debates on women's equality, Moeller argues that the entrenchment of patriarchal gender roles in postwar West Germany, especially under the leadership of Chancellor Konrad Adenauer (1949-1963), was tied not only to a legacy where patriarchal authority in the home was enshrined in German law since the nineteenth century, but was also about creating a sense of stability and 'normalcy' in the wake of World War II and in the context of Cold War tensions. Consequently, as Moeller and Heineman show, conservative gender roles, such as the ideal of a male-breadwinner household, were intrinsically connected with the construction of a postwar, democratic and anti-socialist West German identity.

This meant that when women fought for equal rights in the West, or even acted outside the boundaries of these gendered expectations, they were actually entering into a negotiation of the highly fraught history of German state-making. In this dissertation, I follow how this tension between women's legal equality, enacted in the 1949 West German Basic Law, and patriarchal gender roles found expression from the 1970s through reunification in 1990. Indeed, by examining how activists positioned domestic violence as an issue of women's equality and worked to change popular understandings of the state's role in the private sphere, I argue that in the years following reunification

²³ Robert Moeller, *Protecting Motherhood: Women and the Family in the Politics of Postwar West Germany* (Berkeley: University of California Press, 1993); Elizabeth Heineman, *What Difference Does a Husband Make?: Women and Marital Status in Nazi and Postwar Germany* (Berkeley: University of California Press, 1999).

the significance of the family as a protected institution found some semblance of reconciliation as a much more proactive framework for domestic violence intervention was enacted, namely the Protection from Violence Act (*Gewaltschutzgesetz*).

By examining these trajectories out of the immediate postwar years into the period of more established German division following the construction of the Berlin Wall in 1961, I draw from recent literature on the negotiation of intimacy and sexuality in the wake of the sexual revolution of the late 1960s.²⁴ Historians such as Dagmar Herzog, Josie McLellan, and Elizabeth Heineman have critically examined the path of sexual liberalization in East and West, showing how individual lifeworlds were shaped by and in turn shape German state-making.²⁵ In particular, Heineman's study on pornography in West Germany has proven formative for my research as she shows how the construction of liberalism in the West relied on social change, as citizens learned to accept pluralism among self-determining individuals, an argument she demonstrates through changing popular attitudes towards erotica.²⁶

At the same time, Herzog and McLellan's work examining the nature of sexual revolution in divided Germany, underscores the importance of bringing the histories of East and West Germany together.²⁷ While many of the histories focusing on the early postwar era have examined both sides of the Cold War divide, histories from the second

²⁴ Annette Timm, *The Politics of Fertility in Twentieth-Century Berlin* (New York: Cambridge University Press, 2010); Dagmar Herzog, *Sex After Fascism: Memory and Morality in Twentieth-Century Germany* (Princeton: Princeton University Press, 2005); Elizabeth Heineman, *Before Porn was Legal: The Erotica Empire of Beate Uhse* (Chicago: University of Chicago Press, 2011); Josie McLellan, *Love in the Time of Communism: Intimacy and Sexuality in the GDR* (Cambridge: Cambridge University Press, 2011).

²⁵ Ibid. See also: Betts, *Within Walls*; Harsch, *Revenge of the Domestic*; Eli Rubin, *Synthetic Socialism. Plastics and Dictatorship in the German Democratic Republic* (Chapel Hill: University of North Carolina Press, 2008).

²⁶ Heineman, *Before Porn was Legal*.

²⁷ McLellan, *Love in the Time of Communism*; Dagmar Herzog, "Syncopated Sex: Transforming European Sexual Cultures," *The American Historical Review* 114 (2009): 1287-1308.

half of division often only focus on one side of the Wall.²⁸ Although this work has established important frameworks for thinking about East and West separately, they do not provide any sense of how social and political developments were negotiated over the East-West border. Indeed, as both Herzog and McLellan have shown, there were strikingly similar patterns of experience across the Berlin Wall.²⁹ This is certainly the case for women experiencing domestic violence: whether from East or West they faced similar difficulties when attempting to leave an abusive partner, as popular attitudes towards domestic violence meant that women were not believed when reporting abuse to social workers, the police or even friends and family.

With this dissertation, I bring together this divided field. However, rather than look for points of transfer typical of comparative history, I draw instead from developments in postcolonial studies, as I look for points of sharedness between East and West Berlin in their approaches to domestic violence.³⁰ The nature of divided Germany means that a traditional comparison of domestic violence intervention is difficult: the spaces where domestic violence was discussed publicly were as different as the individuals involved in these discussions. Moreover, there is also over a decade separating the formation of movements to address violence against women in the West and East. Consequently, I base the second half of this dissertation around approaches to

²⁸ See for example: Betts, *Within Walls*; McLellan, *Love in the Time of Communism*; Heineman, *Before Porn was Legal*; Karrin Hanshew, *Terror and Democracy in West Germany* (Cambridge: Cambridge University Press, 2012). On comparative East/West history, see: Christoph Kleßmann, ed., *The Divided Past: Re-Writing Post-War German History* (Oxford: Berg, 2001).

²⁹ McLellan, *Love in the Time of Communism*; Herzog, "Syncopated Sex"; Herzog, *Sex After Fascism*.

³⁰ In post-colonial history see: Frederic Cooper and Ann Laura Stoler, eds., *Tensions in Empire: Colonial Cultures in a Bourgeois World* (Berkeley: University of California Press, 1997); Sebastian Conrad and Shalini Randeria, eds., *Jenseits des Eurozentrismus: Postkoloniale Perspektiven in den Geschichts- und Kulturwissenschaften* (Frankfurt: Campus Verlag, 2002); Michael Werner and Bénédicte Zimmermann, "Beyond Comparison: Histoire Croisée and the Challenge of Reflexivity," *History and Theory* 45 (2006): 30-50.

domestic violence shared by the two states, looking at the way these developments positioned women in state-making processes and how this impacted women living with abuse in divided Germany.

By bringing the history of East Germany closer to that of the West, I show that the differences between the two Cold War enemies were not as significant as once thought. In the wake of reunification much of the history of the German Democratic Republic (GDR) was framed by the western ‘victory’ in the Cold War, as life in East Germany was described as one shaped by repression, complicity and totalitarian rule.³¹ Indeed, the official German inquiry into the history of the GDR, the Bundestag’s Enquete Commission into Overcoming the Consequences of the SED Dictatorship, began from the premise that “the human sorrow that grew out of oppression, the denial of human rights and the forced rejection of personal growth, is the primary fault of the SED leadership.”³²

Over recent years, however, the scholarship on the GDR has become more nuanced as historians have examined the relationship between state and society, pointing to the spaces of freedom and resistance that existed within the regime. In particular, historians have highlighted how the private sphere was both an important site for the construction of socialism, and for resistance to the SED.³³ This argument is certainly borne out in the legal responses to domestic violence, which attempted to mould better male citizens who embodied socialist principles of gender equality in their relationships

³¹ Katherine Pence and Paul Betts, eds., *Socialist Modern: East German Everyday Culture and Politics* (Michigan: University of Michigan Press, 2008).

³² *Schlussbericht der Enquete-Kommission ‘Überwindung der Folgen der SED-Diktatur im Prozeß der deutschen Einheit’, Deutscher Bundestag, 13. Wahlperiode. Drucksache 13/11000, June 10, 1998, 10.*

³³ Betts, *Within Walls*; McLellan, *Love in the Time of Communism*; Harsch, *Revenge of the Domestic*; Rubin, *Synthetic Socialism*; Jennifer Evans, *Life Among the Ruins: Cityscape and Sexuality in Cold War Berlin* (New York: Palgrave Macmillan, 2011).

with women. Of course, as attested by the ongoing presence of domestic violence, the private sphere was something the SED struggled to control.

The significance of gender to the private sphere, and to the construction of socialism as a whole, has consequently meant that women have occupied a central role in the historiography of the GDR. In spite of this attention towards women's lives, there has not been the same focus on the functioning and construction of gender under socialism. My research directly addresses this shortcoming, as I show how women were marginalized under socialism and in the West, examining how responses to domestic violence constructed gendered forms of citizenship. This is particularly important for determining how the private sphere on either side of the Berlin Wall acted at once as a space of freedom away from the eyes of the state, and as a site of the violent oppression of women. Furthermore, I do so with an eye towards the intersections of gender, class and race – looking at the way privilege and oppression can overlap and reinforce each other.³⁴

Indeed, feminist methodologies – such as intersectional analysis – guide this dissertation. Given the nature of domestic violence as a form of gendered oppression that controls, marginalizes and isolates women, I have used feminist approaches to analysis as a way of resisting oppressive modes of thought. This means that, where possible, I have deferred to the voices of women experiencing abuse. Although many of these stories come mediated through state records or government-sponsored research, it is still these women – more than activists, the police, or social workers – who best know what living with a violent partner is like. I also avoid 'victim' terminology. Women who live with

³⁴ Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women," *Stanford Law Review* 43 (1991): 1241-1299.

violence are not defined by that experience, a fact which the label ‘victim’ obscures.³⁵

Furthermore, the names of individuals who experienced domestic violence have been anonymized throughout this dissertation, except in instances of published material.

Through an analysis of official state and grassroots responses to domestic violence, I determine how the two states positioned women and women’s rights in the divided nation. Archival research at institutions in Germany and the United States, alongside oral interviews forms the basis of my research. A majority of my dissertation is based on the holdings of the Berlin State Archive (*Landesarchiv*) and the German Federal Archives (*Bundesarchiv*) in Berlin-Lichtfelde and Koblenz. Although I focus primarily on the history of Berlin as the centre of the domestic violence movement and for its geographical division, developments there were often representative of the situation in Germany as a whole. Where appropriate I draw from these broader examples. Given the limited availability of archival materials on the opening of shelters in the early 1990s, I employed oral history as a way of accessing the story of reunification era domestic violence activism and I conducted interviews with four individuals who were involved in the shelter system in East and West Germany. In doing so, I balance the official approaches to domestic violence with those of grassroots activists and the experiences of women living with abuse.

Organization

My goal of bringing the developments in domestic violence intervention in East and West Germany into conversation made a chronological organization difficult. For example,

³⁵ Max Navarre, “Fighting the Victim Label,” *October* 43 (1987): 143-146.

while the first women's shelter was opened in West Berlin in 1976, it was not until 1986 that a crisis shelter – open to both men and women – started operating in the eastern half of the city. Consequently, I have organized this dissertation thematically, with chapters one through four each addressing the entire period of division. The final chapter, however, focuses on the post-reunification revitalization of domestic violence intervention and contemporary issues of women's rights.

The first two chapters examine how domestic violence was addressed in West and East Germany, and what this meant for constructions of womanhood and citizenship. Specifically, I look at the sites of the most detailed and engaged discussions of domestic violence. In West Germany, it was the women's movement that began the public discussion of violence in the home, as they worked to open shelters and other spaces designed to emancipate women. Meanwhile, in the East, where the realization of gender equality had been declared by the SED and official attitudes towards feminism saw it as antithetical to socialism, domestic violence was most commonly addressed in the legal system.

Given that these approaches to domestic violence were so different, I present the stories of West and East separately as a way of establishing the historical context for a more comparative discussion in Chapters Three and Four. Chapter One examines how the women's movement in West Berlin worked to address domestic violence, and how, in doing so, they crafted an ideal vision of feminist citizenship to be enacted within women's shelters. However, this ideal was contested, not only by women living with abuse, both German-born and those with family histories of migration, but also from within the women's movement. Chapter One then, focuses on the instances in which

feminist citizenship and feminist womanhood were most closely challenged. Moving chronologically, I show how as a result of this contestation the feminist principles that initially guided the shelter movement were discarded and an increasingly service-based approach to domestic violence that reflected the needs of women was adopted. At the same time, the women's movement were becoming critical of the work being done by domestic violence workers, particularly taking issue with the way women were framed as victims by anti-violence projects. Chapter One examines these tensions between feminist ideology and practice.

Chapter Two takes up the East German case, where the legal system dominated the discussion on domestic violence. The court system was guided by a pedagogical mission to forge citizens who embodied the ideals and principles of socialism. This task, present in official bodies and organizations throughout the GDR, framed judicial pronouncements on domestic violence. Consequently, as I show in Chapter Two, domestic abuse was defined as an issue of male citizenship within the legal system as they worked to implement socialist visions of gender equality. This meant that the court was frequently more preoccupied with improving men's commitment to socialism than it was with protecting women from violence.

In the second half of Chapter Two, I examine how work on violence against women developed over the history of the GDR. While official approaches remained largely stagnant, in the mid-1980s groups of women started to organize against gender violence. These groups, housed under the protection of the Protestant Church, were bound together by a collective feeling that the socialist system had failed to protect women, and together they collected statistics, presented lectures and crafted platforms for

legal reform. Although feminist thinking guided their work, I argue that these activists did not merely take up Western feminist thought, but rather shaped it to speak to the East German socialist system.

Despite the different sites for addressing domestic violence, in both East and West efforts to tackle violence against women provoked discussions of the role of the state in the private sphere, and about how men and women should relate to one another. This is elaborated in Chapters Three and Four, where I explore the various ways in which citizens and activists interacted with the state and one another in divided Germany. In particular, I look at how these interactions were mediated by the way the state positioned itself vis-à-vis social change, specifically the enactment of gender equality. I argue that the work of creating gender equality in the East was state-driven, which created a series of expectations about the functioning of intimate relationships and the ability of the state to aide its citizens. In comparison, in the West, women's groups, distrusting of the state, attempted to work outside of the institutionalized system.

However, in both East and West Germany, domestic violence intervention caused a host of anxieties. Most significantly, it was the way intervention projects, like women's shelters, blurred the division between the public and private spheres that caused popular concern, as seemingly personal family matters were brought to the public's attention. Chapter Three builds on this theme, examining the relationships between citizens in the East, and citizens and activists in the West, as attempts were made by activists and the two states to create a more socially engaged citizenry. On both sides of the Wall, neighbours, co-workers and family members were encouraged to help women experiencing abuse either through involvement in official programs, or informally by

checking on the well-being of their neighbours and colleagues. Examining the ways in which these people were engaged in domestic violence activism highlights how both German states were happy to allow (female) citizens to do the ‘heavy lifting’ of fashioning gender equality society.

Chapter Four focuses on how activists on both sides of the Wall interacted with the state, most notably in the construction of autonomous women’s shelters.³⁶ Although feminists in the West wanted to construct shelter projects outside of the auspices of the official welfare system, in order to bring legitimacy and much needed funding to their work they collaborated with West Berlin Senate and the Federal Government. In doing so, they were required to water down much of their radical politics. This not only resulted in a reinscription of patriarchal gender norms, but also suggests that the postwar liberal development of Germany was predicated on the affirmation of gendered power imbalances. In the East, however, domestic violence activism was clearly directed at the state and defined in opposition to it. Unlike the West Berlin feminists, who had a much more tenuous relationship with the state, East German gender violence activists called on the SED to make substantive legal and social changes. This relationship changed following reunification, as the West German system of activist driven projects was taken up in the ‘new *Bundesländer*’.

The final chapter examines the discussion of women’s equality over and following reunification. In particular, I compare the failed activism on abortion reform to

³⁶ Throughout this dissertation I examine what are known as “autonomous” shelters. These are the shelters created by the women’s movement, with an explicitly feminist approach to dealing with domestic violence. The very first shelter in Germany was an “autonomous” shelter, and the approach to violence against women crafted within this shelter shaped the way it was understood throughout the rest of the country. Of course, subsequent to the opening of this shelter other welfare organizations, like Caritas or Diakonie, established shelters with different ways of dealing with abuse. These shelters, however, are not examined within this study.

the revitalized engagement with domestic violence. Although reproductive rights were not amended as activists wanted, increasingly over the mid to late 1990s new approaches to domestic violence intervention were implemented, as projects were opened and a program of legal reform enacted. These developments have been important for helping women living with abuse and for changing social attitudes towards violence against women. However, it is also important to ask why domestic violence has received political support and reproductive rights have not. Chapter Five takes up this question, as I argue that the success of gender violence projects is more about regulating heteronormative relationships through controlling male access to women's bodies than about acknowledging women's right to self-determination and bodily integrity.

Understanding the history of responses to domestic violence not only reveals important information about how women's lives and gender roles are controlled by violence, but also about how women's rights are negotiated and their voices heard in modern, developed states. Placing the stories of East and West Germany together, furthermore, demonstrates how, despite different ideological systems, women remained vulnerable to abuse as their rights to protection from violence were ignored and patriarchal values upheld. The lives of women, on either side of the Wall and today, remain shaped by violence and the fear of abuse. If we are to understand the history of postwar Germany, and Europe, we must take into account the effect and role of these everyday kinds of violence.

1 Constructing “Woman” as Subject: Feminist Discussions on Domestic Violence in West Berlin

A 1997 flyer for the April 30th Walpurgis Night celebration – a yearly protest in which women reclaim the streets – prominently featured various symbols central to the West German feminist movement.³⁷ Labrys and Venus signs circle around a pug-nosed witch, whose toothy grin smiles at the viewer. The witch, representative of women’s unique strength, was one of the most frequently employed images by the West German women’s movement, with ‘witches’ demos and rallies and ‘witches’ groups abounding in the feminist milieu. ‘Witch’ came to signify ‘feminist’ and references to witchcraft not only constructed imaginings of women’s collective power, but also of their historical persecution, vulnerability and marginalization. Indeed, Walpurgis Night, one of the major annual events on the West German feminist calendar, is the night in German folklore when witches congregate on the Blocksberg in the Harz mountain range to celebrate their gods.

Since 1977, West German feminists have marked, if not re-enacted, Walpurgis Night by protesting various women’s issues, chief among them gender violence.³⁸ This event speaks to ideas of women’s empowerment, as activists reconquer the streets, rejecting their typical vulnerability. Indeed, they use the occasion to point to the failure to protect citizens from violence, a message that is only underscored by the traditional May

³⁷ *Walpurgisnacht*, April 30, 1997, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ.

³⁸ “Eindrücke von der Walpurgisnacht,” *radikal*, May 12, 1977; “Walpurgisnacht in Berliner City,” *Spandauer Volksblatt*, April 28, 1979; Gisela F., “Tagestip: Walpurgisnacht,” *Zitty*, April 18, 1980; *Walpurgisnacht*, April 30, 1997, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; *Walpurgisnacht*, April 30, 1998, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; Hanshew, *Terror and Democracy*; Alice Schwarzer, *So fing es an! 10 Jahre Frauenbewegung* (Cologne: Emma-Frauenverlags GmbH, 1981).

Day riots which take place the very next day, often in the same areas through which they march.

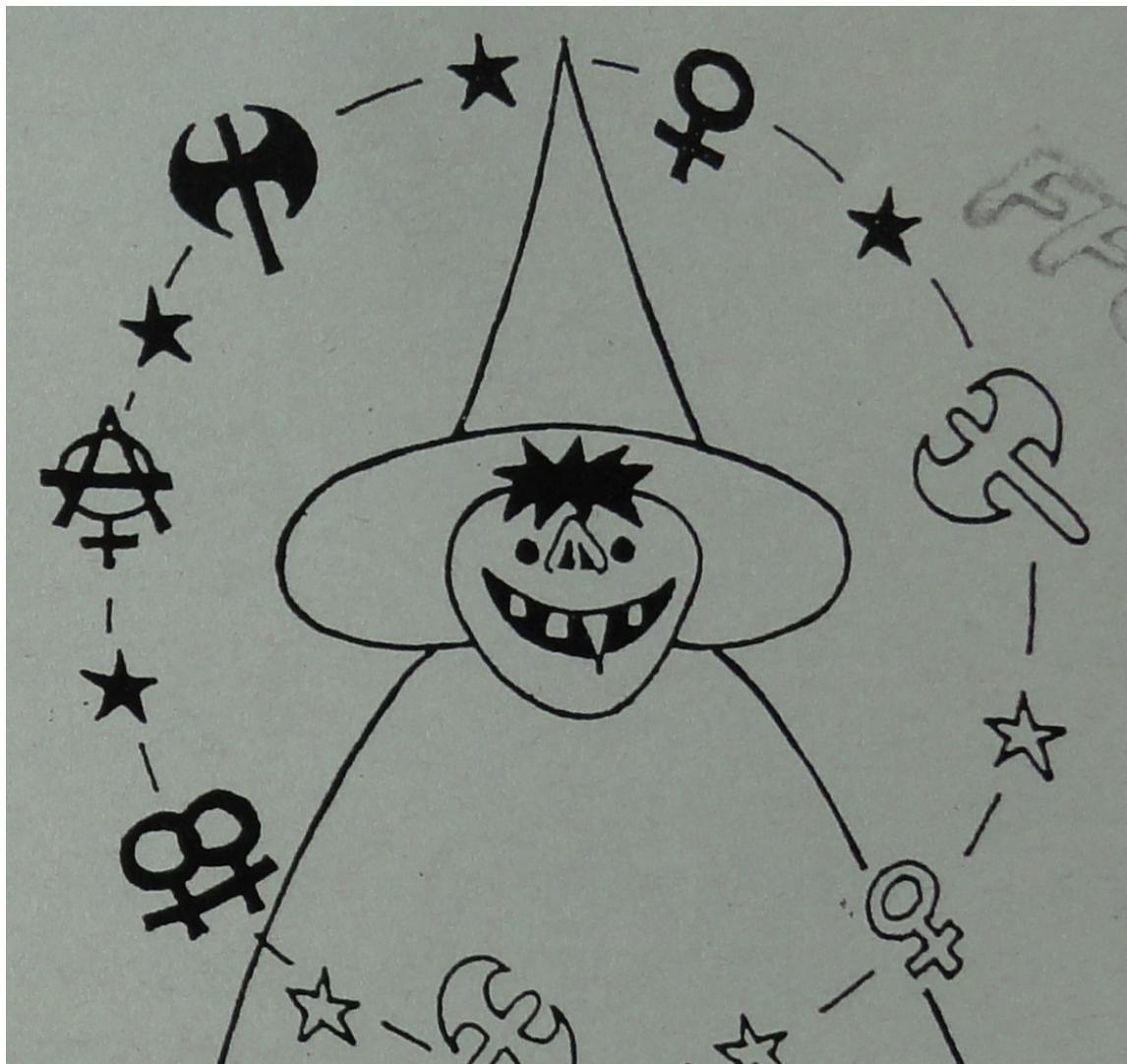


Figure 1: Detail of a Walpurgis Night flyer. Walpurgisnacht, April 30, 1997, A Rep 400 Berlin

21.22.6-21.22a (DFB), FFBIZ.

By playing with these notions of vulnerability and power, feminists have underscored the ambivalence of womanhood, emphasizing how women are caught between an eternal victimhood and the realization of their true potential, as marginalization and violence restrict and control them. This particular conceptualization

of womanhood developed in the late 1960s as women activists entered into a discussion on women's roles in West Germany, highlighting the ways in which their lives were structured and shaped by shared experiences of oppression. Unifying under this supposedly collective truth, West German feminist practices that developed after 1968 sought to address gender imbalances by providing women with the political, emotional and physical space for the nurturing of women's power and independence. As one feminist wrote in the radical-left newsletter *Info-BUG*, "At the very least, us women in the male-centred world need a place, where we can come into our own, reflect on what we have in common and where we can talk and engage with one another."³⁹

Central to the creation of this emancipated womanhood was the enactment of feminist principles. Tenets, such as autonomy, separatism, non-violence and anti-authoritarianism came to define the practices of feminism and feminist opposition to the male-dominated public sphere.⁴⁰ As historian Sven Reichardt has clearly shown, revolutionary principles like these were far from just theory, but were actually enacted as daily practices by the Left-alternative scene in West Germany during the 1970s and 1980s.⁴¹ Among members of this 'scene', even seemingly mundane choices, like what bar one visited or what clothes one wore, were connected to political ideals, forming a sense of belonging, as well as important demarcations, within this milieu. Indeed, feminist politics influenced the minutia of activist women's lives, affecting how they interacted and related to one another within the movement, even framing the way women

³⁹ "Frauenfete," *Info-BUG*, May 6, 1974, 13.

⁴⁰ Myra Marx Ferree, *Varieties of Feminism: German Gender Politics in Global Perspective* (Stanford: Stanford University Press, 2012).

⁴¹ Sven Reichardt, *Authentizität und Gemeinschaft: Linksalternatives Leben in den siebziger und frühen achtziger Jahren* (Berlin: Suhrkamp Verlag, 2014). On punks, see the research of Jeff Hayton, "Härte gegen Punk. Popular Music, Western Media, and State Responses in the German Democratic Republic," *German History* 31 (2013): 523-549.

thought about and engaged in sexual relationships. Participating in this attempt to live feminist politics authentically, female activists sought to emancipate all women, providing them with the freedom to be themselves.

This process is clearly visible in the creation of spaces structured by feminist principles. By opening women's shelters, centres, and bookstores, activists attempted to politicize and emancipate women by bringing them into spaces organized, both in principle and practice, in opposition to the male-dominated and patriarchal public sphere. While Reichardt has focused on the alternative scene and the ways its members defined themselves in opposition to the conventional, what has not been addressed is how the practices and politics of the Left, in this instance feminism, not only became mainstream, but institutionalized. Indeed, as feminists sought public funding for their shelters and centres, they were required to construct a visible and identifiable female subject in order to secure popular support.⁴² Put more simply, in order to create services that would enable women to become empowered, activist groups needed to craft an official definition of what women they were targeting and why these women needed help. For domestic violence campaigners, this meant codifying the connection between violence and gender, specifically the ubiquity of violence, broadly defined, in women's lives.

With this chapter, I begin tracing this institutionalization of domestic violence intervention, as the grassroots women's shelter movement developed into a professional welfare service, a story which is followed throughout this dissertation. While Chapter Four takes this up by looking at how feminist practices gained political legitimacy, here I

⁴² Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London: Routledge, 2008); Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham: Duke University Press, 2007).

am more concerned with the popularization of certain definitions and ideals of womanhood in discussions of domestic violence. Specifically, I examine both how feminist ideas of womanhood and female citizenship were enacted and popularized by gender violence activists, and also how they were debated and challenged in the work to address violence against women.

While a narrative of vulnerability enabled feminist activists, in particular those seeking to address domestic violence, to advocate for women's issues and gain funding for much needed women's services, it also worked to codify injury and powerlessness within a politics based on a "righteous critique of power from the perspective of the injured."⁴³ Rather than evaluating the success of this feminist construction of womanhood and how it defined ideas about women's citizenship, I draw from Myra Marx Ferree's work and examine the ways in which the feminist movement against domestic violence was "good for different women...in different ways."⁴⁴ In particular, I examine how emphasizing violence as a universal experience of gendered marginalization obscured other forms of privilege that existed within the women's movement and within the shelter system.

One of the difficulties in studying a movement is that it is often amorphous and intangible – activists lived in, wrote about, and engaged in developments in various cities throughout West Germany as well as internationally. Women also moved in and out of different projects and branches of feminist thought as their politics evolved. As a result, there is implicit ambiguity in the label 'women's movement' and 'feminist'. In this

⁴³ Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton: Princeton University Press, 1995).

⁴⁴ Ibid, 2.

chapter, my discussion primarily focuses on West Berlin: it was the centre of both the new women's movement and gender violence activism, with the first autonomous women's shelter in Germany opened in West Berlin in November 1976. Indeed, this shelter, designed as a model project for others, is arguably emblematic of larger developments that took place across the Federal Republic, making this both a Berlin story as well a German one. At the same time, of course, similar discussions and concerns with domestic violence activism were taking place across West Germany as more and more shelters were established. Where necessary, I draw from these examples to provide a larger picture of the way feminists negotiated the implementation of their political ideals.

I begin this chapter by looking at the development of the West German women's movement as a response to the politics of 1968, as women activists confronted the ingrained misogyny present in leftist circles, unifying under the banner "women together are strong – we can do it!"⁴⁵ Through this early engagement, activists entrenched ideas that defined the characteristics of a shared womanhood, and outlined feminist practices that sought to reflect this experience of womanhood and challenge how both the state and male activists regulated women's roles in West Germany. The principles and practices created during these early years ultimately structured the way feminists thought about and approached domestic violence and my central analysis focuses on three key discussions that arose, more or less chronologically, over the course of the women's shelter movement in West Berlin. Specifically, I look at those moments when the image of the female subject and the feminist theory of domestic violence constructed by shelter activists was most vociferously challenged, namely: the confrontation with actual

⁴⁵ Erika Steinert and Ute Straub, *Interaktionsort Frauenhaus. Möglichkeiten und Grenzen einen feministischen Projektes* (Heidelberg: Verlag das Wunderhorn, 1988).

battered women; the process of institutionalizing and obtaining funding for shelter work; and finally, the challenge of incorporating women from migrant backgrounds within the shelter movement.

I argue that these discussions of domestic violence among feminists all contested ideas about women's, and to a lesser extent men's, citizenship. Specifically, I show how the domestic violence movement, which grew out of a critique of the unequal protection of women's rights as citizens, delineated a particular relationship between women and the state, based on feminist principles. However, over the course of German division the spread and growth of the women's movement resulted in increased divergence and conflict on the ideals that initially organized West German feminist practice. On the one hand, this led to greater and more specialized services for addressing gender violence. As activists challenged the unitary subject of feminist womanhood, critiquing the way it elided class, age and racial differences, projects aimed at addressing the specific concerns of migrant women, girls, and survivors of sexual assault were opened. On the other hand, this tension over feminist principles meant that as the shelter movement became increasingly professionalized and institutionalized within the public welfare system, it separated from the broader women's movement.

Although the shelter system may have started as a way of empowering all women, transforming female citizenship through the practice of feminist principles, it ended up conforming to normative patriarchal ideals of gender roles as their priorities shifted closer to service provision. Instead of contesting the patriarchal structures of the state, the shelters had become entrenched within them. As a result, the task of addressing the underlying gender inequalities that allowed violence against women to happen were not

dealt with by the shelter system in West Germany and have only started to be addressed in the decades following reunification, a process developed in further detail in Chapter Five.

Establishing a Women's Movement

The expression '1968' is often used as a catch-all to describe a variety of social, political and cultural changes that took place in West Germany in the 1960s and early 1970s.⁴⁶ From the rise of a radical New Left to the introduction of the birth control pill and the explosion of widely available pornography to the critical and politicized re-examination of the Nazi past, there was a sense that a new order was establishing itself in the Federal Republic.⁴⁷ It was out of this context that the women's movement crystallized, as female activists became increasingly disillusioned with the structural and everyday misogyny of the New Left. Women frequently felt objectified and patronized within the ostensibly progressive Left, as their voices and concerns were dismissed in favour of more 'important' politics.⁴⁸

These feelings of frustration resulted in the creation of the Action Group on the Liberation of Women (*Aktionsrat zur Befreiung der Frauen*), a group formed in West Berlin in January 1968 with the aim of addressing women's isolation within the left by

⁴⁶ Belinda Davis et al, *Changing the World, Changing Oneself: Political Protest and Collective Identities in West Germany and the US in the 1960s and 1970s* (New York: Berghahn Books, 2010).

⁴⁷ On 1968 and the sexual revolution see: Ibid; Herzog, *Sex After Fascism*; Heineman, *Before Porn was Legal*.

⁴⁸ On the polarization between women and men in the New Left see: Herzog, *Sex After Fascism*; Schwarzer, *So fing es an!*; Uwe Wesel, *Die verspielte Revolution. 1968 und die Folgen* (Munich: Karl Blessing Verlag, 2002); *Frauenjahrbuch '75* (Frankfurt aM: Verlag Roter Stern, 1975); *Frauenjahrbuch '76* (Munich: Verlag Frauenoffensive, 1976).

providing a system of childcare that would allow mothers to engage in politics.⁴⁹ The most well-known clash defining the split between men and women activists in West Germany, namely the *Tomatenwurf* or ‘the tomato throw’, arose from this group’s actions at the 23rd national assembly of the German Socialist Student Association (*Sozialistischer Deutscher Studentenbund*, SDS). This impromptu protest staged on September 13, 1968 came after Helke Sander, a member of the Berlin Action Group delivered an address that took the SDS to task for perpetuating those “relationships present in society as a whole,” specifically the patriarchal oppression of women.⁵⁰ Angered that the meeting moved on without addressing Sander’s concerns, Sigrid Damm-Rüger a fellow Berliner, began throwing tomatoes, yelling “Comrade Krahl [Hans-Jürgen Krahl, an SDS leader], you are objectively a counter-revolutionary and an agent of the class-enemy to boot!”⁵¹

This act of defiance and opposition to the silencing of women’s voices purportedly inspired the women’s movement *tout court*, bringing about the creation of both women’s revolutionary councils (*Weiberräte*) and *Kinderläden* (literally children’s shops), a kind of shared childcare service established in empty shopfronts in West Berlin.⁵² However, as one activist put it “women were so clearly oppressed in the SDS that the idea [of separating] had been in the air a long time, at the latest in the founding of the Berlin Action Group.”⁵³ Furthermore, although often labeled as the ‘new women’s movement’, they drew from established feminist practices and rhetoric present in

⁴⁹ Wesel, *Die verspielte Revolution*.

⁵⁰ *Frauenjahrbuch '75*, 10.

⁵¹ Schwarzer, *So fing es an!*, 13.

⁵² Ferree, *Varieties of Feminism*.

⁵³ *Frauenjahrbuch '75*, 15.

Germany since the nineteenth century.⁵⁴ Not only did activists in the new wave once again take up protest against §218, the law against abortion, a topic already hotly debated in the Weimar Republic, but feminists continued to retain a critical distance to the state and political power.⁵⁵

The politics and practices of the newly formed women's movement were not only directed in opposition to the male-dominated leftist scene, but also challenged the gender order present throughout West Germany since the end of World War II. Since 1945, discussions of the role of women were central to the negotiation of the Nazi past and to the democratic reconstruction of West Germany.⁵⁶ Under the Adenauer government, and especially the influence of Family Minister Franz Joseph Würmeling, there was an attempt to return to nineteenth and early twentieth century valuations of the patriarchal family as the main political unit, where natural biological differences between men and women were used to circumscribe women's rights and enshrine patriarchal authority, albeit through a new form of "soft" fatherhood.⁵⁷ In spite of the steps towards legal equality for women made in the late 1950s, there were still few childcare services available for mothers in the Federal Republic and the ideal of the patriarchal one-income

⁵⁴ Moeller, *Protecting Motherhood*; Belinda Davis, "The Personal is Political: Gender, Politics, and Political Activism in Modern German History," in *Gendering Modern German History: Rewriting Historiography*, eds. Karen Hagemann and Jean H. Quataert (New York: Berghahn, 2007), 107-127. For more detail on the nineteenth century German women's movement see: Marilyn J. Boxer and Jean H. Quataert, eds. *Socialist Women: European Socialist Feminism in the Nineteenth and Early Twentieth Centuries* (New York: Elsevier North-Holland, 1978).

⁵⁵ Ferree, *Varieties of Feminism*; Atina Grossmann, *Reforming Sex: the German Movement for Birth Control and Abortion Reform, 1920-1950* (London: Oxford University Press, 1995).

⁵⁶ Herzog, *Sex After Fascism*; Moeller, *Protecting Motherhood*; Heineman, *What Difference Does a Husband Make?*; Till van Rahden, "Wie Vati die Demokratie lernte: Religion, Familie und die Frage der Autorität in der frühen Bundesrepublik," in *Demokratie im Schatten der Gewalt: Geschichten des Privaten im deutschen Nachkrieg*, eds. Daniel Fulda et al. (Göttingen: Wallstein-Verlag, 2010), 122–152.

⁵⁷ Till van Rahden, "Wie Vati die Demokratie lernte"; Frank Biess, *Homecomings. Returning POWs and the Legacies of Defeat in Postwar Germany* (Princeton: Princeton University Press, 2006).

nuclear family was very much a dominant presence in women's lives in the 1960s.⁵⁸

Women, a minority in the workforce as a whole, remained predominantly in part-time employment and in 1965 only 46% of all women aged 16 to 65 were employed, a figure which remained largely static until 1980.⁵⁹

The failure of the state and leftist politics to acknowledge the equal rights of women to participate in political discussions led activists to construct spaces for the expression of an alternative women's citizenship, where women were responsible only to each other, and not to the patriarchal structures of the state. By emphasizing values such as autonomy, separatism and anti-authoritarianism, feminists sought to resist gendered societal and leftist norms that circumscribed women's ability to engage in public life. These principles defined the work of the women's movement and their implementation is most tangibly visible in the "women's project movement," a period spanning from 1975 to 1985, as activists worked to create spaces for the performance of an alternative female citizenship.⁶⁰ Women's centres, bookstores, cafes and shelters multiplied throughout West Germany during this period, as activists attempted to put the politics of West German feminism into practice. The exclusion of men, non-hierarchical structures and *Parteilichkeit* (solidarity among women), to name a few, were instituted by organizers within the various projects and were a key part of the practice of living feminism.⁶¹ More

⁵⁸ Moeller, *Protecting Motherhood*; Heineman, *What Difference Does a Husband Make?*; Ferree, *Varieties of Feminism*; Sabine Schenk, "Employment Opportunities and Labour Market Exclusion: Towards a New Pattern of Gender Stratification?," in *Women in Eastern Germany since Unification*, eds. Eva Kolinsky and Hildegard Maria Nickel (London: Frank Cass Publishers, 2003), 53-77.

⁵⁹ Ilse Lenz, ed., *Die Neue Frauenbewegung in Deutschland. Abschied vom kleinen Unterschied. Eine Quellensammlung* (2nd edition) (Wiesbaden: VS Verlag, 2010), 145; Schenk, "Employment Opportunities"; Heineman, *What Difference Does a Husband Make?*

⁶⁰ Ferree, *Varieties of Feminism*; Lenz, *Die Neue Frauenbewegung*.

⁶¹ Ferree, *Varieties of Feminism*; Reichardt, *Authenzität und Gemeinschaft*; Carol Hagemann-White, "Die Frauenhausbewegung," in *Der grosse Unterschied: Die neue Frauenbewegung und die siebziger Jahre*, ed.

fundamentally though, activists designed these sites as an alternative venue for female life and engagement outside of the patriarchy of the Left-scene and the state. As one feminist book warned women: “the idea of entering into and mixing as equals in male institutions will not break the thousand year old power of men, will not bring into question their values that hide within every fibre of these institutions.”⁶²

Within this context, West German feminists started to address the issue of violence against women, reflecting an international trend among women’s activists, who, beginning in the late 1960s and early 1970s, had started to vocally criticize gender violence and worked to create services aimed at helping battered women.⁶³ Based largely in West Berlin, this movement struck the public consciousness most sharply in 1976. In this year, not only did West German feminists attend the much-publicized International Tribunal on Violence against Women held in Brussels, but domestic violence also started to be addressed within political circles and the media. This led to the opening of the first women’s shelter in West Berlin in November of that year, which was designed as a model project co-financed by the Federal Ministry for Youth, Family and Health and the Berlin Senate.⁶⁴

Kristina von Soden (Berlin: Elefanten Press, 1988), 48-52; Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976) and Konzeption für das zweite Berliner Frauenhaus (1978), B Rep 002/12504, LAB.

⁶² *Frauenjahrbuch '76*, 79.

⁶³ Gelles, “Violence in the Family.”

⁶⁴ *Gewalt gegen Frauen in Ehe, Psychiatrie, Gynaekologie, Vergewaltigung, Beruf, Film und was Frauen dagegen tun. Beiträge zum Internationalen Tribunal über Gewalt gegen Frauen, Brüssel, März 1976* (Berlin: Frauenzentrum Berlin, 1976), Spinnboden Archiv (also in A Rep 400 BRD 22 Broschüren gegen Gewalt (1976-2001), FFBIZ); Bericht über den Modellversuch “Hilfen für misshandelte Frauen” (Frauenhaus) (1979), B Rep 002/12504a, LAB; Protokoll der AKE-Sitzung am 10. Februar 1976, FDP LV Berlin AKE 16844, AdL; Brita Maercker, “Die grosse Angst einer jungen Frau: Mein Mann will mich ermorden” (1976), FDP LV Berlin AKE 16844, AdL; Sarah Haffner, “Gewalt in der Ehe. Was können Frauen dagegen tun? Eine Dokumentation,” *Der Tagesspiegel*, November 14, 1976; “Soziale Hilfe für geprügelte Frauen,” *Die demokratische Gemeinde*, July 1976, 579-580; Peter Voss, “Meine Meinung:

The impetus for the West Berlin shelter began in 1974, when a group of politically engaged and feminist-minded professional women interested in creating a shelter and counseling service for women came together at the Berlin women's centre, forming the Women's Shelter – Women Helping Women (*Frauenhaus-Frauen helfen Frauen*) initiative.⁶⁵ In their lives as social scientists, these activists had seen first-hand the serious issues women faced in the home and were determined to do something about it.⁶⁶ In particular, they wanted to create a service outside of the typical bureaucracy of the state and formal welfare system, which they believed not only treated people and families like case files, but had failed to provide safety or protection for women living with a violent partner.⁶⁷

Prior to this feminist engagement with gender violence, domestic abuse was rarely a matter of political interest. When it was discussed, it was often out of concern for childhood development, not women's safety, echoing previous fears of the effect of the war and postwar privations on German youth.⁶⁸ This is clearly articulated in the discussions surrounding the possible implementation of no-fault divorce. A 1968 planned survey from the Marriage Reform Commission wanted to examine the effect of divorce

Schläge und Prügel-das haben unsere Frauen nicht verdient," *Neue Welt*, June 17, 1976; "Tabuthema wird neu endlich öffentlich diskutiert," *Metall*, December 14, 1976.

⁶⁵ Konstanze Pistor, "Frauenhaus Berlin," in *Gewalt in der Ehe und was Frauen dagegen tun*, ed. Sarah Haffner (Berlin: Verlag Klaus Wagenbach, 1976), 141-150.

⁶⁶ Alice Schwarzer, "Ein Tag im Haus für geschlagene Frauen," *EMMA*, March 1977. Accessed November 8, 2015. <http://www.emma.de/artikel/haeusliche-gewalt-ein-tag-im-haus-fuer-geschlagene-frauen-264916>.

⁶⁷ Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976), B Rep 002/12504, LAB; Ferree, *Varieties of Feminism*; Myra Marx Ferree, "Equality and Autonomy: Feminist Politics in the United States and West Germany," in *The Women's Movements of the United States and Western Europe. Consciousness, Political Opportunity, and Public Policy*, eds. Mary Fainsod Katzenstein and Carol McClurg Mueller (Philadelphia: Temple University Press, 1987), 172-195.

⁶⁸ Grossmann, *Jews, Germans and Allies*; Uta G. Poiger, *Jazz, Rock and Rebels: Cold War Politics and American Culture in a Divided Germany* (Berkeley: University of California Press, 2000); Tara Zahra, *The Lost Children: Reconstructing Europe's Families after World War II* (Cambridge: Harvard University Press, 2011).

on youths with a criminal record. In particular, the Commission was interested to know about the role of violence in the family, connecting a violent home life with later criminal activity.⁶⁹ Similar concerns for childhood development were echoed when Bundestag representative Martin Hirsch argued for the preservation of fault-based divorce. For Hirsch, ascribing fault in divorce helped prevent children being exposed to further violence, as custody and parental rights would be determined on the basis of this decision.⁷⁰ The question of women's safety, however, remained undiscussed.

Although violence in the family could be used as a ground for divorce, this was still no easy task. West German divorce law remained based on a fault system until 1977, meaning that in order for a divorce to be granted one party needed to be deemed guilty of having destroyed the marriage. While serious violence could be used to prove this, speaking out about family abuse exposed women to gendered and value-laden systems of power that typically worked to reinforce male authority in the home. For example, in order to get a divorce on the basis of violence, women needed evidence that it had taken place, requiring either a criminal charge against the husband or a medical certificate.⁷¹ Obtaining such proof was made difficult by fact that abuse was often dismissed by those people and bodies most responsible for providing support. In the literature used to train police officers, family conflict was commonly defined as a "harmless issue," or brushed

⁶⁹ Bundesministerium der Justiz. Gesetz zur Änderung des Ehegesetzes – Statistisches Material der Ehrechtkommission, 1968-1970, B 141/25140, BArch-K.

⁷⁰ RA Martin Hirsch MdB, Korreferat 7. März 1969: "Zerrüttung und Verschulden als Grundlage der Ehescheidung und die gesetzlichen Scheidungsgründe," Bundesministerium der Justiz. Gesetz zur Änderung des Ehegesetzes – Referate der Ehrechtkommission (Sammlung) 1968-1972, B 141/25143, BArch-K. See also: Dr Gerold Klemm, Referat, 16. Januar 1970: "Folgeentscheidungen anlässlich der Ehescheidung," Bundesministerium der Justiz. Gesetz zur Änderung des Ehegesetzes – Referate der Ehrechtkommission (Sammlung) 1968-1972, B 141/25144, BArch-K.

⁷¹ Hagemann-White et al., *Hilfen*; "Geschlagen-Getreten-Gedemütigt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus," E Rep 300-96/9, LAB.

off with the common refrain “*Pack schlägt sich, pack verträgt sich*” (“cads’ fighting when ended is soon mended”).⁷² More broadly, preconceptions that domestic violence was a private family matter, or even a problem of class or education prevented any serious attempts to help women, except in the most extreme cases of assault.⁷³

For example, take Monika from West Berlin, who, after telling child services about her husband’s abuse, was accompanied home by a social worker.⁷⁴ Once at the home the social worker spoke to the husband, who “hammed it up, saying that he has to work very hard and do overtime,” calling his wife “sick and unstable.”⁷⁵ According to Monika, “suddenly everything changed. She [the social worker] advised me to get some medication prescribed by the doctor, and told my husband that he shouldn’t hit me or the children, which he promised to do.”⁷⁶ Before she left, the social worker told Monika that if she were older, she would have thought she was going through menopause, dismissing her stories of abuse as a hormonal issue.

Stories like Monika’s underscored the state’s systemic inability to safeguard even the most fundamental of women’s rights – the right to be free from unlawful physical harm – and spoke to the impetus within the women’s movement to create sites for the creation of an alternative female citizenship based on the principles of feminism. For activists then, establishing a women’s shelter was not only a way of providing much

⁷² Hagemann-White et al., *Hilfen*; “Staatsanwaltschaft soll bei Mißhandlung öfter anklagen,” *Der Tagesspiegel*, March 24, 1978; Bundesverband Frauenberatungsstellen und Frauennotrufe (bff), eds., *10 Jahre Gewaltschutzgesetz. Bestandsaufnahme zum veränderten gesellschaftlichen Umgang mit häuslicher Gewalt*, (Berlin: bff, 2012).

⁷³ Sarah Haffner, *Gewalt in der Ehe und was Frauen dagegen tun* (Berlin: Verlag Klaus Wagenbach, 1976); “Staatsanwaltschaft soll bei Mißhandlung öfter anklagen,” *Der Tagesspiegel*, March 24, 1978; Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976), B Rep 002/12504, LAB; “Im Frauenhaus ziehen gequälte Mütter Bilanz,” *Berliner Morgenpost*, November 3, 1977.

⁷⁴ Hagemann-White et al., *Hilfen*.

⁷⁵ Ibid, 109.

⁷⁶ Ibid.

needed services for battered women like Monika, but was also thought to be a source of empowerment for *all* women by turning feminism into a daily practice. Indeed, in a process that is discussed in greater detail in Chapters Three and Four, activists designed the West Berlin shelter entirely upon practices that were aimed at encouraging women to speak out and become more self-reliant and confident. For example, the West Berlin initiative group designed the shelter as a female-only space, where all women were welcome and equal: it abolished hierarchies between shelter employees and residents, and all workers received the same compensation. Furthermore, shelter workers were to encourage the sharing of stories between women, as a way that they could collectively learn from and empower one another. Similarly, hoping to create the feeling of ‘home’ for residents and as a way of encouraging self-confidence and self-worth, the initiative left the day-to-day organization of shelter life to the residents, who were expected to self-administer, sharing housework and childcare duties.⁷⁷ For activists, this program of autonomous support stood in stark contrast with the work of institutionalized social and welfare services, which provided women with “almost no chance of becoming independent and re-integrating into society” and only left them vulnerable to further violence.⁷⁸

Despite wanting to provide an alternative and autonomous public sphere for feminist citizenship outside of the established social service system, the shelter project

⁷⁷ Ibid; Hagemann-White, “Die Frauenhausbewegung”; Pistor, “Frauenhaus Berlin”; Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976) and Konzeption für das zweite Berliner Frauenhaus (1978), B Rep 002/12504, LAB; “Bericht über den Modellversuch “Hilfen für misshandelte Frauen” (Frauenhaus), B Rep 002/12504a, LAB. See also: Ferree, *Varieties of Feminism*.

⁷⁸ Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976), B Rep 002/12504, LAB.

needed state funding.⁷⁹ In order to secure this, the Women's Shelter – Women Helping Women initiative had to legitimize both domestic violence as a serious issue of women's rights and the feminist approach to helping women. It also required constructing the subject of their work: the battered woman. Creating this subject was no simple task, as feminists, and the battered women themselves, contested the expectations of feminist womanhood. Indeed, even before the first West Berlin shelter opened, cracks started to form between the women's movement and the shelter system, as activists were forced to make concessions to the realization of feminist principles, divisions that would widen as they put their ideas into practice.

Defining Violence and Constructing Womanhood

In order to raise awareness and support for the West Berlin shelter project, activists needed a subject – an image of womanhood that would not only serve the cause of feminist politics, but could bring citizens, politicians and much needed funding to the fight against domestic violence. Arising out of an engagement with theoretical discussions on structural violence and connecting them with the exercise of physical violence over women's bodies, this female subject was not only aimed at dispelling popular myths about violence against women, but also served to delineate supposedly 'universal' experiences of womanhood. However, in creating this subject, activists needed to make it 'legible' within the norms of the heteropatriarchal system of representative politics.⁸⁰ In doing so, despite defining feminist citizenship in opposition to the state, the shelter system ended up conforming to gendered expectations, reflecting

⁷⁹ Doris Dorsch, "Frauenhaus oder Krisenzentrum," *Courage* 2 (1976), 3-5.

⁸⁰ Butler, *Gender Trouble*.

the beginnings of the paradox discussed by Judith Butler, whereby the female subject is created within a system of power that is at once gendered and yet also designed to facilitate women's emancipation.⁸¹

Before creating this subject, however, activists first needed to define violence and its role in women's lives. The most basic tenet of the feminist discussion of domestic violence is that it exists as an extreme example on a spectrum of actions and behaviour characteristic of systemic male power over women. In the project proposals of the first shelter group, Women's Shelter – Women Helping Women, and the second West Berlin shelter group Women's Self-Help – Women Against Violence Towards Women (*Frauenselbsthilfe e.V. – Frauen gegen Gewalt an Frauen*), from 1976 and 1978 respectively, domestic violence is described as "the most brutal expression" of the "general discrimination" and "overall oppression" of women by men and the patriarchy.⁸² Leaving the definition of violence open in this way meant that it not only included pornography, but also things like "being chatted up on the street, a hand suddenly touching your arse... wolf-whistles, suggestive glances and leers... ignoring our thought processes in seminars."⁸³

Furthermore, according to this feminist discussion of violence, violent male control over women's bodies had existed throughout time and between cultures. From

⁸¹ Ibid; Brown, *States of Injury*.

⁸² Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976) and Konzeption für das zweite Berliner Frauenhaus (1978), B Rep 002/12504, LAB. This phrase is also used in: "Antrag zur Finanzierung einer nachgehenden Beratung für ehemalige Frauenhausbewohnerinnen," E Rep 300-96/9, LAB. See also: "Gewalt gegen Frauen," *Extra Journal* (Munich: Verlag Frauenoffensive, 1976).

⁸³ "Dokumentation der Marburger Gruppe: Gewalt gegen Frauen," A Rep 400 BRD 22 Broschüren gegen Gewalt (1976-2001), FFBIZ. For a parallel example of the way other women's experiences of violence were experienced, if not embodied by activists see Pascal Eitler, "Das „Reich der Sinne“? Pornographie, Philosophie und die Brutalisierung der Sexualität (Westdeutschland, 1968-1988)," *Body Politics* 1 (2013): 259-296.

invoking the image of witches, if not also the witch trials of the Middle Ages, to highlighting men's historical legal right to use corporal punishment against their wives, feminist activists and scholars presented women as the perpetual victims of men's violence.⁸⁴ The use of this language of female victimhood, while important for these early discussions of domestic violence and gender equality, was increasingly criticized by feminists throughout the 1980s who, as I show, felt that it disempowered women and diminished their right to self-determination.

This way of thinking about violence against women was not only about naming a universal and ahistorical experience of womanhood, but it was also about showing that the potential for violence was present in every man and every family, regardless of social status, creating a “specific site of blame for suffering.”⁸⁵ The Federal Government’s report produced on the West Berlin model shelter emphasized that “violence against women isn’t an individual or marginal phenomenon, the abuser isn’t some special type of perpetrator that exists outside of societal norms.”⁸⁶ Instead, any marriage, whether middle, working or upper class, had the potential to become violent, as one newspaper from Munich proclaimed “Even *Frau Doktor* can be hit.”⁸⁷

One of the most influential texts to make this argument was *Everyday Violence in Marriage. Texts for a Sociology of Power and Love (Die ganz gewöhnliche Gewalt in der Ehe. Texte zu einer Soziologie von Macht und Liebe)* authored by two feminist sociologists, Cheryl Benard and Edit Schlaffer. While the majority of the book focuses on

⁸⁴ Ferree, *Varieties of Feminism*; Benard and Schlaffer, *Die ganz gewöhnliche Gewalt*; “Bericht über den Modellversuch “Hilfen für misshandelte Frauen” (Frauenhaus), B Rep 002/12504a, LAB.

⁸⁵ Brown, *States of Injury*.

⁸⁶ Hagemann-White et al., *Hilfen*, 18.

⁸⁷ Stefan Esser, “Auch wird Frau Doktor geprügelt,” *Abendzeitung*, November 13, 1978. See also: Heide Nullmeyer, “Du bist dumm, du kannst nichts: Erlebnisse im Frauenhaus,” *Frankfurter Rundschau*, September 9, 1978; “Gewalt in der Ehe weit verbreitet,” *Nordbayeurische Kurier*, June 9, 1978.

women's experiences of physical and emotional violence in marriage and relationships, one chapter examines 'normal marriages'. In this section, Benard and Schlaffer highlight how even in these marriages gendered power imbalances create conflict and unhappiness, rhetorically linking all marriage to the potential for violence, a message powerfully presented in the book's forward:

Unhappiness in marriage is a part of everyday life, and the number of abused women is too high to be dismissed as individual unfortunate cases. We must realize that violence does not just play out in public, but frequently in kitchens and bedrooms.⁸⁸

As well as defining violence against women, these discussions also transmitted certain ideas and assumptions about the performance of femininity and masculinity that would have important ramifications for the way domestic violence was addressed. While the focus was predominantly on womanhood, male citizenship was also examined, if only tangentially. In feminist discussions on violence, men were framed as the omnipresent perpetrator, their male power imbuing even 'normal marriages' with the potential for violence. This binary created by activists, between male perpetrator and female victim, necessarily implied that men were not expected to engage in the fight against domestic violence, or at least not in the same way that was expected of women. Women were thus primarily responsible for the emotional labour of overcoming violence and supporting survivors of abuse, while men's duty to address violence in the private sphere was left unproblematised. The consequences of this approach are examined more closely in Chapter Three, but suffice to say this gendering of abuse as a women's issue meant that

⁸⁸ Benard and Schlaffer, jacket cover of *Die ganz gewöhnliche Gewalt*.

discussions of violence against men in intimate relationships would not begin until the 2000s and primarily in the context of homosexual relationships.⁸⁹

Women, on the other hand, were clearly framed as ‘victims’ by this feminist narrative and male violence was framed as a ubiquitous experience of womanhood – a discourse that, as I will show, was increasingly critiqued from within the women’s movement.⁹⁰ Despite emphasizing the universality of violence as a defining feature of womanhood, there were clearly normative ideals that underpinned the expectations of feminist citizenship in these discussions. This had important consequences for women living with violence and for the slow divergence of the shelter system away from the broader women’s movement. Firstly, by focusing on heterosexual male perpetratorship, the possibility of violence within lesbian relationships is negated. Discussions of violence against lesbians from magazines in this period largely focused on state violence or men’s violence against women, leaving women experiencing violence in same-sex relationships vulnerable to ongoing abuse.⁹¹ This silencing was compounded by the idealized notions

⁸⁹ For a discussion of how heteronormative ideals structure the way domestic violence is addressed in gay relationships, see: Maurice Kwong-Lai Poon, “Beyond Good and Evil: The Social Construction of Violence in Intimate Gay Relationships” in *Intimate Partner Violence in LGBTQ Lives*, ed. Janice Ristock (New York: Taylor and Francis, 2011), 102-130.

⁹⁰ See, e.g.: Carola Wildt, “Feministische Gewaltdebatte im Rückblick,” in *Die alltägliche Wut. Gewalt, Pornografie, Feminism*, eds. Halina Bendkowski and Irene Rotalsky (Berlin: Elefanten Press, 1987), 74-86. Extract found in FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt – Debatten, Papertiger.

⁹¹ Silke Häusler, “Lesbierinnen und Gewalt,” *UKZ* 12 (1977), 8-11; “Wie wehren sich Frauen gegen Gewalt am Beispiel Frauenboxen,” *Lesbenpresse* 6 (1978): 29-30. The silencing of discussion of violence within lesbian relationships was not unique to West Germany. Indeed, violence within GLBTQ+ relationships did not become a serious subject for academic research until the 2000s. See: Rebecca Barnes, “I Still Sort of Flounder Around in a Sea of Non-Language”: The Constraints of Language and Labels in Women’s Accounts of Woman-to-Woman Partner Abuse,” in *Gender and Interpersonal Violence; Language, Action and Representation*, eds. Karen Throsby and Lora Alexander (New York: Palgrave, 2008), 29-43; Sarah Lamble, “Legal Invisibility in the Toronto Women’s Bathhouse Raid Unknowable Bodies, Unthinkable Sexualities: Lesbian and Transgender,” *Social & Legal Studies* 18 (2009): 111-130.

of lesbianism common within feminist circles as female same-sex relationships and sexual self-determination more generally were held up as a way of empowering women.⁹²

Secondly, positioning women as the victims of male violence helped to underscore women as essentially non-violent, both in their relationships with men, but also historically as female complicity in Nazi crimes was repudiated.⁹³ When women's violence was discussed within feminist circles, it was most commonly focused on retributive attacks against men or the state and lionized as a form of empowerment.⁹⁴ Indeed, the 1976 *Women's Year Book (Frauenjahrbuch)*, not only stated that "every woman has the right to kill the man who raped her," but it also recounted a story – its veracity is unclear – of a group of women who flew to Paris to attack the man who raped two of them. For one of these women, attacking her rapist was her "one chance to hold on to my self and my self-worth...finally to be myself with my anger."⁹⁵ Defining violence in this way not only precluded the possibility of female violence against other women, such as in lesbian relationships, but also made addressing women's violence against men and child abuse difficult.

Finally, and most significantly, the belief in the universality of experiences of violence also translated into an expectation among many early shelter workers that all

⁹² Ferree, *Varieties of Feminism*.

⁹³ Hanshew, *Terror and Democracy*; Grossmann, "A Question of Silence"; David J. Levin, "Taking Liberties with Liberties Taken: On the Politics of Helke Sander's 'BeFreier und Befreite,'" *October* 4 (1995): 64-77; Elizabeth Heineman, "Gender, Sexuality, and Coming to Terms with the Nazi Past," *Central European History* 38 (2005): 41-74; Elizabeth Heineman, "The Hour of the Woman: Memories of Germany's 'Crisis Years' and West German National Identity," *The American Historical Review* 101 (1996): 354-395.

⁹⁴ Claire Bielby, "Bewaffnete Terroristinnen: Linksterrorismus, Gender und die Waffe in der Bundesrepublik Deutschland von den 1970er Jahren bis heute," *WerkstattGeschichte* 64 (2013): 77-101. See also: "Dokumentation, Vergewaltiger wir kriegen euch" and "Wir haben ein Vergewaltiger liquidiert" in *Solange es Männergewalt an Frauen gibt wird es unseren widerstand geben* (1985), FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt, Broschüren bis 1989, Papiertiger.

⁹⁵ "Antwort auf eine Vergewaltigung," *Frauenjahrbuch '76* (Munich: Verlag Frauenoffensive, 1976), 202.

women entering the shelter would want to engage in feminist politics and transformation. Although women were framed as victims by activists, this did not mean that they were powerless. Instead, workers expected women entering the shelters to perform an idealized – if not even masculine – victimhood, where they were supposed to pull themselves up by their bootstraps, so to speak. There were clear expectations among shelter organizers in West Berlin and across West Germany that when women arrived they would be self-reliant and able to manage and share direction for shelter life with other residents, getting along and working communally. As previously mentioned, one of the founding principles of the model shelter was ‘self-organization’, namely that residents should “arrange life within the house, by which they themselves should organize and initiate group meetings, either oriented around a topic or improvised, as well as social gatherings and other such things.”⁹⁶ Organizers thought this would be a way to engage residents in the larger feminist project of women’s empowerment, bringing them closer to the ideals of feminist citizenship that structured the women’s project movement, as women’s duties towards a state who left them vulnerable to physical violence were replaced with a shared responsibility for the women who kept them safe.

These expectations were infused with the class biases of the predominantly well-educated, middle-class feminist women who ran the shelter.⁹⁷ Such bourgeois notions of “authentic” womanhood, however, were challenged by the women seeking refuge within the shelter, who were mostly from working and lower class areas of West Berlin. These residents were not necessarily interested in engaging in feminist politics, and instead

⁹⁶ Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976), B Rep 002/12504, LAB.

⁹⁷ Steinert and Straub, *Interaktionsort Frauenhaus*.

wanted to be given authoritative direction from shelter employees, as more often than not they were just looking for a place to stay that would allow them to escape immediate danger.⁹⁸ Their failure to realize the ideals of feminist citizenship, in particular self-organization and self-help, brought the very foundation of the shelter movement into question, resulting in both a reconceptualization of the program of support offered in the shelters and a re-examination of the practicality of feminist principles, leading some women to leave domestic violence work and further wedging a divide between the shelter system and the women's movement.

Confronting Battered Women and the Limits of Feminist Citizenship

Soon after the opening of the West Berlin shelter in November 1976 the idealistic principles of feminist activism were put to the test. Indeed, from small adjustments to everyday practices to revising the basic level of support offered to women, over the course of the first few years of the shelter movement activists were forced to come to terms with the failure of many of their foundational principles. One of the earliest issues facing activists was the realization that violence in the family is not a singular issue affecting one woman, but rather can create a range of related problems that impact the entire family. The idealized image of feminist womanhood meant that shelter workers were not prepared for the drug and alcohol addiction many residents faced, nor were they prepared for the traumatizing effect violence in the family had on the children of

⁹⁸ Ibid.

residents. They were even less prepared to deal with the fact that it was often the women themselves who were, and continued to be, violent towards their children.⁹⁹

Addressing these issues was simple enough, however it also meant making compromises to feminist politics, in order to better help women. Despite the initial principle of accepting all women into the shelter, early on workers realized that there was no way to restrict alcohol or drugs from entering or being consumed by the residents. Following some house meetings at the West Berlin shelter, staff and residents determined that there would be no alcohol allowed in the house and that women with addiction problems would not be permitted in the shelter until they had gone through rehab.¹⁰⁰ Furthermore, the importance of solidarity between women for feminism was also challenged by encounters between workers and the residents, as Myra Marx Ferree highlights “it was hard to take women’s side when some women were violent or abusive to their children or other women in the house.”¹⁰¹

Alongside these initial challenges, as the shelter movement continued to grow it became increasingly clear that the principle of self-help, so fundamental to the shelter’s organization and feminist politics, was incompatible with the realities of shelter life. As a report on the early days of the West Berlin shelter highlighted, at least initially, the principle of self-help was hard to administer and caused a lot of conflict between the women residents.¹⁰² Although according to this report the problem smoothed out over time, a development the author attributed to the residents increasingly seeing the shelter

⁹⁹ Pistor, “Frauenhaus Berlin”; Hagemann-White et al., *Hilfen*; Renate Marbach, “Frauenhaus – der Bedarf ist gross,” *Stuttgarter Nachrichten*, February 27, 1978; Konzeption für das zweite Berliner Frauenhaus (1978), B Rep 002/12504, LAB.

¹⁰⁰ Pistor, “Frauenhaus Berlin”; Kleine Anfrage Nr. 2696 des Abgeordneten Wolfgang März (SPD) vom 17. Januar 1978, B Rep 002/12504, LAB.

¹⁰¹ Ferree, *Varieties of Feminism*, 97.

¹⁰² Pistor, “Frauenhaus Berlin.”

as “their house,” the implementation of self-help, and even the very feminist definition of violence, was contested across the Federal Republic as shelter workers came to terms with the inadequacy of feminist politics for the realities of shelter life.¹⁰³ A 1981 discussion paper from the women’s shelter in Heidelberg demonstrates this confrontation most precisely:

Our ideas of self-administration by women assumed structures and capabilities that they, on the basis of their different life experiences, don’t have. ...A further difficulty is, that the basic principle ‘women can help women, because we all suffer under the same conditions’ has increasingly slipped away from us. The class differences make it hard to find a starting point that reflects both sides.¹⁰⁴

This statement plainly shows the challenges shelter workers faced as they attempted to enact feminist politics and manage their expectations of their sisters-in-arms. Even the most basic principle – that shelters could help, even empower, women living with violence – was contested by the majority of residents who stayed only a few days, before returning to their violent partners.¹⁰⁵ Although some shelter residents did engage in feminist politics, the goal of creating an alternative public sphere for a feminist citizenry for the majority of women seemed unlikely.¹⁰⁶

The difficulties activists faced in enacting feminist principles not only led many shelter workers and volunteers to leave the system, but also created what would become lasting divisions between women activists over the direction of the women’s shelter movement. For one young woman, volunteering at one of the autonomous women’s shelters in Hamburg was a way to achieve her “vague, idealistic goal” of the “realization

¹⁰³ Ibid, 145.

¹⁰⁴ “Diskussionspapier des Frauenhauses Heidelberg zum Thema Selbstverwaltung, Februar 1981,” qtd in Steinert and Straub, *Interaktionsort Frauenhaus*, 40.

¹⁰⁵ Ibid.

¹⁰⁶ For one woman’s path to feminism, see: “Darum haben Männer im Frauenhaus nichts zu suchen”, *EMMA* 6 (1978), 32-36.

of total self-management [*Selbstverwaltung*], the rejection of individualized shelter financing through §72 of the Federal Social Welfare Act [and] immediate inclusion in the state budget – power, power!”¹⁰⁷ After only a short time working in the shelter, she left, critical of the feminist principles she initially held, no longer believing that shelter residents could be brought to self-help. Indeed, she even criticized the founding principle of the shelter movement – that shelters offered a form of support that was both distinct from and opposed to the public system of social welfare – stating that she could not see the difference between the work being done in women’s shelters and progressive forms of social work.¹⁰⁸

Similarly, Uta Wagner, who was a part of the Stuttgart women’s shelter project, learned from her experiences there “to mistrust idealistic motives,” and that “in particular young women, without any economic interests [in the shelter system], despite coming at the work with great drive, often quickly lost the wind from their sails.”¹⁰⁹ Indeed, Erika Steinert and Ute Straub’s analysis of the Heidelberg women’s shelter shows that over the course of a mere few years the project went through three “generations” of workers, as many of the original workers left in frustration over the failure to enact the founding principles that initially guided their work.¹¹⁰ As one former shelter worker remembered, “the key point for me was to give up the ideals that I still held.”¹¹¹

While some women managed these feelings of disappointment by turning away from the shelter movement, others saw it as an opportunity to re-examine the level and

¹⁰⁷ “Unter dem Mantel des Helfenwollens: Fünf Szenen aus dem Frauenhausalltag,” *Courage* 11 (1981), 17. The Federal Social Welfare Act is discussed in more detail in Chapter Four.

¹⁰⁸ *Ibid.*

¹⁰⁹ Uta Wagner, “Wir wußten doch immer, daß wir der Stadt Arbeit abnehmen: Frauenhaus Stuttgart,” *Courage* Sonderheft 8 (1983), 57.

¹¹⁰ Steinert and Straub, *Interaktionsort Frauenhaus*.

¹¹¹ *Ibid.*, 86.

kinds of support offered by the shelters, moving towards a more professional and institutionalized form of service provision. The Heidelberg shelter, for example, started to offer more support mechanisms typical of the standard social work-client relationship when it discovered that self-administration and the sharing of duties between women residents was not working.¹¹² However, this shift away from the founding politics of the shelter movement was not uncontested, and there were increasing tensions between those women who represented the drive to professionalize the shelter system and those who identified more with the broader politics and principles of feminism. In the West Berlin shelter project this division was clearly expressed in the conflict between the founding organization – Women’s Shelter-Women Helping Women – and the public representatives who sat on the shelter’s governing board. These were all well-known women with experience in politics and the welfare system who were selected by the West Berlin Senate to legitimize the work of the shelter. Whereas the activists came from a more “ideological position,” and were connected with the broader women’s movement, the public representatives were responsible for the formal organization (*Ordnungsmaßstäben*) of the shelter. Of particular concern was the exchange of information between the two groups and over questions of the conceptual underpinnings of the house.¹¹³ This conflict was discussed both in the West Berlin Senate and in the wider media, and reflected fears among the women’s movement that the goal of creating an autonomous space for the realization of feminist citizenship was being

¹¹² Ibid.

¹¹³ See, e.g.: Marbach, “Frauenhaus – der Bedarf ist gross”; Kleine Anfrage Nr. 2696 des Abgeordneten Wolfgang März (SPD) vom 17. Januar 1978, B Rep 002/12504, LAB.

institutionalized into the very system against which the shelter movement was opposed.¹¹⁴

This highlights that even early on in the process of establishing shelters, cracks between the shelter system and the wider women's movement were beginning to show. The idealized principles of feminist womanhood and practice were challenged by the realities of women's lives, forcing continual compromise. This negotiation of feminism, evident throughout the women's movement as activists debated the translation of political ideals into reality, was particularly acute within the shelter system as it contested, if not moved away from, feminist principles.¹¹⁵ Slowly, but surely, shelters started to offer more professionalized services, entrenching themselves within the institutionalized social welfare system. This had important consequences for the construction of the 'battered woman' as subject and for understandings and critiques of women's citizenship. In the following section, I focus on how, during the 1980s, concerns arose within feminist circles over the use of victimhood as a defining characteristic of womanhood. These discussions only solidified the divisions between shelter activists and the women's movement, feeding into normative patriarchal definitions of women's roles.

"The Eternal Victim"

A 1986 article from the West German feminist magazine EMMA angrily proclaimed "women still don't hit."¹¹⁶ In spite of the celebration of women's violence against men

¹¹⁴ Ibid. Also: Dorsch, "Frauenhaus oder Krisenzentrum."

¹¹⁵ See for example the discussion in Heineman, *Before Porn was Legal* on the debates over women's sexuality and the objectification of women. While women were encouraged to express themselves sexually as a form of empowerment, this also easily slid into the objectification of women.

¹¹⁶ Heidrun Noble, "Das ewige Opfer," *EMMA* 1 (1986), 30.

only ten years earlier, the article criticized women's continued appeal to gender roles and gendered socialization that framed them as the gentle sex, asking "do we really believe that we can so artfully reach gender equality unscathed?"¹¹⁷ The reluctance to use violence, argued the author Heidrun Noble, would not push the movement for equality forward, but rather, would only further entrench gendered citizenship and make women into "eternal victims."¹¹⁸ While the use of victim language by West German feminists has often been criticized by historians for the way it evoked an imagined history of victimization, where violence against women was troublingly compared with the Nazi persecution of European Jews, what scholars have examined less is the way the label of 'victim' was critiqued from within the women's movement.¹¹⁹

Throughout the 1980s, a new generation of activists took issue with the way domestic violence projects were institutionalized and funded on the basis of women's particular vulnerability, a discourse they thought worked against the larger project of women's emancipation. Of particular concern was the perception that the gendered subject created by services like women's shelters, fed into patriarchal gender norms by establishing claims for protection on the basis of gendered ideas of victimhood. In staking their claims, these activists were critiquing a general shift towards a conceptualization of the feminine as essentially non-violent in the 1980s, and away from the use of political counter-violence by women that encouraged them to take action against men's violence,

¹¹⁷ Ibid, 31.

¹¹⁸ Ibid, 30.

¹¹⁹ On the discussion of German women's victimization and its comparison with the Holocaust, see: Levin, "Taking Liberties with Liberties Taken"; Grossmann, "A Question of Silence"; Heineman, "Gender, Sexuality, and Coming to Terms with the Nazi Past"; Heineman, "The Hour of the Woman."

whether by throwing tomatoes as in 1968 or by attacking their rapists.¹²⁰ What happened then to the movement that unified around the project of women's empowerment and garnered support under the banner of 'women defend yourselves!' (*Frauen-wehren Sie sich!?*)?

Evoking women's vulnerability, whether by referencing their historical persecution or by highlighting the universality of physical violence as "one of the most decisive factors of women's oppression," was an important tool for establishing women's rights. Specifically, it provided a foundation for women's projects to claim access to public funding.¹²¹ This narrative was not only present in the project proposals for West Berlin's first and second autonomous women's shelters, but is also present throughout the activism against violence against women more generally. A 1987 article by social scientist Christina Thürmer-Rohr highlights the central role that framing women as victims played in getting officials and the public to take rape seriously. "Only through the 'victim-role'" wrote Thürmer-Rohr, "was it possible to draw attention to the gravity, the personal harm, the political weight and the legal relevance of the crime of rape."¹²² By playing on traditional gendered expectations of women as weak and passive and highlighting their vulnerability, feminists were able to wedge a space for addressing violence against women. This was particularly important in a legal setting where playing up the victimization of the woman was the "only chance" of having allegations of abuse

¹²⁰ Hanshew, *Terror and Democracy*; Bielby, "Bewaffnete Terroristinnen."

¹²¹ Alice Schwarzer and Vera Slupic, "Frauenrat und Feministinnen beim Bonner Hearing: Wider die Spaltung der Frauen!," *EMMA* 3 (1982), 26; Christina Thürmer-Rohr, "Frauen in Gewaltverhältnissen," FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt, Broschüren bis 1989. Papiertiger.

¹²² Christina Thürmer-Rohr, "Frauen in Gewaltverhältnissen." FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt, Broschüren bis 1989. Papiertiger.

taken seriously.¹²³ Women's right as citizens to protection from violence, it seemed, was only safe if they conformed to the gendered expectations bolstered after 1945 under Adenauer, as the values of the postwar 'return to the family' continued to cast their shadow over women's lives.

However, while relying on 'victimhood' secured funding and protection for women, as young women activists pointed out in the 1980s, it also circumscribed women's roles, failing at both empowering women and changing gendered power imbalances. In particular, younger female activists took issue with the role that victim narratives played in the institutionalization of services aimed at addressing violence against women and within the popularization of the women's movement more broadly. While their critiques were not always levelled at the shelters specifically, they spoke to a system of gender violence activism of which shelters were a key part. Indeed, such criticisms were emblematic of the growing rift between the women's movement and the shelter system.

For Thürmer-Rohr, focusing on women's victimhood meant failing to truly grasp the power imbalances (*Gewaltverhältnisse*) between the sexes. By focusing too much on women's roles as victims, anti-violence activists had forgotten the other half of the equation, inadequately capturing how these relationships of power are (re)produced by both men and women.¹²⁴ This argument was furthered by social pedagogue, Carola Wildt, who stated that focusing on women's "powerlessness, defenselessness and

¹²³ Ibid. Playing up gendered expectations is still strongly correlated with more responsive police intervention in domestic violence cases. See: Eve Buzawa and Carl Buzawa, *Domestic Violence: The Criminal Justice Response* (3rd ed.) (Thousand Oaks: Sage Publications, 2003).

¹²⁴ Christina Thürmer-Rohr, "Frauen in Gewaltverhältnissen." FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt, Broschüren bis 1989. Papiertiger.

victimhood,” created an inability to address women’s complicity in the ongoing victimization of women.¹²⁵ “The male-dominated society calls for women to take on a victim status, and continually forces women into a victim role,” a process exemplified for Wildt in the way women’s shelters claimed public financing for their work.¹²⁶ The “other side of the coin,” however, was the way in which women made themselves into victims by participating in these discourses. Despite attempts to create spaces for women’s citizenship outside of the patriarchal structures of the state, women’s shelter activists had not only been required to, but were complicit in, the construction of a normative female subject made legible through her victimhood.

Furthermore, by concentrating on notions of women’s victimhood, projects, such as rape crisis centres and women’s shelters, failed to empower women. As an example, in the mid-1980s women started to organize for a night-taxi service that would allow women to take a cab for the same price as public transport. However, not everyone supported this initiative. Activist Marita Blauth, for example, asked whether

A city, as the territory of humans, should be protected from lions. Wouldn’t a lion be imprisoned and put behind bars? On the other hand, in a national park, the territory of the lion, the human would be protected, for example, they might stay in their car. On whose terrain are we?¹²⁷

Using this metaphor, Blauth provocatively questioned whether the night-taxi service fed into myths of ‘stranger danger’, obscuring the fact that most cases of violence against women take place within the home and by assailants known to the woman. Secondly, she criticized the service for disempowering women. “Women are not helpless,” she argued,

¹²⁵ Wildt, “Feministische Gewaltdebatte im Rückblick.” Extract found in FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt – Debatten, Papiertiger.

¹²⁶ Ibid, 84.

¹²⁷ Marita Blauth, "Nachttaxis für Frauen: Erfolg oder Falle?" *EMMA* 1 (1986), 5.

“they can successfully defend themselves.”¹²⁸ This echoed an ongoing effort from the 1970s and early 1980s to encourage women to take self-defence courses as a way of tackling violence against women.¹²⁹ Of course, both critiques leave open the question of men’s roles in violence. Although these activists felt comfortable criticizing the role of victimhood in feminist constructions of gender, they did not engage in the same level of critical examination in discussions of male citizenship.¹³⁰ Victim or not, a central part of women’s citizenship then was that they alone were responsible for addressing violence against women.

These critiques came at a time when the shelter system, and indeed the women’s project movement as a whole, were becoming increasingly professionalized and institutionalized and are indicative of the growing divergence of women’s shelters from the women’s movement, broadly speaking. At the same time as shelter workers were re-examining the support provided within the shelter system, debating whether to move away from the principles that had initially guided the movement, services for women living with violence were spreading throughout the Federal Republic. Following the opening of the first autonomous women’s shelter in 1976, feminist groups established an array of similar projects throughout West Berlin. Some of the larger, and still extant services include: a second autonomous women’s shelter opened in 1979; Wildwasser, a service aimed at supporting girls who have survived sexual violence, started seeing

¹²⁸ Ibid.

¹²⁹ *Gewalt gegen Frauen in Ehe, Psychiatrie, Gynaekologie, Vergewaltigung, Beruf, Film und was Frauen dagegen tun. Beiträge zum Internationalen Tribunal über Gewalt gegen Frauen, Brüssel, März 1976* (Berlin: Frauenzentrum Berlin, 1976), Spinnboden Archiv; "Vergewaltigung mit Todesfolge im Charlottenburg" and "Wir Pfeifen auf Männergewalt," Frauenreferat im asta FU Berlin, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ.

¹³⁰ See, e.g.: “Auf Vergewaltigung steht lebenslänglich. Wir fordern ein Ausgangssperre für alle Männer bei Dunkelheit” (1979), A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ.

women in 1983; and, in 1986, Frauenzimmer e.V. began offering emergency shelter for women experiencing violence in the home.¹³¹ The growth of these services meant that this kind of work was becoming specialized, as women gained training and expertise in supporting survivors of gender violence.¹³² As a result, hierarchies slowly formed within the shelter, with workers increasingly treating the residents like clients, in a typical social work relationship.¹³³ Similarly, this new generation of shelter workers demanded remuneration at a level that more closely reflected industry standards – the ideal of equal pay was no longer tenable.¹³⁴

Underlying this professionalization was also the ever-present need for funding, an issue that occupied much of the women's shelter movement in the 1980s. By this time, feminists no longer had a monopoly on services aimed at helping women and families dealing with domestic violence. Rather, other charitable bodies such as Caritas, Diakonie and the Worker's Welfare Union began looking into and opening their own services. Caritas, for example, opened a women's shelter in West Berlin in 1983. These developments prompted the Free Democratic Party (*Freie Demokratische Partei*, FDP) and the Christian Democratic Union (*Christlich Demokratischen Union*, CDU) to propose that the West Berlin Senate investigate the continued expansion of services for women living with abuse in June 1983.¹³⁵ In particular, they were interested in investigating the founding principles that structured approaches to domestic violence. At

¹³¹ Other smaller services opened during the 1980s include: Emergency housing through Brunhilde e.V., Zuffs Kreuzberg/Neukölln and Zuffs Tempelhof. See: A Rep 400 Berlin 1.20-1.23 ohne 1.26.8b.6, FFBIZ; Linda Jent and Regula Wyss, *Selbstverteidigung für Frauen* (Basel: Mond Buch, 1984).

¹³² Ferree, *Varieties of Feminism*. Note that most of these services had a strict women-only policy, meaning that the majority of support workers were female.

¹³³ Steinert and Straub, *Interaktionsort Frauenhaus*.

¹³⁴ Ferree, *Varieties of Feminism*.

¹³⁵ Antrag der Fraktion der CDU und der Fraktion der FDP. Weiterentwicklung von Massnahmen für misshandelte Frauen, B Rep 002/12505, LAB.

the same time, there were ongoing discussions about how to best ensure the financing of the shelter system as a whole. The two main suggestions were either the use of §72 of the Federal Social Welfare Act (*Bundessozialhilfegesetz*), which provided funding on an individual and ad-hoc basis, or a federal financial plan to fund women's services. As we shall see, both developments placed autonomous women's shelters in precarious positions and possibly reinforced their move towards greater professionalization and institutionalization.¹³⁶

That is not to say, however, that women's shelter groups consistently played on victim narratives to ensure their position. In fact, much of the shelter movement's activism against §72 strongly countered women's victimhood. This paragraph offers support for people who "face particular social difficulties preventing them from participating in society."¹³⁷ In protesting this, shelter workers underscored that women living with violence were not incapable of living in society and instead argued that including funding for women's services in public budgets was the only way to ensure the protection of women's rights. This shows that it was often more the perceived construction of women's victimhood with which activists took issue, rather than the actual work done by the shelter system. Indeed, the belief that shelters capitalized on women's vulnerability would have only been validated by the kinds of statements on violence against women made at the political level, many of which echoed earlier feminist positions on women's victimhood. A 1983 convention on violence against women held by the Federal Minister for Youth, Family and Health emphasized that it

¹³⁶ "Droht jetzt das aus fürs Frauenhaus?" *Vorwärts*, December 8, 1983.

¹³⁷ *Bundessozialhilfegesetz* 1961 (Germany, West), §72.

Is the duty of the Federal Government and the entire Parliament to stand on the side of those who are physically and socially vulnerable and to protect them from the strongest. ...The exercise of violence against the weakest is not only an individual problem, but one for society as a whole.¹³⁸

Whether perceived or real, the feminist critique of the use of victimhood by anti-violence activists underscores that it was not just the shelter movement that had grown apart from the women's movement. Rather, the women's movement had also begun to critically examine the achievements made in its name, as well as the limitations of the gains made in the fight for equality. Specifically, women's rights activists questioned what had been lost in the institutionalization of domestic violence activism. At the same time, criticisms of the shelter movement were also starting to be made from within the shelter system, as activists with a family history of migration spoke out about the way issues of race and migration were addressed within services for women living with violence.

A Visible Minority: Migrant Women and Domestic Violence

The West Berlin feminist magazine *Courage* outlined the difficult situation facing female migrants living in Germany in 1978:

In Spain, Greece and Turkey an employed woman is uncommon. ...There it is expected that men provide for the necessary maintenance of the family. ...But, when they migrate to Germany, they [the women] find themselves equal to their husbands. They work just like men, more actually because they are still responsible for the house. So why don't they continue to accept the autocratic Pasha at home?¹³⁹

¹³⁸ Fachtagung, "Gewalt gegen Frauen," Bundesministerium für Jugend, Familie und Gesundheit, B Rep 002/12505, LAB.

¹³⁹ Cornelia Mansfeld, "Ausländerinnen im Frauenhaus," *Courage* 4 (1978), 18.

Continuing on, the article argued that this loss of power in the family and men's confrontation with women's equality in West Germany not only led male migrants to engage in gambling and other "semi-legal" activities, but also resulted in violence against women, as they attempted to keep their wives "in check" with their fists.¹⁴⁰ After describing the issues facing migrant women within the shelter system, the article finished by providing the banking information for the autonomous women's shelter in West Berlin, where Germans could make donations "for foreign women."¹⁴¹

Through articles like this, migrant women, especially those of Turkish background, came to symbolize women's systemic vulnerability in West Germany. In much of the feminist writings on domestic violence, the experiences of these women are specifically highlighted, drawing attention to the insecurity and instability that shaped their lives.¹⁴² Within this narrative, not only were they victims of the cultural patriarchy they were born in to, but their precarious residency status in Germany meant they were even more susceptible to the machinations of state power. Just as domestic violence represented the most extreme case of women's oppression for feminists, migrant women exemplified the way society made women's lives vulnerable and precarious. It was, therefore, a feminist duty to draw attention to their plight, as these groups strengthened their platform for women's rights based on the lives of migrant women.

However, while emphasizing migrant women's vulnerability helped to bring awareness to their predicament, and potentially encouraged funding for the shelters,

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Ibid; Hagemann-White et al., *Hilfen*; "Unter dem Mantel des Helfenwollens"; "Gegen die alltägliche Gewalt der Männer an uns Frauen setzen wir Frauen unsere gemeinsame Stärke, Freude und unserer Interesse aneinander!! Frauen!!! Kommst zur Frauenstrassefest!" (1985), A Rep 400 21.22.6-21.22a (DFB), FFBIZ; "Wir trauern um Nuriye Bekir," *Courage* 6 (1980), 14; Ulrike Preuss, "Tödliche Moral," *EMMA* 9 (1986), 12-13.

increasingly from the late 1980s and over reunification women from migrant backgrounds started to critique how their lives had been used by shelter activists. Specifically, they took issue with the way the gendered subject created by the women's movement and reinforced within the shelter system elided intersectional forms of oppression and failed to address the distinctive needs of migrants.¹⁴³ By tokenizing and speaking for migrant women, these activists claimed, feminism and the shelter system had both taken advantage of their vulnerability and fed into a power structure in which the lives of migrants were 'othered', monitored and controlled. In response, shelter activists with a family migration history formed new services specifically aimed at better serving the needs of migrant women, most notably the intercultural women's shelter established in Berlin in 2001.

Discussions of domestic violence and violence against women more broadly often drew on ideas of difference in problematic ways, delineating specific notions of migrant masculinity and femininity while also pointing to the superiority of German culture. Within these conversations migrant identity was primarily framed by reference to culture, rather than race. Race in the aftermath of the Third Reich was a sensitive subject in divided Germany. Indeed, scholars have remarked on a "notable silence" on race as an explicit category of difference in West Germany, as the burdens of the Nazi past made "race" taboo.¹⁴⁴ While this did not mean that racial thinking ceased to exist, what

¹⁴³ Neval Gültekin, Brigitte Schulz and Brigitte Sellach, eds., *Ausländische und deutsche Frauen im Gespräch. Sind wir uns denn so fremd?* (2nd ed.) (Berlin: Subrosa Frauenverlag, 1985); Ayse Tekin, "Unterschiede wahren, Zusammenarbeit möglich machen" in *Beiträge zur feministischen Theorie und Praxis* 17 (1994), 103-110; Ferree, *Varieties of Feminism*.

¹⁴⁴ Rita Chin, "From Rasse to Race: On the Problem of Difference in the Federal Republic of Germany," The Occasional Papers of the School of Social Science, Institute for Advanced Study, Paper No. 42, May 2011; Rita Chin et al, *After the Nazi Racial State: Difference and Democracy in Germany and Europe* (Ann Arbor: University of Michigan Press, 2009).

examining the literature on violence against women shows is that ‘race’ was often recoded with recourse to ‘culture’. Furthermore, when race was evoked it was often done so problematically. A 1987 pamphlet on rape, for example, argued

Rape is in principle racist violence in the imperialist class-based fascist oppression of women. Like other forms of serious class betrayal, it exceeds brutal theft, sadistic assault, unpolitical murder, denunciation... We will not deny the existence of gendered socialization, brutalization and the objectification of women as social conditions.¹⁴⁵

Here race is used to signify the extreme marginalization of all women, presenting rape as a form of colonial violence and oppression. Although this kind of language was particularly radical, it does highlight the unitary way feminists defined gender. These activist discussions of women’s roles largely ignored intersectional forms of oppression, like race or even class, a situation which complicated talking about the presence of systemic class biases and racism within the women’s movement.

Culture, then, was a vehicle for explaining the conflict and tensions present within the migrant experience. Take Fatima, an early resident of the first women’s shelter.¹⁴⁶ She emigrated from Turkey before being joined by her husband and three sons. Already in Turkey, her husband, a man she married at the age of 15, was abusive. Once in West Berlin, she began working at a metal plant, sending money home to her family. She felt “at ease” in her new life, although she missed her husband and children.¹⁴⁷ Her husband continued to be violent, and would hit her, usually over money, on his brief visits to Germany. This situation only escalated after her family fully immigrated to West Berlin, having obtained the necessary residency and working permits. Following this, Fatima’s

¹⁴⁵ “Rape is a Crime Against Women,” (1987), FrauenLesbenArchiv, Gewalt gegen FrauenLesben, FrauenLesben gegen Gewalt, Broschüren bis 1989, Papiertiger.

¹⁴⁶ Hagemann-White et al., *Hilfen*.

¹⁴⁷ Ibid, 171.

husband raped and beat her, at one point almost breaking her jawbone. She sought refuge in the West Berlin shelter several times and pressed criminal charges for assault and attempted murder against her husband at least five or six times, of which only a few came to trial. Eventually she was able to obtain a divorce – an expensive process which had to take place in Turkey. Stories like Fatima’s were presented by activists as “typical” of the experience of migrant women in Germany. Caught between “two cultures, with all the insecurity that insufficient language skills, little education or knowledge of the Foreign Nationals Act [*Ausländergesetz*] brings with it,” Fatima had to negotiate the traditional patriarchal culture of Turkey with her new found rights in West Germany, a rather condescending position given that Fatima clearly had the wherewithal to navigate the West German immigration and criminal justice systems.¹⁴⁸

This narrative of living two lives was common in feminist discussions of migrant women in West Germany. Highlighting not only women’s extreme (and symbolic) vulnerability, but also the cultural superiority of West Germany, German activists used this discourse to justify speaking for migrants. Indeed, although migrant women represented the epitome of gendered vulnerability for West German feminists, activists were keen to differentiate between the patriarchy that existed in these ‘other’ cultures, and that which existed in Germany. Much like the *Courage* piece above, one article on Turkish women in Germany from the Interest Group of Women Married to Foreigners (*Interessengemeinschaft der mit Ausländern verheiraten Frauen*, a political group for German women married to foreign men), lamented “Whenever we see our female Turkish colleagues in the factory, the Turkish housewives doing groceries. Oh sisters,

¹⁴⁸ Ibid, 170.

how can your way out of patriarchy be eased?"¹⁴⁹ Emphasizing these cultural differences not only served to obscure the existence of patriarchal structures that contributed to male violence towards women in West Germany, but also made the figure of the foreign man, most commonly the Turkish man, into a symbol of the worst form of male power over women and the basic incompatibility of 'foreign' masculinity with German culture.

Highlighting this position, a 1985 women's streetfest in West Berlin spoke directly to "Turkish women":

We see you in Kreuzberg [a predominantly Turkish area of Berlin], where you slave away in the stores of 'your' men, or when you come home from work, as you walk behind your husbands on the streets... Sometimes the screams and cries from your apartment can be heard in the evenings and at night... We feel connected with you, since the men who control your lives and beat and rape you as they please, are the same men who harass, hit and rape us on the streets. Just because we are alone on the street, they think they have the right to call us whores and treat us like dirt.¹⁵⁰

Much like how activists positioned migrant women as figures of a gendered vulnerability unique to women, migrant men represented an extreme potential for violence that was at once shared by all men, and yet also 'othered' as belonging to what was perceived as a 'backward' culture that was harmful to West German liberalism. This position was also echoed in the media, as the public read about cases where migrant men killed or

¹⁴⁹ Luc Jochimsen, "Männerrecht – Frauenleid. Türkinnen in Deutschland," *IAF – Information* 4 (1984), 21. On the history of the Interest Group, see: Julia Woesthoff, "'Foreigners and Women have the Same Problems': Binational Marriages, Women's Grassroots organizing, and the Quest for Legal Equality in Post-1968 West Germany," *Journal of Family History* 38 (2013): 422-442.

¹⁵⁰ "Gegen die alltägliche Gewalt der Männer an uns Frauen setzen wir Frauen unsere gemeinsame Stärke, Freude und unserer Interesse aneinander!! Frauen!!! Kommst zur Frauenstrassefest!" (1985), A Rep 400 21.22.6-21.22a (DFB), FFBIZ.

otherwise assaulted their wives, only to learn at trial that “even the wives of foreigners in Germany enjoy protection, even though other values may rule in their homelands.”¹⁵¹

Just as women’s activism played on the migrant experience as a way of strengthening their fight for women’s rights, the West Berlin shelter, and the shelter system as a whole, used the visibility of ‘the migrant woman’ both to critique the problems faced by migrant women in Germany and as a way of ensuring the future of shelters. Framed as unable to speak for themselves, shelter workers spoke for them. At various points, shelter activists called out the systemic racism that made migrant women’s lives more precarious. Unlike the positions taken in the broader women’s movement, into the 1980s the shelter system not only challenged narratives of a uniquely patriarchal Turkish culture, placing migrant violence alongside violence perpetrated by German men, but they also called out racism in the police force and throughout society. Most commonly, they protested the way women’s precarious residency made them vulnerable.¹⁵²

West German law meant that women who had entered and lived in Germany on the basis of their marriage to a man who held a residency permit, had to stay married to their husband for four years before they could obtain their own permit. During this time these women were not allowed to work, which only made them more dependent on their husbands and socially isolated. Shelter workers frequently criticized this law for putting

¹⁵¹ “Aber scheiden lassen will er sich nicht,” *Schwäbische Zeitung*, May 10, 1977. See also: “Frau lebte wie sklavin,” *Bonner Rundschau*, April 24, 1975; 8. Sitzung, Ausschuss für Familie und Jugend, 6. März 1980, B Rep 002/12504a, LAB.

¹⁵² Cornelia Mansfeld, “Gewalt gegen Frauen zwischen den Kulturen” in *Ausländische und deutsche Frauen im Gespräch. Sind wir uns denn so fremd?* (2nd ed), eds. Neval Gültekin, Brigitte Schulz and Brigitte Sellach (Berlin: Subrosa Frauenverlag, 1985), 226-230; “Stellungnahme autonomer Frauenhäuser zum Bericht der Bundesregierung über die Lage der Frauenhäuser für misshandelte Frauen und Kinder (1.9.1988),” File 5631, GG.

migrant women in the impossible position of having to choose between staying in Germany and living with violence, or facing the consequences of leaving their husbands and being sent home.¹⁵³ At the same time, however, activists instrumentalized stories like this to both encourage donations to the shelter, and also to retain government funding. Following the end of the trial period, the West Berlin Senate wanted to reduce funding to the model shelter, cutting back the eight permanent shelter workers to six. In a letter to the Mayor of Berlin protesting this decision, the shelter association claimed that such a cut-back would result in the lack of any appropriate services for migrant women.¹⁵⁴

While advocating for migrant women's rights, the West Berlin shelter project also participated in a system of power where migrant lives were regulated, monitored and marginalized. From the very beginning of the shelter's trial period, the West Berlin Senate was keen for the shelter to collect data on the kinds of women seeking refuge. Senators not only inquired as to where the German women originated – in which neighbourhoods of Berlin they lived or whether they were from elsewhere in the Federal Republic – but they were also interested in the ‘foreign’ women in the shelter. In the ten years following the opening of the first shelter, West Berlin senate committees and parliamentary members consistently inquired into the number of migrants living in shelters, where they came from and the specific difficulties they faced.¹⁵⁵ This level of

¹⁵³ See, e.g.: “Stellungnahme autonomer Frauenhäuser zum Bericht der Bundesregierung über die Lage der Frauenhäuser für misshandelte Frauen und Kinder (1.9.1988),” File 5631, GG; Traude Ratsch, “Interview mit Ulrike Palmert und Sadiye Kaygun-Dohmeyer, Mitarbeiterinnen des 2. Berlin Frauenhauses,” in *Ausländische und deutsche Frauen im Gespräch. Sind wir uns denn so fremd?* (2nd ed), eds. Neval Gültekin, Brigitte Schulz and Brigitte Sellach (Berlin: Subrosa Frauenverlag, 1985), 49-53.

¹⁵⁴ Brief vom Verein zur Förderung des Schutzes misshandelter Frauen eV an der regierender Bürgermeister, 9. November 1979, B Rep 002/12504a, LAB.

¹⁵⁵ Besprechung gemäss §21 Abs. 5 GO Abgeordnetenhaus über Situation im Krisenzentrum für misshandelte Frauen (auf Antrag der CDU). Ausschuss für Familie und Jugend, B Rep 002/12504, LAB; 8. Sitzung, Ausschuss für Familie und Jugend, 6. März 1980. B Rep 002/12504, LAB; Kleine Anfrage Nr

attention is particularly significant given that at this early stage migrant women only made up approximately 13% of the shelter population.¹⁵⁶

While these inquiries demonstrate the success of the women's movement in highlighting the issues faced by migrant women, it also fed into broader attempts to regulate the entry and lives of foreigners in West Germany, a process in which the shelters participated. This came to the fore in 1983 when the West Berlin Senate's Committee on Foreigner's Issues (*Ausländerfragen*) discussed the possibility of how to allow migrant women experiencing abuse to stay in Germany before they had been granted their own residency permit. One of the major concerns was that such a ruling would 'open the floodgates' of migration. For one committee member, to create such an exception for women would

Privilege them over all other foreigners and would open the gate for further arrivals, which is not in German interests with respect to welfare support...and the Federal position on the relief and safeguarding of the integration through the limitation of further migration.¹⁵⁷

For others it opened up the possibility of the spread of marriages of convenience, or "*Scheinfamilienzusammenführung*," where people would marry in order to migrate to Germany, only to separate upon arrival.¹⁵⁸ Although this position was disputed by others, the state continued to uphold restrictions on residency permits until migration reform in

1719 der Abgeordneten Rainder Klebba (SPD) vom 16. Dezember 1980, B Rep 002/12505, LAB; Inhalts-Protokoll, Ausschuss für Ausländerfragen, 24. Sitzung 4. März 1983, B Rep 002/12505, LAB; Frauenhäuser: Frauenhäuser in Gefahr: Rücknahme von Mieteuerhöhung gefordert, 18. Juli 1984, B Rep 002/12505a, LAB, Deutscher Bundestag 11. Wahlperiode, Drucksache 11/7832, 11. September 1990, *Männergewalt gegen Frauen und Mädchen. Massnahmen zur Absicherung und Unterstützung der Arbeit der Frauenhäuser und die Mitverantwortung der Bundesregierung*, File 5631, GG; "Zwischenbericht der wissenschaftlichen Begleitung," B Rep 002/12504a, LAB; Hagemann-White et al., *Hilfen*.

¹⁵⁶ "Zwischenbericht der wissenschaftlichen Begleitung," B Rep 002/12504a, LAB.

¹⁵⁷ Inhalts-Protokoll. Ausschuss für Ausländerfragen, 24. Sitzung 4. März 1983. B Rep 002/12505, LAB.

¹⁵⁸ "Abhängig von der Gunst des Mannes. Initiative für Ausländerinnen," *Die Tageszeitung*, January 18, 1983.

1999, which reduced the time a couple needed to remain married to two years and widened the scope of the “hardship clause” to include domestic violence.¹⁵⁹

Shelters did try to protect migrant women from these machinations of state power: one of the arguments presented in protest of funding the shelters on a per-woman basis through the Federal Social Welfare Act was that it would expose migrant women who were staying illegally in Germany, having left their husbands prior to obtaining their own residency permits.¹⁶⁰ However, in spite of this activism, they were working within a system that regulated and controlled migrant life. Even when the West Berlin Senate attempted to address the concerns presented by the shelters, they did so with a view to restricting immigration, upholding a longstanding suspicion of foreigners, especially those considered racial ‘others’.

In response to the way women’s groups and West German feminism deployed their experiences, shelter activists with family migration backgrounds, started forming separate services aimed at helping migrant women. As one shelter activist phrased it, “overall it became clear that ‘being a woman’ [*Frau-Sein*] did not suffice as a category for defining systemic power relationships.”¹⁶¹ From the 1980s, migrant women vocalized their discontent with the broader women’s movement, confronting the way they tokenized migrant women’s lives. This came to a head at the 1984 First Conference of German and Foreign Women, where migrant women took the opportunity to confront the

¹⁵⁹ *Aktionsplan der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen* (December 1999), accessed August 30, 2015, <http://www.bmfsfj.de/RedaktionBMFSFJ/Abteilung4/Pdf-Anlagen/gewalt-aktionsplan-gewalt-frauen-ohne-vorwort.property=pdf,bereich=bmfsfj,sprache=de,rwb=true.pdf>.

¹⁶⁰ Brief von Frauenselbsthilfe e.V. an der Petitionausschuss des Abgeordnetenhaus von Berlin, 29. März 1979, B Rep 002/12504, LAB.

¹⁶¹ Nadja Lehmann, “Migrantinnen im Frauenhaus = Interkulturelles Frauenhaus,” 3. Mai 2002, Vortrag gehalten in Münster, A Rep 400 Berlin 21.21.22a-21.22.5 +21.22.15, FFBIZ.

way women's work marginalized their voices.¹⁶² For one migrant woman this Congress represented a radical reversal of the long-standing power relationship between German feminists and migrant women: "I was always being talked about, I always had to expose myself – now I want the German women to finally get naked as well."¹⁶³ According to Turkish-German feminist journalist Ayse Tekin, such words were difficult to hear as West German feminists were "shocked" to discover that migrant women activists "dismissed their well-meaning work as social work, which not only furthered, but even strengthened racist structures."¹⁶⁴

These criticisms sparked the establishment of services aimed at addressing the specific issues faced by migrant women and girls. Already in the 1980s, there were three such services in West Berlin. While the two Zuffs shelters in Kreuzberg/Neukölln and Tempelhof, organized by an autonomous women's group, offered refuge to both German and migrant women, they made a clear effort to engage with migrants. Of their five-person team, one came from Korea, one from Thailand, and one was from Turkey, with a further Turkish speaker of German descent.¹⁶⁵ Opened in 1986, Papatya, meanwhile, specifically offered protection and help for girls and young women from migrant families, who "on the basis of cultural and familial conflict ran away from home and are being threatened by their family."¹⁶⁶

¹⁶² See the report of this event in: Güttekint, Schulz and Sellach, eds., *Ausländische und deutsche Frauen im Gespräch*.

¹⁶³ Qtd in Tekin "Unterschiede," 104.

¹⁶⁴ Tekin "Unterschiede," 105; Ferree, *Varieties of Feminism*, 100.

¹⁶⁵ A Rep 400 Berlin 1.20-1.23 ohne 1.26.8b.6, FFBIZ. Furthermore, Berlin, alongside Hamburg and Bremen were the only shelters where there was a quota requiring a certain number of migrant women to be employed within shelters.

¹⁶⁶ "Über uns," *Papatya: anonyme Kriseneinrichtung für Mädchen und junge Frauen mit Migrationshintergrund*, accessed August 30, 2015, <http://www.papatya.org/ueber-uns.html>.

It was not until 2001, however, that the major shelter project aimed at assisting migrant women opened in Berlin. The Intercultural Initiative – Counselling, Refuge and Public Awareness for Battered Women and their Children (*Interkulturelle Initiative e.V. – Beratung, Schutz und Öffentlichkeitsarbeit für misshandelte Frauen und ihre Kinder*) was started by Nadja Lehmann, a social worker who had worked in the First Autonomous Women's Shelter in West Berlin. By this time, almost 50-60% of shelter residents were from a migrant background, and yet, according to Lehmann the shelters and the state were not paying enough attention to the violence faced by these women.¹⁶⁷ Despite the changes to the Foreign Nationals Act that allowed migrant women to claim residency on the basis of the hardship clause, in order to claim this provision, migrant women needed to appear “clearly worse-off” than German women in the same position, leaving many women scared of “running the risk” of applying for the exception and remaining with their husbands.¹⁶⁸

In response, the Intercultural Initiative, funded by the Senate Office for the Economy, Employment and Women, opened a shelter with space for 50 individuals, offering services tailored to migrant women. Since most migrant women living in shelters faced considerable legal issues with respect to their residency status, traditional shelters tended to focus on these concerns, rather than tackling the emotional and physical harm experienced by migrant women. Further still, the ‘self-help’ paradigm was also not appropriate for women who may not have the language skills to fully contribute to shelter

¹⁶⁷ Nadja Lehmann, “Projektvorstellung ‘Interkulturelles Frauenhaus’,” *Berlin Forum Gewaltprävention, BFG 1* (2002): 116-123. A Rep 400 Berlin 21.21.22a-21.22.5 +21.22.15.

¹⁶⁸ Ibid, 118.

life.¹⁶⁹ Consequently, the Initiative determined to offer a broad array of support services for migrant women and their children. For example, they offer: crisis intervention and counselling in various languages; legal support on questions of asylum and residency; German language classes for residents; and they only employ women with ‘intercultural’ competences, including foreign language skills, anti-racism training or knowledge of migration law.

These developments contributed to a discussion within German feminist circles in the 1990s on the role of intersectional axes of oppression.¹⁷⁰ From the late 1990s, the Walpurgis Night demonstration held in Berlin tackled migrant women’s issues, and was advertised in German and Turkish.¹⁷¹ However, the unitary figure of ‘womanhood’ was still not fully deconstructed in feminist thought as intersectional analysis of gender remained marginalized.

Conclusion

Notwithstanding the dispersion of certain commonplace feminist ideas and practices among women’s groups in the Federal Republic, there was no uniformity between feminists – even the most basic ideals were debated and challenged within the movement. Indeed, many of the discussions surrounding the feminist characterization of domestic violence, in particular the way it shaped a particular ideal of womanhood, stemmed from conversations taking place between feminists and within the growing shelter movement.

¹⁶⁹ Nadja Lehmann, “Migrantinnen im Frauenhaus = Interkulturelles Frauenhaus,” 3. Mai 2002, Vortrag gehalten in Münster, A Rep 400 Berlin 21.21.22a-21.22.5 +21.22.15, FFBIZ.

¹⁷⁰ See, e.g.: *Beiträge zur feministischen Theorie und Praxis*, 17, 1994; *Beiträge zur feministischen Theorie und Praxis*, 13, 1990.

¹⁷¹ *Walpurgisnacht*, April 30, 1997, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; *Walpurgisnacht*, April 30, 1998, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ.

The unitary figure of ‘woman’ and notions of an authentic femininity, based on the ubiquitous experience of male violence, which had initially proven a touchstone for West German feminism were increasingly challenged from within the movement. Not only did it frame women as victims, eliding class and racial differences, but it also portrayed male citizenship, especially racialized male citizenship, as uniquely violent.

Despite coming from the same ideological background, as soon as the project to open a shelter in West Berlin gained public attention (and funding) in 1976 it was clear that there would be a divergence between the wider women’s movement and the shelter movement. This division would only intensify as the shelter started to take in residents, and it became clear that shelter workers would have to make compromises to the feminist principles that had initially guided their work. As the shelter system in West Berlin developed, the initial moves towards institutionalization and professionalization were increasingly entrenched. The wide array of problems faced by women living with abuse meant more than just self-help and peer-group counselling were needed, and as a result services for children, young girls, migrant women and survivors of rape were founded. Furthermore, as the work within the shelters became increasingly specialized, demands for pay that reflected industry standards were met. The shelter system was breaking away from the women’s movement, but what happened to the feminist ideals that grounded the movement?

Barbara Kavemann, a sociologist associated with the first West Berlin shelter, has looked critically at what the women’s shelter movement has achieved. In particular, she has taken issue with the way that by transitioning to professional, social work-based service provision, shelters have not been able to tackle the underlying causes of violence

against women, which was the initial goal of the shelter movement. “The *Frauenhäuser*” she argues “must fear that they serve as a social fig leaf and merely manage the consequences of violence. . . . The responsibility for men’s violence just has been handed over to women in a new form.”¹⁷² Instead of contesting the patriarchal structures of the state then, shelters just became entrenched within them. Indeed, it is only since reunification that the social attitudes enabling domestic violence have been addressed by anti-violence activists.

¹⁷² Kavemann qtd in Ferree, *Varieties of Feminism*, 107.

2 Realizing Socialism, Women's Citizenship and Domestic Violence in East Berlin¹⁷³

"There were laws for women and children, good laws, ones that dealt with emancipation, but violence just wasn't a part of it. And it needed to stay in the home." – Sophie¹⁷⁴

Although equality between men and women was enshrined legally in both the 1949 East German constitution and the West German Basic Law enacted that same year, it has always played a much more significant role in socialist ideology and practice than in liberal capitalism. According to Marxist thought, gender equality was a signal of the success of socialism as a whole.¹⁷⁵ Just as the proletariat were oppressed by the ruling classes, so the argument went, women were oppressed by the patriarchal gender norms supported by capitalism. Equality between men and women, in particular in employment, was thought to reflect a broader socialist transformation of capitalist relationships, where women's labour was confined to the home. Within the context of the Cold War then, women's issues acted as an important demarcation between East German socialism and the capitalist Federal Republic.

Indeed, as East Germany, alongside other Bloc countries, moved away from Stalinist-style socialism towards a more welfare-based system in the wake of Soviet Premier Nikita Khrushchev's 1956 Secret Speech, the private sphere was further rendered

¹⁷³ Portions of this chapter have previously been published in Jane Freeland, "Morals on Trial: State-Making and Domestic Violence in the East German Courtroom," *Perspectives on Europe* 44 (2014): 55-60. Extracts are republished here with permission.

¹⁷⁴ Interview with "Sophie," February 4, 2014.

Except in instances of publicly available material, names of individuals living with violence have been changed throughout this dissertation to protect the privacy of the individuals.

¹⁷⁵ August Bebel, *Woman Under Socialism*, trans. Daniel de Leon (New York: Schocken Books, 1971), 349; Boxer and Quataert, *Socialist Women*.

another Cold War battleground.¹⁷⁶ Whether through competition over home furnishings and consumer goods or in the promotion of shared household duties between husband and wife, the notion of having better homes was used by the SED to legitimize socialist rule in the face of German division. Central to this program was legal equality for women, which provided political capital to East Germany in its attempt to gain the moral high ground over the West, where officials and the general public still debated issues of female employment and women's roles in the family.¹⁷⁷ The SED was quick to capitalize on this, not only using gender policies to promote socialism among women, but actively using these same policies to foster discontent among women in West Germany.¹⁷⁸

Consequently, by the late 1960s and 1970s, equality between men and women was taking on an increasingly important role in the legitimization of socialist rule in the GDR. In particular, Erich Honecker's rise to power in 1971 heralded a renewed focus on women's issues. Although the origins of the gender policies he introduced were visible prior to his take over from Walter Ulbricht, the seventies saw an increased concern with reconciling women's paid employment with their familial responsibilities, as women's emancipation from what were considered to be capitalist, patriarchal gender roles that

¹⁷⁶ On this shift away from Stalinism see: Konrad H. Jarausch, "Care and Coercion: The GDR as Welfare Dictatorship," in *Dictatorship as Experience: Towards a Socio-Cultural History of the GDR*, ed. Konrad H. Jarausch (New York: Berghahn Books, 1999), 47-69. On the private sphere as a site of Cold War conflict see: Rubin, *Synthetic Socialism*; Greg Castillo, *Cold War on the Home Front: The Soft Power of Mid-Century Design* (Minneapolis: University of Minnesota Press, 2010); Susan E. Reid, "Cold War in the Kitchen: Gender and the De-Stalinization of Consumer Taste in the Soviet Union under Khrushchev," *Slavic Review* 61 (2002): 211-252; Christine Varga-Harris, "Homemaking and the Aesthetic and Moral Perimeters of the Soviet Home during the Khrushchev Era," *Journal of Social History* 41 (2008): 561-589. See also East Germany's discussion of the draft Convention to End All Forms of Discrimination Against Women, S-0445-0373-0005, UN-Arch.

¹⁷⁷ Evans, "The Moral State."

¹⁷⁸ Diskussionsgrundlage, Einige Gedanken zum Kampf der oppositionellen Frauengruppen zur Bundestagswahl 1969, DY 30 IV A 2/17/103, SAPMO-BArch; Heineman, *What Difference Does a Husband Make?*; Evans, "The Moral State"; Pence, "Women on the Verge."

confined women to the home took on increasing significance.¹⁷⁹ Speaking at the Eighth Congress of the SED in 1971, Honecker acknowledged that while much had already been done to ensure equality, there was still more to be achieved. His address called for men to participate in household duties and for more places in kindergartens and crèches to meet the needs of working mothers. At the same time, Honecker was careful to underscore the moral superiority of East Germany on gender matters. Whereas the rest of the Western world lagged behind in issues of women's legal equality, education and employment, for Honecker and the SED, socialism had liberated women from the yoke of capitalist gender relations and the private sphere was the last vestige of these traditional domestic roles.

It was this atmosphere of Cold War competition then that framed the way gender imbalances were addressed in East Germany. Nowhere is this more visible than in the treatment of domestic abuse, as the discourse on family violence propagated by the state was shaped by the socialist ideological project. Domestic violence was officially thought to be evidence of an outdated and bourgeois attitude towards women that stemmed from connections with West Germany, where capitalist gender relations resulted in the wholesale oppression of women.¹⁸⁰ Consequently, violence in intimate relationships was treated by the SED and other state-run bodies as a symptom of a failed socialist consciousness. While spousal abuse received a lot of attention in West Germany, where the women's movement worked to politicize violence against women, the rhetoric of equality in East Germany not only silenced much open discussion on private forms of

¹⁷⁹ Harsch, *Revenge of the Domestic*.

¹⁸⁰ Birgit Walter, "Lebensweise im Kapitalismus. Frauenhäuser als letzte Zuflucht. Zunehmende brutalität im Ehealltag in westeuropäischen Ländern," *Berliner Zeitung*, November 21, 1981, 4; Susanne Statkowa, "Zuflucht ohne Recht," *Berliner Zeitung*, August 5, 1978; "Misshandelte suchen Zuflucht," *Neue Zeit*, July 13, 1979.

violence, but this obfuscation of domestic abuse actually played into and legitimized the self-definition of East Germany as a gender equal, socialist state – an image that was increasingly important following the implementation of those new policies aimed at reconciling gender imbalances under Honecker.¹⁸¹

There were, however, certain arenas where abuse was discussed openly, and it is my primary goal to examine the forums in which domestic violence was discussed and what this meant for how it was approached in East Germany. For those organizations charged with dealing with family conflict, such as the justice system, marital counselling centres and work collectives, addressing spousal abuse was a way of constructing socialist citizens. By their very nature, these bodies oversaw and intervened in the private lives and intimate relationships of East Germans, an ability which they used to censure poor behaviour and encourage the adoption of socialist values, such as a strong work ethic, equality between men and women and critical self-reflection.¹⁸²

The legal system in particular was one of the prime venues for the discussion of domestic violence and is the focus of the first half of this chapter. In divorce and criminal trials, the courts would exercise an “educative role” (*erzieherische Funktion*) a task explicitly aimed at instrumentalizing legal proceedings to create better citizens and perpetuate socialism through adjudicating family matters.¹⁸³ Within this pedagogical framework, domestic violence acted as an indicator of the level to which citizens had adopted socialism in their private lives. When making their decisions, the court would

¹⁸¹ Schröttle, *Politik und Gewalt*; Bütow, “Gewalt gegen Frauen.”

¹⁸² Harsch, *Revenge of the Domestic*; Heineman, *What Difference Does a Husband Make?*; Timm, *The Politics of Fertility*.

¹⁸³ Hans Nathan, “Familienrecht und Moral in der sozialistischen Gesellschaft” *Neue Justiz* (1961) 626-633.

evaluate the socialist comportment of the parties, drawing from a structure of socialist morality to reward exemplary citizens, over those whose credentials were lacking. In doing so, the courts legitimized socialist rule as being about more than abstract ideals, as it tangibly worked to create their vision of better and more moral citizens.

This process of moral judgment was gendered, as decisions involving spousal abuse were primarily aimed at constructing socialist masculinity. While West German discussions of domestic violence centred on a negotiation of women's citizenship and ideas of womanhood, I argue that in spite of claims to be promoting gender equality, male citizenship was prioritized over women's personal safety in cases involving interpersonal violence in East Germany.¹⁸⁴ This meant that in the adjudication of domestic violence cases, men's relationships with the state and their performance of the duties of socialist citizenship (i.e. holding a job, being active in the party) were treated by the court as more important than the right of women to be free from violence. Rather than addressing domestic violence as a problem in itself, courts instead saw the abuse as only one part of a more pressing issue: the man's failure to adhere to socialist values. Women facing abuse, even those deemed 'good' socialists, received little in the way of legal protection, as determinations of a woman's character were often based on perceptions of sexual virtue that sought to confine women's sex lives to reproductive purposes and punish women who had extra-marital affairs. This not only led to a certain toleration of violence against women, but even the tacit acceptance of it. Through the mediation of domestic violence matters then, the masculinist foundation of the East German state was

¹⁸⁴ Initial divorce applications were heard at the District Court (*Stadtbezirkgericht*). If the application was rejected or if one of the parties wanted to appeal the decision, they would be referred to the Municipal Court (*Stadtgericht*).

solidified in “the power to describe and run the world *and* the power of access to women.”¹⁸⁵

Outside of the legal and welfare system, discussion of domestic violence was limited and often only reflected the official position taken by the state. Although there were several films and novels that openly portrayed domestic violence (Heiner Carow’s *Till Death Do Us Part* and Brigitte Reimann’s *Fransizka Linkerhand*, to name a few), newspapers that ran articles on incidents between husbands and wives often sensationalized the issue, making family abuse into a topic of gossip rather than a serious social problem. Similarly, when they reported on the opening of women’s shelters in West Germany, domestic violence was labelled an “indictment” of the capitalist system and not something that took place in the more enlightened East.¹⁸⁶ Sociological research on the topic was also strictly controlled and social researchers themselves refused to conduct studies on domestic abuse for fear of being held back in their careers.¹⁸⁷ When empirical research was conducted it predominantly focused on sexual violence against both women and children.¹⁸⁸ This tabooization created a double bind for women experiencing violence: not only would they not be believed, but, given the state’s approach to the matter, even if they were, it was often deemed their fault, leading one woman to reflect that “women were totally forced into isolation. Violence in the family didn’t exist and when something doesn’t exist, you can’t talk about it.”¹⁸⁹

¹⁸⁵ Brown, *States of Injury*, 167.

¹⁸⁶ Statkowa, “Zuflucht ohne Recht.”

¹⁸⁷ Schröttle, *Politik und Gewalt*.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid, 102.

The secondary goal of this chapter is to examine how addressing domestic violence evolved over the course of late socialism in the GDR. While the state's way of thinking about family abuse remained stagnant throughout the seventies, ongoing concerns with the state of socialist marriage led to the strengthening and improvement of services aimed at assisting married couples. Most significantly, divorce became a much more straightforward process over the late 1970s and early 1980s, as the no-fault system introduced in 1965 was further streamlined. Although this did not address underlying issues of women's vulnerability to violence, it did improve women's formal ability to leave an abusive husband. Furthermore, international moves at the United Nations resulted in the creation of a research group tasked with investigating violence against women, as the SED finally considered it a serious issue of women's citizenship.

At the same time as these changes were taking place, citizens were becoming more active in their engagement with the state. In the second half of this chapter, I look at those instances where women did talk about gender violence, as a way of seeing how they negotiated the socialist state, as well as to highlight the role of women in the delegitimization of the state prior to 1989.¹⁹⁰ This is most clearly demonstrated in the dissident movement, as from the mid-1980s onwards women as individuals and as small grassroots communities were investigating and critiquing violence against women and the state's approach towards it. These activists were often brought to the issue through personal experiences with and knowledge of domestic violence, as they saw firsthand how women's actual experiences of abuse conflicted with state narratives that framed the issue as a problem of socialist commitment. Drawing from Western feminist literature,

¹⁹⁰ Harsch, *Revenge of the Domestic*.

these activists crafted a platform to protest the East German state. At the same time, throughout the eighties an increasing number of everyday East Germans wrote to the SED in the form of *Eingaben*, or citizen petitions, asking for assistance with family violence and marital issues. I argue that these developments speak to a changing concept of citizenship that was markedly different from the relationship formed between citizens and the state in the 1970s. Rather than retreating to the private sphere, activists instead demanded that the state respect the rights, not just the duties, of citizens. Realizing their problems would not be addressed by the regime, women as activists and citizens, pushed back, both to make a stand for women's rights and women's voices in the public sphere, and to negotiate state involvement in the private lives of citizens.

Most of the scholarship on domestic violence under socialism comes from social workers and practitioners in the mid-1990s.¹⁹¹ While there are a few pre-1989 studies on sexual violence, they are largely the work of socialist criminologists and the People's Police (*Volkspolizei*) and ultimately restate official attitudes towards violence and crime.¹⁹² The way domestic violence was dealt with and discussed under socialism, however, speaks to recent historical scholarship re-examining the processes of state-making in divided Germany. This literature looks for ruptures and continuities, both temporally and geographically as historians are encouraged to ask what was uniquely

¹⁹¹ For historical literature see: Harsch, *Revenge of the Domestic* and Betts, *Within Walls*. For sociological analysis see: Schröttle, *Politik und Gewalt*; Bütow, "Gewalt gegen Frauen"; Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*; Sölich, "Sozialarbeit in der ehemaligen DDR"; Elz and Fröhlich, *Sexualstraftäter in der DDR*.

¹⁹² See: Wilfried Friebel, Kurt Manecke and Walter Orsheckowski, eds., *Gewalt- und Sexualkriminalität. Erscheinungsformen Ursachen Bekämpfung* (Berlin: Staatsverlag der DDR, 1970); Autorenkollektiv, *Zur Bekämpfung von Sexualstraftaten* (Berlin: Ministerium des Innern, Publikationsabteilung, 1986). Also see Schröttle, *Politik und Gewalt*.

socialist about the East German experience.¹⁹³ Violence in the family illustrates these issues, as it brings to light a story that is at once about how the state attempted to shore up and legitimize its reign through crafting socialist citizens, but also underscores how everyday experiences and interactions led to the delegitimization and ultimate collapse of the regime.¹⁹⁴

At the same time, the way the SED dealt with domestic violence – often by strengthening male authority in the home – puts into doubt the much lauded equality of women under socialism, instead reflecting a continuation of patriarchal gender norms across German division. In speaking to these issues, I examine the limits of liberalization under socialism, as concepts of the private sphere and sexual autonomy became increasingly important within the context of a renewed social contract under Honecker, which saw greater emphasis on individual wants and needs.¹⁹⁵ The negotiation of violence against women is a key part to understanding this social contract and the role of women in the state and state-making processes.¹⁹⁶ Not only does it raise questions of the success of late socialist reforms, but it also highlights how women were seen and heard by the state.

¹⁹³ McLellan, *Love in the Time of Communism*; Herzog, “Syncopated Sex”; Jarausch and Geyer, *Shattered Past*.

¹⁹⁴ On the role of everyday life in the collapse of socialism see: Harsch, *Revenge of the Domestic*; Rubin, *Synthetic Socialism*; Hayton, “*Härte gegen Punk*”; Mary Fulbrook, *Anatomy of a Dictatorship: Inside the GDR 1949–1989* (London: Oxford University Press, 1995); Judd Stitzel, *Fashioning Socialism: Clothing, Politics and Consumer Culture in East Germany* (Oxford: Berg Publishers, 2005).

¹⁹⁵ McLellan, *Love in the Time of Communism*; Betts, *Within Walls*; Herzog, *Sex After Fascism*.

¹⁹⁶ Carole Pateman, *The Sexual Contract* (Cambridge: Cambridge University Press, 1988).

Socialist Law and Constructing (Male) Citizens

As a problem that the SED elites did not want to acknowledge, rates of domestic violence were never officially tracked in East Germany. In fact, the first official statistics into violence against women in the GDR emerged only in 1990, when a report commissioned by the Council of Ministers for the Equality of Men and Women showed that 29.9% of intentional assault and 40.9% of negligent bodily injury cases were perpetrated against women.¹⁹⁷ In spite of this, the extent of domestic violence against women can be sketched from figures established by various Party organizations and official bodies. The Democratic Women's League (*Demokratischer Frauenbund Deutschlands*, DFD, the official East German women's organization), the College of Lawyers, the court system, the Ministry of Health and the Central Institute for Youth Research all collected numbers on the prevalence of domestic violence.¹⁹⁸ A 1974 report on family law from the district court in Halle, for example, found that 22% of all divorces in the city came as the result of abuse, while a 1989 study from the East German Academy of Sciences found that in 1970, 9.9% of divorces were brought about because of abuse, a figure which had dropped

¹⁹⁷ Gunnar Winkler and Marina Bayer, eds., *Frauenreport '90* (Berlin: Verlag die Wirtschaft, 1990).

¹⁹⁸ Dr. Sc. A. Pinther and Prof Dr. Habil. W. Friedrich, "Eine Analyse auf der Grundlage von gerichtlichen Scheidungsakten" (1984), DC 4/518, BArch; "Informationsbericht über Probleme des Familienrechts unter Beachtung des Schwerpunktes Ehescheidungen. Bezirksgericht Halle, 22. März 1974," DP 2/2329, BArch; "Analyse über die Ursachen von Ehekonflikten und die Wirksamkeit der gerichtlichen Tätigkeit in Ehesachen," 1970, Kollegium der Rechtsanwalte, DY 64/52, SAPMO-BArch; "Partnerstudie III. Thema: Partnerbeziehungen Jugendlicher. Liebes- und Sexualverhalten in verschiedenen Lebensaltern," Zentralinstitut für Jugendforschung, DY 24/21220, SAPMO-BArch; "Information über die Entwicklung und die Arbeitsweise der Arbeit der Ehe- und Familienberatungsstellen im Jahre 1977, zusammengestellt auf der Grundlage der Berichte der Bezirksgerichte und des Stadtgerichts Berlin, Hauptstadt der DDR, 1976," Ministerium für Gesundheitswesen, DQ 1/13733, BArch; "Studien zu den Ursachen der Ehescheidung in der DDR," Kollegium der Rechtsanwälte Berlin, C Rep 368/311, LAB. Lothar Mertens calculates that in 1978, 7.5% of divorces came as the result of violence. See: Lothar Mertens, "Ungelöstes gesellschaftliches Problem: Ehescheidungen in der DDR," in *Soziale Ungleichheit in der DDR. Zu einem tabuisierten Strukturmerkmal der SED-Diktatur*, ed. Lothar Mertens (Berlin: Duncker und Humblot, 2002), 9-55.

to 6.6% in 1985.¹⁹⁹ This stands in clear contrast to a 1984 study of divorce among young couples, which found that 36% of respondents were confronted by alcoholism and abuse over the course of their marriage.²⁰⁰ Reflecting these official findings, my review of cases filed at the Berlin Municipal Court in 1970, shows that 14.5% of divorce cases alleged spousal violence.²⁰¹

Despite the widespread and, at least within the Party and official bodies, well-known nature of domestic violence, it remained a marginalized issue, primarily only made public within the legal system. Family law and divorce cases in particular, were sites for the discussion of domestic violence, because from 1956 onwards East German women were able to apply for divorce on the basis of abuse. To a lesser extent, the criminal justice system also addressed violence against women in the home, as men could be charged with assault or with endangering public order through asocial behaviour through §115 and §249 of the 1968 Criminal Code respectively. However, since policing practices in East Germany often treated domestic assault as a private matter, only the most extreme and public cases reached the court. In 1970, for example, only 2% of criminal cases at the Berlin Municipal Court involved violence against an intimate partner.²⁰²

¹⁹⁹ “Informationsbericht über Probleme des Familienrechts unter Beachtung des Schwerpunktes Ehescheidungen. Bezirksgesetz Halle, 22. März, 1974,” DP 2/2329, BArch; Jutta Gysi, Jürgen Dorbritz and Ursula Hespel, *Protokolle und Informationen. Informationen über Ehescheidungen in der DDR*, 1/89 (Berlin: Wissenschaftlicher Rat für Sozialpolitik und Demografie, 1989).

²⁰⁰ Dr. Sc.A. Pinther and Prof Dr. Habil. W. Friedrich, “Eine Analyse auf der Grundlage von gerichtlichen Scheidungsakten,” 1984, DC 4/518, BArch.

²⁰¹ These statistics are drawn from a study of 1577 divorce cases from the Berlin Municipal Court between 1963 and 1988.

²⁰² These statistics are drawn from a study of 904 criminal cases from the Berlin Municipal Court between 1963 and 1988.

One of the earliest public legal discussions of domestic violence came in 1959 when a divorce case was heard at a workplace collective meeting arranged by a judge and a lay magistrate.²⁰³ The woman and her husband were required to discuss their marriage with representatives of the SED, the husband's departmental union leaders and some of his co-workers. Subsequently, the entire process was described in the East German legal journal *New Justice (Neue Justiz)*. This kind of communal jurisprudence was typical of early attempts to create a socialist legal system directed by the morals and values of the working class. Starting in 1953, an entire system of social courts (*gesellschaftliche Gerichte*), which included workplace Dispute Commissions (*Konfliktkommissionen*) and local Arbitration Commissions (*Schiedskommissionen*) was built up to help address civil and minor criminal matters, including cases of family and marital problems.²⁰⁴ These bodies (discussed in more detail in Chapter Three), alongside workplace collective intervention, were one of the earliest sites where the SED attempted to intervene in the shaping of socialist marriages and families, as Commissions relied on lay jurists to preside over cases involving their peers and co-workers.²⁰⁵ Family matters would reach these courts either by referral from a local judge, who might direct divorcing couples to

²⁰³ "Neue Formen der gerichtlichen Tätigkeit in Zivil- und Familiesachen," *Neue Justiz* (1960) 493. See also: Harsch, *Revenge of the Domestic*.

²⁰⁴ Ministerium der Justiz und Bundesvorstand des FDGB, eds, *Gesellschaftliche Gerichte: Konfliktkommission, Schiedskommission* (Berlin: Verlag Tribüne, 1989); Sabine Langer, Felix Posorski and Rudolph Winkler, *Die Konfliktkommission hat eingeladen... Über die Tätigkeit der Konflikt- und Schiedskommissionen* (Berlin: Staatsverlag der Deutschen Demokratischen Republik, 1984).

²⁰⁵ Langer, Posorski and Winkler, *Die Konfliktkommission hat eingeladen*; Ministerium der Justiz und Bundesvorstand des FDGB, *Gesellschaftliche Gerichte*; Gerhard Heinze, *Die Tätigkeit der Konfliktkommissionen im VEB Transformatorwerk 'Karl Liebknecht' Berlin-Oberschöneweide bei der Erziehung aller Werktätigen des Betriebes zur Unterstützung des Produktionsaufgebotes im Kampf um eine hohe Qualität der Arbeit* (Diplomarbeit, Hochschule der Deutschen Gewerkschaften „Fritz Heckert“, 1962).

go to their collective for counselling first, or alternatively, cases could be referred by the local police or criminal courts.²⁰⁶

Within this context, in December 1959, a woman who had been repeatedly beaten by her husband applied for divorce.²⁰⁷ Since the matter could not be heard by the court before Christmas, a collective meeting was arranged in the husband's workplace. Although the goal of this meeting was to prevent any future violence in the family, the end result of the arbitration exposed the wife and their children to further abuse. Before even getting to the matter at hand, the representatives chided the husband, who frequently skipped work and got into fights on the shop floor, for his failure to perform the duties of socialist citizenship. When the meeting finally turned to the issue of his marriage, the husband's violence was framed by his generally poor socialist behaviour, in particular the earlier discussion of his work ethic. For the author at *New Justice*, this collective intervention was considered a success as the couple reconciled. However, on pedagogical grounds the initial divorce application was not revoked, but was rather delayed for hearing in six months' time, allowing the court to monitor the husband's socialist development.

This decision highlights several important points that became central in the legal discussion of domestic violence. Most significantly, while the collective was critical of the man's behaviour, it is because of what it signified about his socialist commitment, not because domestic violence was seen as a problem in itself. Instead, the decision framed

²⁰⁶ "Neue Formen der gerichtlichen Tätigkeit," 493; VEB Transformatorwerk, "Karl-Liebknecht," 4.11.1970, Konfliktkommission Beschluss, 4.11.1970, C Rep 411/1358, LAB; Case 102d BSR 17.64, 31.3.1964, Stadtgericht Berlin, C Rep 301/3217, LAB; Tord Riemann, *Law and Justice in a Socialist Society: The Legal System of the German Democratic Republic* (Berlin: Panorama DDR, 1976).

²⁰⁷ "Neue Formen der gerichtlichen Tätigkeit," 493. See also: Harsch, *Revenge of the Domestic*.

the abuse as an issue of male citizenship, where the man had failed to take up socialist gender equality in his interpersonal relationships. His attitude towards his wife, much like his poor work ethic and fighting, indicated a general failure to perform socialism. The decision to monitor his behaviour then was as much about shoring up socialism as it was about preventing domestic violence.

Framing domestic abuse in this manner was indicative of the East German legal system, which from its very beginnings was designed to assist the construction of socialism by differentiating between appropriate socialist behaviour, and actions thought to represent opposition to the regime and its values.²⁰⁸ Socialist legality was tightly connected with efforts to legitimize SED rule as they sought to portray East Germany as a state based on the rule of law and morals, while West Germany, by comparison, was thought to be run by “monopolies and Junkers...supported by American imperialists.”²⁰⁹ Accordingly, legal decisions would begin by outlining the minutia of the defendant’s life, particularly emphasizing his socialist credentials – what level of education he had, details of his childhood and present family life, party involvement, employment history, even his sexual history/proclivities – and all before actually getting to the matter at hand.²¹⁰ The court would then draw on a language of morality that defined non-socialist attitudes and actions as immoral to make its evaluations.

Historians have written widely on socialist morality, particularly the 1958 “Ten Principles of Socialist Morality and Ethics” and its status as one of the cornerstones of

²⁰⁸ Inga Markovits, *Justice in Luritz: Experiencing Socialist Law in East Germany* (Princeton: Princeton University Press, 2010); Nathan, “Familienrecht und Moral,” 626-633; Andrew Port, “Love, Lust, and Lies under Communism: Family Values and Adulterous Liaisons in Early East Germany,” *Central European History* 44 (2011): 478-505.

²⁰⁹ Gerhard Stiller and Jakob Grass, *Das Strafverfahren in der Deutschen Demokratischen Republik und seine demokratischen Prinzipien* (Berlin: VEB Deutscher Zentralverlag, 1956); Evans, “The Moral State.”

²¹⁰ Markovits, *Justice in Luritz*.

post-World War II anti-fascist education.²¹¹ Needless to say, this moral framework, based on the ideological goals of the SED, made being socialist and living under socialism an everyday practice, where citizens embodied the party's ideals. Actions thought to detract from the realization of socialism, whether on the macro or micro-level were defined as immoral. Within this system, as clearly demonstrated by the aforementioned case, domestic violence was problematic not because women's lives were endangered, but because abuse represented an affront to East German morality and socialism, undermining the SED's claims to moral superiority over the West.

This approach continued to structure legal decisions, taking on greater significance throughout the mid/late 1960s and early 1970s as a new family law and rising divorce rates increased political interest in the socialist family. The Family Law Code enacted in 1965 outlined the principles of socialist marriage, highlighting the transformation of marriage from what the SED considered a property transaction under capitalism to a union of equals under socialism.²¹² The second paragraph of the law made it clear that "Equality between men and women crucially defines the character of the family in socialist society."²¹³ These new socialist marriages were an important part of establishing and legitimizing socialism in East Germany, not only because according to Marxist thought gender equality was an indicator of the overall success of socialism, but also because happy and healthy marriages between equals were a sign that the private

²¹¹ Dorothee Wierling, "The Hitler Youth Generation in the GDR: Insecurities, Ambitions and Dilemmas," in *Dictatorship as Experience: Towards a Socio-Cultural History of the GDR*, ed. Konrad H. Jarausch (New York: Berghahn Books, 1999), 307-324; Evans, "The Moral State"; Herzog, *Sex After Fascism*; McLellan, *Love in the Time of Communism*; Betts, *Within Walls*.

²¹² Nathan, "Familienrecht und Moral," 626-633.

²¹³ *Familiengesetzbuch* 1965 (GDR), §2.

sphere had been successfully transformed and that men and women were embodying the new system and values.

At the same time, the new family law also introduced no-fault divorce, making it easier for couples to separate. Under this law, to award a divorce, the court only had to determine that the marriage had lost its meaning “for the couple, the children and also for society.”²¹⁴ However, while courts no longer had to assign fault in divorce proceedings, they were still “required to discourage divorce where no insoluble problems” appeared to exist.²¹⁵ The effect of this legislation was twofold. On the one hand, the emphasis on reconciliation meant that, at least up until the late 1970s, divorce applications – especially those of young couples – were frequently rejected at the District Court level, as couples were sent home to work on their issues. On the other hand, the simplified law also resulted in increased rates of divorce, creating widespread anxiety within the SED that the idealized image of socialist marriage was under attack.²¹⁶ Between 1956 and 1978 rates of divorce doubled: from 15 divorces for every 100 marriages to 30, even reaching as high as 38 per 100 marriages in 1989.²¹⁷ Consequently, the College of Lawyers and the Central Institute for Youth Research conducted a host of studies examining why couples were separating.²¹⁸ It is no coincidence that most of the statistics on domestic violence in East Germany were produced in the 1970s as a result of surveys into the causes of divorce. Indeed, an entire network of organizations and state institutions, many of which

²¹⁴ *Familiengesetzbuch* 1965 (GDR), §24(1).

²¹⁵ Riemann, *Law and Justice in a Socialist Society*, 30.

²¹⁶ Wilhelm Heinrich, Elfriede Göldner and Horst Schilde, “Die Rechtsprechung der Instanzgerichte in Familiensachen,” *Neue Justiz* (1961), 776-779; Harsch, *Revenge of the Domestic*; Betts, *Within Walls*.

²¹⁷ *Statistisches Jahrbuch der Deutschen Demokratischen Republik* 1970 (Berlin: Staatsverlag der Deutschen Demokratischen Republik, 1971); Mertens, “Ungelöstes gesellschaftliches Problem”; McLellan, *Love in the Time of Communism*; Harsch, *Revenge of the Domestic*.

²¹⁸“Statistische Information über die Entwicklung der Familienrechtsachen im Jahre 1976,” DY 30/24946, SAPMO-BArch; McLellan, *Love in the Time of Communism*.

had existed since the 1950s and early 1960s, were built up to help prevent divorce and intervene in the shaping of socialist relationships.²¹⁹

As a result of these concerns, domestic violence, as a symbol of failed gender equality in marriage, took on a much more central role in divorce cases and to a lesser extent criminal matters in the late 1960s and 1970s, as more and more cases dealt with it directly. In spite of the changes to family law, legal decisions continued to focus on male citizenship in cases involving abuse, often at the expense of women's safety. This is clearly laid out in the matter of Frau R., who was awarded a divorce from her violent husband in 1971.²²⁰ In this case, the court describes the marriage as one that suffered due to "constant stress, because the Respondent [Herr R.] did not want to overcome his alcohol abuse." Continuing on, the court outlines the events that led to the divorce application: "Under the influence of alcohol he verbally abused the Applicant [Frau R.]...On 21.11.1969 the Respondent violently attacked the Applicant. This violence, for which the Respondent was charged with wilful assault, completely destroyed the relationship of trust." This passage underscores that the cause of the divorce was not the violence itself, but rather Herr R.'s poor socialist commitment; alcoholism was thought to be a moral failing under socialism, and his unwillingness to stop drinking was evidence of a lack of critical self-reflection and self-control.²²¹

The court's discussion also highlights a singular and individualized definition of violence, where abuse was thought to be symptomatic of one person's moral failings and

²¹⁹ "Ehe- und Familienberatungsstelle," Ministerium für Gesundheitswesen, DQ 1/13733, BArch; Timm, *The Politics of Fertility*.

²²⁰ Case 3BF 136.70, 22.2.1971, Stadtgericht Berlin, C Rep 301/3746, 4-164/70, LAB.

²²¹ "Bekämpfung des Alkoholmissbrauchs," 1955-1956, Magistrat von Berlin, Gesundheits- und Sozialwesen, C Rep 118/865, LAB. See also: Young-Sun Hong, "Cigarette Butts and the Building of Socialism in East Germany," *Central European History* 35 (2002): 327-344.

tied to specific violent outbursts. Although the marriage of Frau R. was described as being “under stress,” the violence in the relationship was put down to one outburst on November 21, 1969 that was backed up by a police report and assault charge. The emphasis on this incident obscured ongoing or long-term forms of family violence in favour of singular, and provable, confrontations. This is only reiterated by the use of the German word *Täglichkeit* (act of violence) to describe violence by the courts, a word that, when compared with other words for violence such as *Gewalt* (which was used in West Germany), suggests a specific occurrence.

Similarly, in 1973 Frau P. went to the Berlin Municipal Court to appeal her previously rejected divorce application.²²² The court of first instance had dismissed the couple’s marital issues as “teething problems” and denied the divorce on the basis that Herr P. wanted to rectify his “mistaken behaviour” and reconcile with his wife. On appeal, we learn from Frau P.’s testimony that these problems included her husband verbally abusing her and coming after her with a hatchet and a knife, acts the court of first instance referred to as “somewhat serious violence.” In making her claim for divorce, Frau P. framed the abuse as being connected to her husband’s general failure to embody socialism, in particular his inability to respect the value of gender equality. Affirming this reasoning, the appeal court determined

In conflict situations he did not patiently examine his own shortcomings and the deep-seated causes of the conflict itself...his repeated changes in employment and absences from work, gave rise to social difficulties in the marriage. ...His negative attitude towards work that resulted in his instant dismissal... had a very unfavorable effect on the development of the marriage. On top of which, the respondent’s jealous and uncontrolled behaviour led to verbal abuse and serious violence that destroyed any care and trust within the relationship.

²²² Case 109 BFB 77.73, 18.6.1973, C Rep 301/3769, 51-100/73, LAB.

Much like the case of Herr R., it is apparent that for the court the dissolution of the marriage was not brought about by domestic abuse, but rather was the result of Herr P's poor socialist consciousness. It was his lack of self-reflection, bad work ethic and, significantly, his inability to acknowledge his wife's equality – evidenced by his violent behaviour – that had ended the marriage. By awarding Frau P. a divorce along with custody and the right to the apartment, the court was acting as much to break up the marriage, as it was to censure Herr P's anti-socialist attitude.

Both cases highlight a process of judgement that was typical of the early/mid-1970s. Although the new Family Law Code in 1965 introduced no-fault divorce, couples in divorce cases throughout the late 1960s and up to the mid/late 1970s continued to be placed under close scrutiny as judges examined whether the marriage was truly dissolved, weighing up the behaviour of the parties concerned. Moving into the late 1970s and 1980s, however, divorce became much more streamlined and somewhat easier to obtain, and couples were increasingly granted divorces at the District Court level without having to appeal a rejected application in the Municipal Court.²²³ From the cases I have reviewed in the Berlin Municipal court records, while in the early 1970s approximately 15-20% of divorce appeals mentioned abuse as a cause for separation, by the 1980s only around 5% of cases cite violence. This suggests that the granting of divorce on the basis of abuse was becoming more straightforward. In spite of this improved process, the established approach and understanding of domestic violence meant that it was not necessarily any easier to address violence against women. Specifically, by defining domestic abuse as consisting of singular acts, perpetrated by individual 'bad' men that were best dealt with

²²³ Betts, *Within Walls*.

by a more stringent adherence to socialist principles, male dominance in the private sphere was reinforced by the legal system, as women were made more vulnerable to violence.

As the case of Frau R. makes clear, such an approach precluded a more systematic analysis of gender violence, and in doing so exposed women to a gendered process of evaluation that was weighed against them when they sought the assistance of the legal system. This was the situation in which Frau A. found herself as she attempted to separate from her abusive husband in the mid-1980s.²²⁴ Married in 1984 in Leipzig, Frau A. confronted legal barriers as she tried to leave her marriage in 1986. Reflecting on her experiences with the East German police after first reporting her husband for assault, she said “I had the feeling that, at least as far as the other two police officers were concerned, that whatever took place within a marriage, so long as it didn’t disturb the peace in the building or anything, wasn’t such a big deal.”²²⁵ The second time she went to the authorities was in the middle of the night after fleeing from her apartment. Although the police attempted to talk her out of pressing charges, she started the process anyway and applied for divorce the next day. At this point, the court informed her that a charge of assault was not enough proof of marital disharmony on which to base a divorce application, and that she would also need to provide a doctor’s certificate. Despite suffering a dislocated jaw, her doctor refused to write her a note, arguing that her injuries could have been sustained by falling down the stairs, a view also shared by the police. At the divorce hearing, the court denied her application, and she was required to attend two reconciliation sessions with her husband. Later, when she questioned why the charges

²²⁴ Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*, I.

²²⁵ Ibid, III.

against her husband had been dropped, she was told that he had denied the assault and said that she had fallen down the stairs. Frau A’s experiences in attempting to leave her violent husband tell of a criminal justice and legal system designed to uphold male primacy in the private sphere at the expense of women’s safety. Not only did women have to prove that the violence took place, an especially difficult task given its private nature, but the central concern of the court was often not the woman’s welfare, but rather the task of creating better socialist men and upholding the centrality of socialist masculinity.

This concern with the duties of male citizenship was not only present in legal cases, but also echoed throughout East Germany, with newspapers and various state-based organizations framing male violence against women as an issue of poor socialist development. In 1973, the hugely popular newspaper the *Weekly Post* (*Wochenpost*) reported on the case of “The Angry Young Man.”²²⁶ Detlef, who “changed jobs like he changed his shirts,” had been violent during his marriage to Katrin and in the divorce proceedings she was given the right to the apartment and sole custody of the children. At this time a court order was also handed down to prevent Detlef from entering the apartment. In spite of this injunction, Detlef would come to the house looking to take back his possessions. On two occasions he beat Katrin, threatened her life and stole some of her belongings, enabling her to press charges for theft – a much easier crime to prove, when compared to the more stigmatized, and difficult to substantiate, domestic assault. At the criminal trial Detlef was given two years’ probation, during which he had to remain employed at the same workplace, and, should he break this condition, he would

²²⁶ Rudolf Hirsch, *Eros and Ehe vor Gericht: Gerichtsberichte* (Berlin: Verlag das Neue Berlin, 1980), 67.

face a ten-month prison sentence. In reporting on this decision, the *Weekly Post* described the sentence as “good for Detlef,” arguing that through the threat of imprisonment “society is forcing Detlef to behave in an orderly manner. But [that] this threat is in no way unlawful, totally the opposite, it is a stroke of luck for Detlef.”²²⁷ Both the punishment and the article serve to affirm the morality and goodness of socialism – through hard work and improved ideological commitment, Detlef could be rehabilitated back into the socialist fold. This focus on Detlef, however, pushes Katrin and her safety into the background, a common feature of many criminal cases, where violence against a wife or girlfriend was used to underscore the poor socialist credentials of an offender in another matter, while the violence against the woman went unpunished.²²⁸

The case of Katrin and Detlef also shows women’s continued vulnerability to domestic violence, even after divorcing an abusive spouse. Despite the divorce and a court order barring Detlef from entering Katrin’s apartment, he was still able to reach her and threaten her life. For most women, however, such an injunction was not forthcoming from the court. Since women normally acted as the primary caregiver to any children, in most instances of divorce the court granted women the right to the apartment. However, the lack of adequate housing in East Germany meant that even after granting a divorce, judges would order women to continue to share a home with their abusive former partners, until the couple could find alternative, separate arrangements.²²⁹

²²⁷ Ibid, 70.

²²⁸ See: Stadtgericht Berlin, C Rep 301/3225, LAB; Stadtgericht Berlin, C Rep 301/3357, LAB; Stadtgericht Berlin, C Rep 301/3434, LAB.

²²⁹ The doctoral research of Peter Mitchell (PhD., University of Edinburgh) would suggest that in some instances women turned to squatting as a way of escaping an abusive partner.

Traces of such situations are evident in both criminal cases and appeals to the family court, as women searched for a way to remove their violent ex-husbands. In 1987, Herr S. appealed his divorce at the Berlin Municipal Court. At the initial hearing, the court limited which rooms of the flat he could use, while granting Frau S. unimpeded access to all of the space for the duration of the case. Herr S., who the court acknowledged to be violent during the marriage, was required to sleep in the children's room and was told to "avoid any acts of violence against the Applicant [his ex-wife]."²³⁰ The appellate court denied Herr S' application to overturn the divorce, yet still required the couple to live together, saying that Frau S. had not, in the meantime, felt "unjustifiably threatened," leaving the impression that Frau S. had felt threatened, but that either she, or the court, thought that the threat was 'justified'. Post-divorce living arrangements often did lead to more violence, most frequently towards the ex-wife, but also to others, including former in-laws and new intimate partners.²³¹ In sending women back to a violent home, divorce courts knowingly endangered women – and others, including the children – tacitly permitting further abuse.

This kind of systemic endangerment of women and the unspoken acceptance of a certain level of violence within the family meant that the court often regarded domestic assault as deserved. Frau M. found herself at the receiving end of this 'logic' when the court reduced the sentence of her ex-husband from three to two years' probation for coerced sexual relations.²³² Despite a violent marriage, Frau M. continued to share a flat with her former husband due to a lack of alternatives. For protection, she had a lock fitted

²³⁰ Case BFR 84/87, Stadtgericht Berlin, C Rep 301/3789, 1-100/87, LAB.

²³¹ See for example: Monika Kappus, "Gewalt, die es nicht geben dürfte," *Frankfurter Rundschau*, February 2, 1994.

²³² Case 105 BSB 15.75, 16.2.1976, Stadtgericht Berlin, C Rep 301/3468, 9-59/76, LAB.

to her bedroom door. One night, as her drunk ex-husband attempted to break down this door, she opened it and, still in her nightdress, they smoked a cigarette. After some time, Herr M. became aroused and attempted to have sex with his former wife. She ran away, and grabbing a bottle, she hit him on the head. He then snatched the bottle away, threw her on the bed and proceeded to rape her anally with a broomstick. When she went to the police the next day, she was told that although her divorce had been granted, it was not yet legally in force and she could not press charges until it was finalized.²³³

Instead, the police suggested she apply for a temporary injunction barring him from the apartment. In the meantime, she left on vacation and when she returned, discovered that her ex-husband was still living there. Rather than provoke him, and to avoid further instances of violence, Frau M. slept with her ex-husband several more times, until he eventually moved out and she was able to press charges. On appeal, the court affirmed that Herr M. had a “negative attitude towards the honour and dignity of women,” but that the initial three-year probationary sentence for sexual assault should be reduced given Frau M’s “aggravating behaviour.” Not only did she lead him on by opening the bedroom door in her nightshirt, and smoking a cigarette with him, but she fuelled his anger by rejecting his advances and hitting him with a bottle. By taking into account her behaviour following the rape, namely that she had later consented to sex, the court hinted that in principal she was willing to sleep with her former husband. By using Frau M’s actions as mitigating circumstances, the court not only denied her claim to physical autonomy, but did so by upholding male primacy over women’s bodies and within the private sphere.

²³³ Marital rape was not criminalized in either East or West Germany, and only became an offence in German law in 1997.

What this gendered and male-centric approach demonstrates is that despite going to great lengths to analyze and improve male citizenship, the courts often left socialist womanhood unproblematised. Standing in stark contrast to the centrality of womanhood to West German discussions of domestic violence, the focus on masculinity led to the reinscription of paternalistic and pro-natalist attitudes. When Frau B. appealed her rejected divorce application in 1971, the court concluded that her husband's violent actions while "not morally acceptable" were "understandable" given her affair with another man.²³⁴ The effect of this decision was incontrovertible: it upheld domestic violence as a tool for the regulation of women's sexuality and its confinement to married, reproductive relationships. This position finds similar expression in cases involving child sexual abuse, as women's failure to acquiesce to the sexual needs of their husbands/partners was connected with misplaced and deviant sexual energies in men, in a way that made women at least rhetorically culpable for the offences of their spouses.²³⁵

The case of Frau B. also underscores how the morality of the actions of men and women were weighed against each other in family matters, particularly in cases from the early/mid 1970s when the no-fault system was still being streamlined. While the court may have found both Frau B. and her husband lacking, even in cases involving model citizens similar attitudes prevailed. When Frau L. attempted to divorce her violent husband in 1971, the local court denied her application on the basis that her husband was "a very industrious man, not a drinker, had a good relationship with his wife's child, and is – in spite of frequently using hateful words – judged to be a good person."²³⁶ It was not

²³⁴ Case 3BF 29.71, 10.5.1971, Stadtgericht Berlin, C Rep 301/3760, 1-49/71, LAB.

²³⁵ See: Stadtgericht Berlin, C Rep 301/3343, LAB; Stadtgericht Berlin, C Rep 301/3344, LAB.

²³⁶ Case 3BF 177.70, 1.3.1971, Stadtgericht Berlin, C Rep 301/3747, 166-238/70, LAB.

only the husband's status as a good worker that led the court to brush aside his abuse, but they also believed that Frau L. could be a positive example and "meet him halfway, help him and give him the time in which to show that he is seriously working on himself." In both husband and wife then, the court saw the potential for mutual growth and the possibility of socialist improvement in the husband, reflecting a broader demarcation made in the criminal justice system between those citizens capable of socialist rehabilitation and those who the court defined as belonging to an 'asocial' milieu alien to socialism.²³⁷

However, whether the court thought the husband or wife were model citizens or not, the net effect was the same. Even in cases where the woman was acknowledged as an upstanding socialist citizen, correctly fulfilling her duties to family, state and party, she fared no better, as the following case from the Stasi Archives demonstrates. Frau X. first came to the attention of the Ministry for State Security (*Ministerium für Staatssicherheit* or Stasi) when she had a letter to the Bavarian Minister President, Franz-Josef Strauß, smuggled out of East Germany.²³⁸ In this letter she asked for help with her application to move to the West. At the time, Frau X. was living with her violent ex-husband, who refused to move out of their apartment, which had been assigned to her in their divorce. Immigrating to West Germany was the only option that she saw of escaping the continuing abuse at home. When the Stasi found out about this letter, they opened an investigation into Frau X. During this process, the Stasi requested character references from her former employers, since at the time she was not working due to her situation at

²³⁷ Thomas Lindenberger, "Asociality and Modernity: The GDR as a Welfare Dictatorship," in *Socialist Modern: East German Everyday Culture and Politics*, eds. Katherine Pence and Paul Betts (Ann Arbor: University of Michigan Press, 2008), 211-233.

²³⁸ BV Pdm Abt II 244, BStU.

home. Each referee attested to her good work ethic and ideological commitment. Fully aware that Frau X. was a good citizen and did not fulfill the requirements for prosecution under §219 of the Criminal Code, which restricted contact with non-socialist countries, the Stasi continued to pursue her, inviting her for interviews and eventually getting her to work as an informant on people wanting to leave the GDR. Although Stasi officials were aware that she only agreed to work for them as a way of strengthening her application for emigration, their files clearly state that there were “no fixed plans for the timing of a potential emigration.” The Stasi continued to use her desire to escape her violent ex-husband for their own ends, while Frau X. complained and showed signs of ongoing abuse. Her model socialist characteristics, then, did not provide her with greater protection from her abusive ex-husband, and, if anything, her desperation made her more vulnerable to the mechanisms of state power.

Despite advocating for women’s equality, the declarations of the East German legal system, media reports and women’s experiences with the police and criminal justice system highlight a gendered approach to dealing with domestic violence in the GDR. Although legal pronouncements mostly condemned the existence of domestic abuse, by focusing on the male perpetrator’s socialist commitment, the courts actually solidified male dominance over women in a way that regulated women’s sexuality and, significantly, made women more vulnerable to assault. This approach to domestic violence, and its understanding as the singular act of an individual, remained largely static throughout Honecker’s rule.

There were, nevertheless, some advancements made during the late 1980s. Not only did the divorce process become more streamlined and straightforward, but

criminological understandings of violence and sexual assault moved from seeing capitalism as the cause of criminality towards taking psychiatric and sociological reasons into account. Discussions on domestic violence at an international level also pushed East Germany to examine the issue more closely. The GDR had long been a leader in the internationalization of women's rights: it sat as a member of the United Nation's Commission for the Status of Women and was one of the earliest Member States to sign and ratify the Convention on the Elimination of all Forms of Discrimination Against Women.²³⁹ This meant that when the 1985 World Conference to Review and Appraise the Achievements of the United Nations Decade for Women listed violence against women as an issue of "special concern," the High Court of East Germany responded with requests for a report on the topic of "Violence in the Family."²⁴⁰ Despite these positive moves towards a more critical understanding of violence against women, little actually changed in practice. As the stories of Frau A. and Frau S. clearly demonstrate, even towards the end of the Democratic Republic, women were still being put at risk of violence by a system that did not adequately protect women.

²³⁹ Celia Donert, "Whose Utopia? Gender, Ideology, and Human Rights at the 1975 World Congress of Women in East Berlin," in *The Breakthrough: Human Rights in the 1970s*, eds. Jan Eckel and Samuel Moyn (Philadelphia: University of Pennsylvania Press, 2014), 68-87; Celia Donert, "Women's Rights in Cold War Europe: Disentangling Feminist Histories," *Past and Present Supplement* 8 (2013): 178-202.

²⁴⁰ This topic was initially broached at the 1980 UN Decade for Women conference in Copenhagen. United Nations, World Conference to review and appraise the achievements of the United Nations Decade for Women: Equality, Development and Peace, *Nairobi Forward-looking Strategies for the Advancement of Women*, 26 July 1985, accessed October 19, 2015, <http://www.un-documents.net/nflsaw.htm>; United Nations, *Report of the World Conference of the United Nations Decade for Women: Equality, Development and Peace*, 14-30 July, 1980, accessed October 19, 2015, <http://www.un.org/womenwatch/daw/beijing/otherconferences/Copenhagen/Copenhagen%20Full%20Optimized.pdf>; Oberstes Gericht der DDR, Sekretariat des Präsidenten, Leitungsberatungen, 1986-1987, DP 2/2037, BArch; Frank-Rainer Schurich, *Tödliche Lust. Sexualstraftaten in der DDR* (Berlin: Edition Ost, 1997).

Changing Citizens

In a 1981 article “Ways of Life under Capitalism: Women’s Shelters as a Last Refuge,” the popular East German newspaper, *Berliner Zeitung* discussed the work being done to combat domestic violence in West Germany, in particular the creation of women’s shelters.²⁴¹ The article emphasized that although the activists who had initiated these shelter projects were “keen and committed” to helping women leave abusive partners, their work was “restricted,” not only by their inability to find apartments and employment for shelter residents, but more generally because they were unable to “change the social roots of the women’s misery.” It is clear both in this article and throughout the media reporting on violence against women in East Germany that the “social roots” of domestic abuse were officially thought to lie in the fundamental inequality of women under capitalism. Stressing the capitalist origins of domestic violence not only framed it as an issue foreign to real-existing socialism, but also underscored the putative equality socialism had created between men and women in East Germany.

While this denial of systemic gender violence was central to the legitimization of the socialist project of creating gender equality, it was also a discourse that was constantly undermined by the experiences of East German men and women confronted by or witness to partner abuse, who knew that it was more than just an issue of a failed socialist education. Take Jennifer for example. When she worked as a nurse in Leipzig, she constantly encountered women who had attempted to commit suicide to escape their violent husbands.²⁴² Similarly, Sophie worked in East Berlin as a volunteer in a child and youth services commission (*Jugendhilfe*), and came face-to-face with violence in the

²⁴¹ Walter, “Lebensweise im Kapitalismus.”

²⁴² Interview with “Jennifer”, 17 October, 2013.

family and the serious difficulties posed to women and children seeking to end the abuse.²⁴³ During and after the 1989 *Wende*, both Jennifer and Sophie established services for women leaving violent homes and their accounts reflect a much broader process at work in the 1980s, as East German citizens started to become more critical of the state and the SED. Whether as activists organizing for change or as citizens writing letters of petition (*Eingaben*), citizens protested the way issues of gender violence were handled and asked for greater assistance from the state. In doing so, they exemplified a changing relationship between citizens and state, where citizens were becoming more vocal in their criticisms of the regime and their failure to address everyday concerns. Instead, they called for the SED to respect the rights, not just the duties of socialist citizenship.

This marks a significant change that demarcates the 1970s from the 1980s in East Germany. Historian Paul Betts has clearly shown the way in which the private sphere took on greater importance throughout the 1970s as the turn to real-existing socialism involved a renegotiation of the social contract, providing citizens with a space of respite from the duties of socialism.²⁴⁴ However, by the 1980s everyday East Germans gradually became more active, chafing against the confines of this limited space of freedom, making their dissent known publicly. In the case of activism and protest against violence towards women, a central part of their critique was the way shoring up the private sphere made women vulnerable, as rape and domestic abuse were obscured.

This changing relationship between citizens and state was most clearly evident in the growing dissident movement, developing under the auspices of the Protestant Church. Unlike West Germany where battered women and sexual violence was a central focus of

²⁴³ Interview with “Sophie”, 4 February, 2014.

²⁴⁴ Betts, *Within Walls*.

the women's movement, in the GDR it remained marginalized as activists were more preoccupied with questions of peace, nuclear de-escalation and environmental matters. In spite of this, throughout the mid-1980s a small number of women in East Germany started to organize against violence against women, collecting evidence and sharing stories that pointed to both the systemic nature of gender violence, and the failure of the East German regime to effectively address this issue. Working as individuals or within grassroots groups, these activists crafted a uniquely East German platform against rape and domestic abuse that at once spoke to socialist policies and conceptions of gender equality at the same time as addressing Western feminist ideas of violence as gendered. This new female citizenship fed into the gradual delegitimization of the regime over the late 1980s and provided the groundwork for the establishment of women's politics after 1989.

One of the first traces of everyday East Germans identifying and discussing domestic violence took place in the late-1970s. Following screenings of the 1979 Heiner Carow film *Till Death do us Part* (*Bis dass der Tod euch scheidet*), which portrayed a violent relationship between a seemingly ideal socialist couple, audiences stayed to engage with the themes addressed on screen. At these discussions, many women praised it for opening a dialogue about what was going on in the socialist home, starting one of the first public conversations about violence against women in East Germany.²⁴⁵ From these small beginnings a movement developed, as women – either as individuals or within groups – started to address gender violence.

²⁴⁵ Dieter Wolf, "Die Kunst miteinander zu reden: 'Bis daß der Tod euch scheidet' im Gespräch," *Film und Fernsehen* 7 (1979): 8-11; Andrea Rinke, "From Models to Misfits: Women in DEFA Films of the 1970s and 1980s," in *DEFA: East German Cinema, 1946-1992*, eds. Sean Allan and John Sandford (New York: Berghahn Books, 1999): 183-203, 188.

Since previous attempts to autonomously organize women's groups within state-run spaces had ended in the intervention of the SED and the DFD, groups that focused on violence against women, like many others critical of the regime, sought to embed their projects within the Protestant church.²⁴⁶ It was in this context that women began crafting a platform from which to critique the regime and the gender imbalances it upheld. One of the first tasks facing women's groups seeking to address gender violence was the need to create a language capable of expressing shared experiences of violence. Many groups looked to their own lives for a way of understanding the systemic and gendered nature of violence. Finding common ground between women was no easy task, as one women's group in Eisenach remarked "it is very difficult to create something like a formula or definition [for violence against women], since each one of us have experienced and evaluated their surroundings (workplace, family) differently."²⁴⁷ Even at this early stage, however, violence against women was understood within activist circles as something that ran much deeper in the fabric of society than mere physical abuse, as the Eisenach group grappled with "how far 'violence' is exercised over women through traditional gender roles and through particular clichéd ideas."²⁴⁸

One of the largest attempts at finding a shared female experience of violence originated in the Weimar Women's Tea Parlour, which spearheaded a grassroots survey of women's stories of rape and sexual assault in East Germany. From 1986 until the fall of the Berlin Wall, the Women's Tea Parlour's concentrated their activity on the topic of rape, examining issues of "the contempt of women, concepts of male ownership of

²⁴⁶ Samirah Kenawi, *Frauengruppen in der DDR der 80er Jahre: Eine Dokumentation* (Berlin: GrauZone, 1995), 437.

²⁴⁷ Brief an Herrn Scholz, Betreff „Gewalt gegen Frauen“, RHG/A1/2524.

²⁴⁸ Ibid.

women's bodies, [and] male sexuality as a demonstration of power and aggression" in incidents of rape.²⁴⁹ Increasingly specialized on this topic, the group even presented their research to other women's groups throughout East Germany. In 1987, the Tea Parlour used this access to women across the country to start one of the first quantitative studies of rape in East Germany, distributing their surveys to women following their presentations between 1987 and 1989.²⁵⁰ Gathering this information not only provided the group with data to support their platform for amending §121, the provision on rape in the East German Criminal Code, but it also contributed to a developing awareness of the role of violence in women's lives under socialism and the failure of the state to effectively address it.

What bound women to this developing critique of the state was the nature of violence as an embodied experience of gender difference.²⁵¹ Unlike the rhetoric of equality coming from the SED, violence was something that could be physically known. Drawing on western feminist literature, East German activists were able to connect these shared bodily experiences to systemic gendered power imbalances, and in turn create a platform from which to critique the state.²⁵² At the third annual Dresden Women's Festival in 1987, for example, the keynote address focused on women and violence, the rationale being that "it is essential to understand the forms and consequences of the exercise of power in personal relationships, the workplace and society," with the speaker arguing that "women, on the basis of their upbringing and dependence on the family are

²⁴⁹ Vergewaltigung, RHG/G2/A1/1232.

²⁵⁰ Fragebogen zum Thema Vergewaltigung, RHG/G2/A1/1250; Kenawi, *Frauengruppen*, 296.

²⁵¹ Shani D'Cruze and Anupana Rao, eds., *Violence, Vulnerability and Embodiment. Gender and History* (Malden: Blackwell Publishing, 2005).

²⁵² Frauen und Macht, RHG/G2/A1/1290.

considerably more at risk of becoming victims of abuse than men are.”²⁵³ These parallels to western feminist principles were not accidental, as activists in the East had close ties with similarly minded groups in the Federal Republic. Not only did women’s groups frequently read key feminist texts, with the women’s book club in Erfurt reading Alice Schwarzer’s influential West German text *The Small Difference and its Big Consequences (Der kleine Unterschied und seine großen Folgen)*, but East German women’s groups also had contact with women in the West, and Green Party politician and champion of women’s rights Petra Kelly even visited an East Berlin women’s group.²⁵⁴

Although these feminist critiques of male violence provided a useful platform and language to talk critically about inequality and gender violence, these women’s groups did not simply insert feminist thought into their work. Instead they modified and translated feminist politics so that they were capable of speaking both to women’s lives under socialism and the socialist regime. In doing so, activists were able to craft a uniquely East German approach to violence against women. The framework used by these activists at once rejected the SED’s claims to women’s equality, yet also spoke to socialist understandings of bourgeois patriarchal gender relationships. Significantly, unlike West German feminists who were reluctant to push for legislative reform, the East German activists pursued legal change as a foundation of their activism.²⁵⁵

In their proposed amendment to §121 of the Criminal Code, the Weimar Women’s Tea Parlour drew as much from socialist evaluations of women’s equality as

²⁵³ Programm zum 3. Dresdener Frauenfest, 1987, RHG/G2/A1/2359; 3. Dresdener Frauenfest: Gewalt gegen Frauen (02.-04.10.87), RHG/A1/0300.

²⁵⁴ Kenawi, *Frauengruppen*, 149.

²⁵⁵ Ferree, *Varieties of Feminism*.

from feminism to make a clear argument in favour of criminalizing marital rape and expanding the definition of rape to include non-vaginal forms of penetration. Echoing August Bebel's critique of the position of women in capitalism, the Weimar group argued that by excluding rape within marriage the legal system was upholding bourgeois values, in particular "the traditional view of rape as an injury to a man's property rights over women."²⁵⁶ Similarly, the restriction of rape to vaginal penetration, they argued, was based on an outdated view that criminalizing rape is about preventing unwanted children and protecting the virginity of young women. As their discussion continued they drew increasingly from feminist critiques of the standard of consent in rape law. In particular, they criticized the way that in instances of rape a mere 'no' did not prove lack of consent, but rather that a woman had to show signs of having physically resisted her rapist. They further argued that this had the effect of disregarding women's right to sexual self-determination, and also ignored the way women are socialized to be passive.²⁵⁷ By maintaining these laws, the Tea Parlour argued, the courts were protecting women only to safeguard their reproductive capabilities, not because women had a right to bodily and sexual integrity. In making this claim the Weimar group was able to use both socialist and feminist frameworks to make a radical claim for women's rights.

This critique of East German gender relations was echoed in the 1987 women's festival in Dresden where the material promoting the event directly tackled the hypocrisy of state discourse on domestic violence, and it is worth quoting at length:

Many see the abuse of women as an individual problem. It is important to counter this false view: ALL women experience powerlessness and vulnerability in the course of their life. The social status of women in society is also not fully secured

²⁵⁶ Vortrag zum Thema Vergewaltigung, RHG/G2/A1/1227.

²⁵⁷ Ibid.

through socio-political measures. ...It is striking that there are no statistics or research on woman abuse (both within and outside of the family), and that such a dangerous phenomenon has not been seen as worthy of study. The fact that violence against women exists – and not as a ‘problem of a few sick men,’ but as a general social problem – is documented in the high divorce rates, in women’s calls for help to the police, in the marriage and sexual counselling centres and in the child welfare system.²⁵⁸

This statement points out the paradox at the heart of the East German system: in spite of creating laws aimed at improving women’s equality, women continued to be put in danger by the system’s failure to address gender violence. Furthermore, the speaker directly criticizes the socialist discourse on violence against women that framed it as an individual problem, and ignored the widespread nature of abuse. Although this speech clearly draws from feminist literature, it also speaks directly to the East German political context, in particular the significance of a certain definition of gender equality advocated under socialism. This interpretation emphasized female employment and political participation as the cornerstones of equality.²⁵⁹ As highlighted by the speaker, deeper patriarchal gender norms and male authority within the home were not problematized or addressed in the same way by the SED, a situation that only made women more vulnerable to violence.

The discourses arising from women’s groups during this period were also unique for their inclusion of men as potential victims of gender violence. In the Weimar group’s reform agenda on §121 they explicitly included men as capable of being raped.²⁶⁰ This stands in stark contrast to the attitude towards rape in the West, which at this time was

²⁵⁸ Programm zum 3. Dresdener Frauenfest, 1987, RHG/G2/A1/2359.

²⁵⁹ Heineman, *What Difference Does a Husband Make?*; McLellan, *Love in the Time of Communism*.

²⁶⁰ Vergewaltigung, RHG/GZ/A1 1225; Verfassung Art. 20 Abs. 2, RHG, A1/1227.

still focused on a binary of female victims and male perpetrators.²⁶¹ On the one hand, including men in their critique of rape law was a way of highlighting how unjust confining rape to vaginal penetration was, with the group arguing “how can law makers think, for example, that oral or anal rape is any less dehumanizing and brutal than vaginal rape for the victim, either female or male?”²⁶² Including men may also have been a way of appealing to the importance of gender equality in socialism. On the other hand, by framing both genders as potential objects of rape these activists also spoke to a solidarity between men and women both as victims of sexual violence, but more importantly as victims of the socialist regime, which failed to protect the rights of its citizens to freedom from violence. Indeed, following the fall of the Berlin Wall, East German women activists, in particular the Independent Women’s Association (*Unabhängiger Frauenverband*, UFV), one of the largest post-Wall women’s organizations, were noted for working together with male allies.²⁶³

This advocacy reflects a renewed negotiation of the private sphere that had been taking place in East Germany since the 1960s.²⁶⁴ The “welfare dictatorship” of the SED, in which the regime provided social assistance and aid to its citizens at the expense of a highly regulated and surveilled existence, made ‘the private’ central to the relationship between citizens and the state.²⁶⁵ As Betts has argued, the socialist government of the 1970s made the private sphere central to its social contract with the East German

²⁶¹ Susan Brownmiller, *Against Our Will: Men, Women and Rape* (New York: Simon and Schuster, 1975). NB: The German translation of this text was published in 1978.

²⁶² Verfassung Art. 20 Abs. 2, RHG, A1/1227.

²⁶³ Brigitte Young, *Triumph of the Fatherland: German Unification and the Marginalization of Women* (Ann Arbor: University of Michigan Press, 1999).

²⁶⁴ McLellan, *Love in the Time of Communism*; Harsch, *Revenge of the Domestic*; Betts, *Within Walls*.

²⁶⁵ Konrad H. Jarausch, ed., *Dictatorship as Experience. Towards a Socio-Cultural History of the GDR* (New York: Berghahn Books, 1999).

citizenry, and it was this claim to privacy that allowed East Germans to carve out space for more personal freedoms.²⁶⁶ What is evident among East German women's groups, however, is a critique of how this deployment of 'the private' by the SED ultimately hid abuses against women. Instead, by drawing attention to the way women were made vulnerable under socialism and by making the private public, these activists called for a renewal of the terms of this social contract. In demanding protection for women both in public and at home, they not only sought new forms of state intervention that were not about controlling citizens and regulating the private sphere for the maintenance of the state, but rather for the protection of the individual rights and freedoms of the citizen. Moreover, by criticizing the state's approach to violence against women, these activists were outwardly embodying an emboldened form of citizenship developing in the 1980s in East Germany where citizens were active and critical, and able to call on the state for assistance. Importantly, they took this stance both as citizens and also as women, whose experiences of the socialist regime were marked as specific and different because of their gender.

While these activists forged a platform from which to critique the state, a parallel development was also taking place outside of dissident circles as everyday citizens became more active in their relationship with the state. Beginning in the 1950s and legally codified in the 1968 Constitution, East German citizens were actively encouraged by the SED and its various bodies to write letters to the state. These petitions were initially a very popular way to address citizen concerns, with 100,000 letters sent to the

²⁶⁶ Betts, *Within Walls*.

state council and leader, Walter Ulbricht in 1956.²⁶⁷ Around this time women frequently wrote to the Central Committee's working group on women's issues, asking for help with marital problems, sometimes including allusions to abuse.²⁶⁸ For the state, these petitions "spoke to the trust the citizens had in the state by turning to it."²⁶⁹ However, although petitions may have brought the state closer to the citizenry, as historian Jan Palmowski rightly claims this did not necessarily mean that they brought citizens closer to the state.²⁷⁰

This is the central question for examining the renewed increase of citizen petitions in the mid-1980s. After a lull in the mid-1960s, petitions rose exponentially after 1985 as an increasing number of East German citizens penned letters to the SED, with some writing to address serious issues of personal violence.²⁷¹ Although the archival record only yields a few of these examples, the increased number of petitions suggests a greater willingness to call out the state for failing to provide for the private lives of citizens. In one case from 1985, a woman wrote to the High Court of the GDR to complain about her twice rejected divorce application.²⁷² Her husband, she claimed, was physically violent: she accused him of assaulting her in front of the children. She also referred to his "egotistical behaviour" and claimed that they had been experiencing "more intense arguments," both terms commonly used within the court system to discuss domestic abuse. Her petition complained that her husband had twice privately agreed to separate,

²⁶⁷ Jan Palmowski, "Citizenship, Identity, and Community in the German Democratic Republic," in *Citizenship and National Identity in Twentieth-Century Germany*, eds. Geoff Eley and Jan Palmowski (Stanford: Stanford University Press, 2008), 73-94.

²⁶⁸ Eingabenanalyse, Arbeitsgruppe Frauen, 1963-1971, DY 30 IV A 2/17/43, SAPMO-BArch.

²⁶⁹ Palmowski, "Citizenship, Identity, and Community," 81.

²⁷⁰ Ibid.

²⁷¹ Ibid; DY 6/2169, SAPMO-BArch.

²⁷² Brief an das Oberste Gericht, 17.03.1985, DP 2/88, BArch.

only to recant during divorce proceedings. As a result, the court rejected both her initial application and her appeal, and further sent her to reconcile with her husband. The woman is very critical of the court and the law itself, stating that even with a declaration from child welfare services attesting to the negative effect of the marriage on the children, the court still denied the divorce on the basis of the children's welfare being best served by an intact family.

A similarly critical stance was made by a man protesting the allocation of custody to his abusive ex-wife, as he asked "is it necessary to air one's dirty laundry in divorce hearings? For example, that my wife in her unfortunate hysteria hit me."²⁷³ Both letters point to a certain level of dissatisfaction with the legal system, in particular the failings of divorce law to create safe homes. When put into the context of the growing dissident movement and the increasing articulation of frustration with the SED regime, these petitions point to a much broader renegotiation of citizenship and the private sphere, as everyday East Germans used *Eingaben* to critique the state and its failure to uphold its end of the social contract.

Throughout the 1980s, the SED was losing patience with women's issues. As the ideal of the nuclear family crumbled with high divorce rates and women's complaints of unequal treatment and opportunities continued, the "GDR sided against women," blaming them for having too high expectations.²⁷⁴ Political scientist Brigitte Young suggests that turning gender equality into a problem with individual women may have caused the increasing politicization of women into the 1980s and the work of anti-violence activists,

²⁷³ Brief an das Oberste Gericht, DP 2/85, BArch.

²⁷⁴ Young, *Triumph of the Fatherland*, 69.

if not also petition writers, certainly strengthens this argument.²⁷⁵ Whether in the reform platform of the Weimar Women's Tea Parlour, the activism of Jennifer or in the presentations at the Dresden Women's Festival, there is a sense that women were driven to become more active and critical citizens because of the failure of the state to address violence against women.

Conclusion

Following the fall of the Berlin Wall in 1989, a panic arose surrounding what was perceived as an increase in abuse in the (formerly) socialist family, as anecdotes of violence spread within newly formed women's organizations and in the media.²⁷⁶ For many observers this was evidence of the negative influence of exploitative capitalist gender relations and the falling away of the socialist control of the private sphere, which had minimized violence against women.²⁷⁷ However, as the women who moved in to the newly opened shelters were able to attest, violence against women was a serious issue prior to reunification. Indeed, examining violence against women in East Germany sheds light on the paradoxical nature of gender under socialism: in spite of the legal and social advancements, many of which were still being fought for by Western feminists, patriarchal gender norms persisted.²⁷⁸

²⁷⁵ Ibid.

²⁷⁶ Dinah Dodds and Pam Allen-Thompson, eds, *The Wall in My Backyard: East German Women in Transition* (Amherst: University of Massachusetts Press, 1994); Schröttle, *Politik und Gewalt*.

²⁷⁷ Beate Locker and Kurt Starke, "Gleichstellung von Mann und Frau. Anmerkungen zu einem Querschnittsproblem der Jugendhilfe," in *Kindheit und Jugendliche aus der DDR: Jugendhilfe in den neuen Bundesländern*, eds. Helga Gotschlich et al (Berlin: Bundesministerium für Frauen und Jugend, 1991), 157-171; Schröttle, *Politik und Gewalt*.

²⁷⁸ McLellan, *Love in the Time of Communism*; Irene Dölling, "Gespaltenes Bewußtsein. Frauen- und Männerbilder in der DDR," in *Frauen in Deutschland, 1945-1992*, eds. Hildegard Maria Nickel and Gisela Helwig (Bonn: Bundeszentrale für politische Bildung, 1993), 23-52.

It was these mores that shaped the approach to dealing with domestic violence in the GDR, as the legal system focused on improving socialist masculinity at the expense of women's safety. The discourse on domestic violence arising out of the East German courts emphasized individual acts of violence over more systemic analyses of partner abuse and gendered power imbalances. Further underscoring this definition was the way legal decisions outlined abuse as the action of a handful of 'bad men', as the lives of both men and women were placed under a microscope by the court in order to determine their socialist commitment. What drew legal discussions together was that each decision was shaped by the goal of improving, perpetuating and legitimizing socialism through the implementation of socialist morality. This meant that socialist traits, like a good work ethic, loyalty to the state and political engagement, were upheld as ideal values. In prizing these characteristics, the courts sought to create better citizens.

Despite a façade of gender neutrality, this process of creating socialists was highly gendered, as domestic abuse was seen as a symptom that the court could read to assess the level of a man's socialist commitment. In this way, discussing gender violence was not about protecting women, but more about perfecting socialist masculinity. Men were encouraged to take up a softer, paternalistic masculinity – to have a stable job, provide for the family and to accept gender equality in their interactions with women. Yet at the same time, male dominance in the private sphere remained unchallenged. This not only made women more vulnerable to abuse, but often when women did enter the court's discussion on gender violence it was as a way of excusing men's abuse through regulating sexual virtue in marriage. While men's affairs were often diminished as mere dalliances, women's extra-marital relationships were used as mitigating circumstances for

their violent treatment. It was not until the mid-1980s that women started agitating for a new kind of relationship with the state, as women's groups began to call for better protection from violent men, criticizing the state's lacklustre approach to domestic abuse. It was women's experiences of the failure of the SED system that led them to craft a platform from which to approach the regime, taking to task the long-standing status of the private sphere as a space of self-cultivation away from the state by making public the ways in which it made women vulnerable. In doing so, they created a discussion on the role of state intervention in the private sphere, reflective of a new form of active citizenship developing among dissidents at the time, where people were encouraged to critique and call on the state for better protection of their rights.

The static discourse on domestic violence revealed in legal decisions up until the fall of the Berlin Wall show that for many women interpersonal violence was a part of life under socialism, as the state, through the legal system, tolerated and even promoted domestic violence as a way of regulating women, refining male citizenship and legitimizing socialism. These insights into women's lives highlight the gendered implications of the renegotiations taking place under socialism in the 1970s, as the private sphere and sexual autonomy took on increasing importance. While the new social contract negotiated under Honecker may have improved formal paths for leaving violent partners by implementing a simpler, more straight-forward divorce process and allowing greater sexual freedom, the private sphere and the abuses that occurred there remained largely shrouded in silence.

Understanding the role these private forms of violence played in the making and remaking of divided Germany brings to light questions surrounding legitimacy,

citizenship and the role of women in state-building processes. But it also highlights geographical and temporal continuities over the Iron Curtain, across the ‘total collapse’ or *Zusammenbruch* of 1945 and even after the *Wende* of 1990. Through enshrining male authority in the private sphere, the East German courts were drawing from an established legal tradition, as patriarchal values had been largely protected in German law since the enactment of the German Civil Code in the nineteenth century. As scholars of postwar West Germany have shown, the attempts to renegotiate masculinity and fatherhood in the 1950s, while closely connected to the attempt to forge democracy both within the family unit and West German society, did not actually challenge previous constructions of masculinity, and nor did they attempt to radically alter the role of women.²⁷⁹ A similar process was at work in East Germany, as the construction of socialist masculinity, while supposedly aimed at creating gender equality, actually took place on the back of traditional bourgeois attitudes that tangibly made women more vulnerable to abuse and mistreatment.

Further still, many of the experiences of East German women – not being believed by the police, the legal system, friends and family *etcetera* – are not so different from what women experienced in West Germany and even continue to experience today.²⁸⁰ This begs the question of how ‘socialist’ the East German system was in its

²⁷⁹ van Rahden, “Wie Vati die Demokratie lernte”; Till van Rahden, “Fatherhood, Rechristianization, and the Quest for Democracy in Postwar West Germany,” in *Raising Citizens in the “Century of the Child:” Child-Rearing in the United States and German Central Europe in the Twentieth Century*, ed. Dirk Schumann (New York: Berghahn Books, 2010), 141–164; Till van Rahden, “Demokratie und väterliche Autorität: Das Karlsruher “Stichentscheid”-Urteil von 1959 in der politischen Kultur der frühen Bundesrepublik,” *Zeithistorische Forschungen* 2 (2005): 160–179; Moeller, *Protecting Motherhood*; Heineman, *Before Porn was Legal*.

²⁸⁰ Hagemann-White et al., *Hilfen*; Haffner, *Gewalt in der Ehe*; Buzawa and Buzawa, *Domestic Violence*.

approach to domestic violence, a question I examine more closely in the following chapter.

3 The Neighbours Can Hear: Engaging Citizens in Domestic Violence Intervention and German State-Making

In “You can Help Too,” a 2013 brochure published by the Berlin Initiative Against Violence towards Women (*Berliner Initiative gegen Gewalt an Frauen*, BIG e.V.), readers were told “an act of violence is a criminal act, no matter where or between whom it takes place...Therefore you do not need to be afraid to get involved in a supposedly private affair.”²⁸¹ The brochure goes on to give advice on how to best assist someone experiencing violence in the home, even giving seemingly trivial tips, such as saying a friendly hello in the stairwell or using a person’s name, as a way of breaking the isolation often felt by people living with an abusive partner. By encouraging people to stand up to violence, in particular by urging them to get involved in what are commonly thought of as ‘private’ matters, BIG e.V. is attempting to change how people view the private sphere and their role in what many people think of as personal problems. In doing so, they are working to “create a framework that will hinder the causes of violence and bring about better protection and appropriate support for women and their children.”²⁸²

Advice like this has a complex past situated in both East and West Germany, where neighbours, friends, relatives, co-workers and women escaping abuse themselves were often brought in, willingly or unwillingly, to help address domestic violence. Much like the BIG pamphlet, official policies and grassroots initiatives attempted to change the way people viewed these supposedly private family matters. In the early women’s shelter

²⁸¹ BIG Koordinierung, *Häusliche Gewalt. Auch können Sie helfen* (Berlin: BIG e.V, 2013), 1.

²⁸² BIG e.V., “Über uns,” accessed April 9, 2015, <http://www.big-berlin.info/node/22>.

movement, feminist activists in West Berlin implored people not to ignore cries for help, instead asking for a more grassroots approach to intervention, where neighbours and women were empowered to get involved and reach out to one another. In the East, meanwhile, officials attempted to bring fellow citizens into the justice system, creating social courts, where family disputes and divorce cases, including those involving domestic violence, would be adjudicated by a workplace commission, with couples required to discuss their intimate family lives with their co-workers.

Each of these cases reflect an attempt to reimagine the barriers between the public and private spheres, a task necessary to the larger political and ideological goals of feminism and socialism that sought to address gender and social inequality. Asking women to stand in solidarity with one another spoke to the feminist project of using empowerment as a strategy to end violence against women.²⁸³ Meanwhile the creation of social courts was one part of the much larger task of creating a worker's state, guided by the morals and principles of the proletariat.²⁸⁴ In doing so, Western feminists and East German socialists attempted to craft a different way of living together, forging a new kind of socially aware citizen willing to intervene in the personal affairs of their peers, actively engaging them in the process of changing gender roles and expectations.

Of course, there were important differences between the two projects too. Most clearly, whereas the feminist call for people to intervene in their neighbours' affairs came from a grassroots movement attempting to change society and gender roles from the

²⁸³ Hagemann-White et al., *Hilfen*; Haffner, *Gewalt in der Ehe*.

²⁸⁴ Palmowski, "Citizenship, Identity and Community"; Langer, Posorski and Winkler, *Die Konfliktkommission hat eingeladen*; Ministerium der Justiz und Bundesvorstand des FDGB, *Gesellschaftliche Gerichte*; Heinze, *Die Tätigkeit der Konfliktkommissionen*; Peter W. Sperlich, *The East German Social Courts: Law and Justice in a Marxist-Leninist Society* (Westport: Praeger, 2007).

bottom up, the creation of social courts was the result of a top-down policy aimed at state building in a country where equality between men and women had been officially instituted. Further, while the feminist project of empowerment, central both to activist calls for women to stand up to abuse and the rehabilitation program offered in the shelters, was popularly taken up by the West German Federal government and the West Berlin Senate, the social courts of East Germany were never quite the success story officials wanted them to be in the handling of family matters. Co-workers were uneasy hearing the details of their colleague's personal lives and often these cases ended up in the official court system. And yet, on both sides of the Berlin Wall women still sought assistance from and were helped by co-workers, relatives, friends and other women when seeking to leave a violent partner. These people were central to a woman's ability to leave an abusive husband, and their involvement in addressing domestic violence was varyingly supported from above and below in the two cities.

In spite of these differences, it is the similarities in the two approaches, and in particular the way everyday Germans and officials responded to them that is most significant. Whether by engaging them formally in the judicial system or through more informal channels, citizens were essential to anti-violence strategies as both states relied on, if not needed, such socially active people to compensate for systemic shortcomings in domestic violence prevention and gender equality more generally. This active role was contested across the Wall as people determined the extent to which they wanted to intervene in what were perceived as the private matters of others. Ultimately, however, on either side of the Wall it was women who needed to shoulder the primary burden of responding to domestic violence as they were required to perform the additional and

largely uncompensated labour of assisting women – either themselves or others – who were living with abuse. This shows how, in spite of significant political differences, both states made comparable attempts to engage (female) citizens in creating equality between men and women. It also highlights how people across the Wall negotiated these efforts in similar ways, constructing and reinforcing their own public/private divides. These similarities complicate a clear division between liberal and socialist citizenship and state-making. While the literature on gender and citizenship has focused on how liberal systems privilege heteropatriarchal norms by awarding benefits and representation in the public sphere, such similar attempts to cultivate citizens and shape private lifeworlds under socialism points to a far more fundamental issue with the extension and protection of women’s rights to bodily integrity and self-determination across the Berlin Wall. Instead, these similarities suggest that challenging the patriarchal structures present in postwar Germany was about more than just access to an open public sphere or a free market.²⁸⁵ Rather it was also about the role of the state vis-à-vis gender and social change.

Following the example of historian Josie McLellan, I examine the role of these “comparable social experiences” in producing similar developments in the two cities.²⁸⁶ Focusing on relationships between citizens and between citizens and the state, I examine how everyday Germans were brought in to help address domestic violence in East and

²⁸⁵ On sexual citizenship see: Jeffrey Weeks, “The Sexual Citizen,” *Theory, Culture and Society* 15 (1998): 35-52; Lister, *Citizenship*; Yuval-Davis, “Theorising Gender and Nation.” For gender and citizenship in divided Germany see: Timm, *The Politics of Fertility*; Evans, “The Moral State”; Heineman, *What Difference Does a Husband Make?*; Herzog, *Sex After Fascism*; Herzog, “Syncopated Sex”; Greg Eghigian, “Homo-Munitus: The East German Observed” in *Socialist Modern: East German Everyday Culture and Politics*, eds. Katherine Pence and Paul Betts (Ann Arbor: University of Michigan Press, 2008): 37-70.

²⁸⁶ McLellan, *Love in the Time of Communism*, 4.

West Berlin and what this shows about the role of gender and violence in divided German state-making. I untangle the attempts that were made to forge a more engaged and active citizenry, both officially and unofficially, and the ways in which these communities were negotiated, both by neighbours, co-workers and friends, and by women experiencing domestic abuse.

In the first section, I look at the informal role of others, in particular neighbours, passersby and family in aiding women to take the first step in leaving an abusive partner. I explore how feminists in the West tried to forge solidarity between women as a way of addressing the failure of the social and criminal justice systems to take domestic violence seriously. In this section, I also examine how in the absence of an organized women's movement and with limited housing options, women in East Germany had to turn to others for help, often needing a friend to stay with or a neighbour to call the police; a practice that was also mandated by the legal system. On both sides of the Wall, but particularly in the West, it was implicitly expected that women would be primarily responsible for informally addressing domestic violence, and in the second half of this chapter I examine how this dynamic played out in the engagement of citizens in domestic violence intervention within more official settings. Specifically, I focus on the way the West Berlin Senate took up the feminist principles of self-help and empowerment, and compare this to the role of the East German social courts in addressing domestic violence.

What emerges is a story of the similar ways that the private sphere and citizenship were constructed and resisted by Berliners, and the important consequences this had for women in the decades prior to reunification. On either side of the Berlin Wall, women

faced similar difficulties when attempting to leave an abusive spouse. By addressing these barriers in both halves of the city, people seeking to engage others in the fight against domestic violence not only attempted to solidify gender equality by creating more socially aware citizens, but in doing so entered into a highly-fraught contest over the boundaries of the private sphere. In both cases, these negotiations spoke to an ongoing discussion of changing gender norms, the private sphere and the shared Nazi past that had important consequences for women experiencing abuse as it often meant the difference between being able to leave and having to stay.²⁸⁷ I argue that the attempt to engage citizens in domestic violence intervention in the two cities produced paradoxical results. On the one hand engaging friends, neighbours, family and women generally worked to change social values and relationships so that violence within the home would no longer be thought of as a ‘private’ matter, but rather as a crime. On the other, however, these approaches also worked to reinscribe domestic violence as a women’s issue. Indeed, using community action as a substitute for a more thorough reckoning of the systemic and structural gender inequalities that produce and reinforce violence against women only further privatized domestic violence and left women with second-class solutions. Both German states were happy to allow (female) citizens to do the ‘heavy lifting’ of fashioning gender equality and creating social change in society, underscoring the role of violence in regulating women’s bodies in postwar German state building.

²⁸⁷ Heineman, *What Difference Does a Husband Make?*; Herzog, *Sex After Fascism*; Moeller, *Protecting Motherhood*; Betts, *Within Walls*.

Informal Engagement of Others in Domestic Violence Intervention

Taking the first step towards leaving a violent partner is not easy. Domestic violence creates mutually reinforcing patterns of shame, isolation, control and dependence that hinder women from leaving abuse.²⁸⁸ This was no different in divided Berlin, and despite the varying levels of social services available, women in both halves of the city faced significant difficulties when seeking support with domestic violence. Most frequently, women's ability to leave their husbands was circumscribed by prevailing patriarchal attitudes and issues of money, class and legal status. As we have seen in Chapter Two, women in the East were severely limited by the general material conditions, and often continued to live with their abusive ex-partners, even after divorce, because of limited housing options. In West Berlin, women were also constrained by the lack of affordable housing, alongside prejudiced attitudes towards single mothers, which continued into the 1970s and 1980s. Women's options were also more generally limited by their class status in the West, as the services they could access often depended on their level of education and financial situation.²⁸⁹ Even the most socially vulnerable women had difficulties accessing public housing, because landlords were wary of renting to single women and mothers, especially those who had spent time in a shelter.²⁹⁰ This was compounded for women who migrated to West Germany with their husbands, as their residence permit depended on their continued marital status. Furthermore, police and social services on

²⁸⁸ Hagemann-White et al., *Hilfen*; Dobash and Dobash, *Women, Violence, and Social Change*; Dobash and Dobash, *Violence Against Wives*.

²⁸⁹ Hagemann-White et al., *Hilfen*, 38-41; Steinert and Straub, *Interaktionsort Frauenhaus*; Nullmeyer, "Du bist dumm, du kannst nichts"; Martine Kischke, "Vom embarmen mit den Männern," *Frankfurter Rundschau*, September 9, 1978.

²⁹⁰ Karin Vogel, "Nur nicht einschüchtern lassen," *EMMA* 6 (1978), 11; Ulla Terlinden, *Verbesserung der Wohnsituation von Frauen und ihren Kindern nach dem verlassen des Frauenhauses* (Stuttgart: Verlag W.Kohlhammer, 1987).

both sides of the Berlin Wall were often either reluctant to get involved in what were generally perceived as “harmless” family conflicts, or were limited in what they could actually do to help women.²⁹¹

Consequently, neighbours, family members, co-workers and friends often played key roles for women attempting to leave a violent spouse. Not only did women seek help from such people, but ‘others’ were also encouraged to get involved in the lives of women experiencing abuse. In both East and West, these people played a key role in assisting women to leave violent homes, underscoring the importance of community in addressing domestic violence. Although women in the West had access to domestic violence shelters after 1976, and women in the East did not, in both states women turned to the informal support of others when leaving an abusive partner. The way people responded to these attempts at creating supportive communities, however, highlights the ongoing negotiation of the borders and nature of the private sphere, and estimations of citizenship, as people determined the extent to which they wanted to be involved in the affairs of their neighbours, co-workers or friends.

But just how did these communities form? While women on both sides of the Wall turned to others out of necessity, organically creating a support system, there were also various attempts from below and above to create a more engaged public ready to assist women experiencing abuse. As the case of Frau S. highlights, ideology, in particular, was an important component in the kind of approach developed in each state. In 1963, 22-year-old Frau S. of Weissensee in East Berlin faced criminal charges of

²⁹¹ Terlinden, *Verbesserung der Wohnsituation*, 113-141; Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*.

grievous bodily harm with deadly outcome for the death of her husband.²⁹² Labeled in the *Berliner Zeitung* as a “marriage without meaning,” the couple married at a young age, already having two children together.²⁹³ In spite of earlier instances of violence and drunkenness which reached the courts, the relationship is described as beginning harmoniously. As time went on, however, Herr S. frequently became argumentative and violent towards his wife, especially when he was drunk. According to the court, the neighbours and family of the couple were not aware of the fighting, despite seeing the visible signs of abuse on Frau S. When asked directly by both her neighbour and her mother Frau S. denied being beaten by her husband, feeling too ashamed to tell anyone.

The relationship continued to deteriorate when, following a family event and after several bottles of wine and schnapps, Herr S. decided to continue drinking at their neighbours. Frau S. joined them after putting the children to bed, but Herr S. soon became angry, and he demanded they leave. In the stairwell on the way to their apartment, Herr S. started to hit and threaten his wife. She then fled back to the neighbours, grabbing a knife from their kitchen for protection. Her husband promptly followed her and forcibly tried to make her leave. Once in the stairwell, he again started beating her and strangling her throat. Still holding the knife, she lashed out at him blindly, the wound causing him to retreat to their apartment. Eventually an ambulance was called, but Herr S. died from his injuries.

At trial, the initial charge of grievous bodily harm with deadly outcome was reduced to negligent homicide, which came with a maximum three-year prison sentence,

²⁹² Case 910 S 113/63, 1-3 October, 1963, SBG Berlin-Weissensee, C Rep 301/3145, LAB. This case was also reported in: “Unser Gerichtsbericht: Aus fürcht getötet,” *Berliner Zeitung*, 4 October, 1963, 12.

²⁹³ “Unser Gerichtsbericht.”

the prosecutor acknowledging there was a “certain level of desperation” to the actions of Frau S.²⁹⁴ Despite the prosecutor pressing for a six-month prison sentence, Frau S. was found guilty and sentenced to 10-months imprisonment. It is clear from the court’s reasoning there was an expectation that Frau S. should have sought outside support. After describing violence in marriage as “the grossest inconsistency with the morality of our workers,” the court admonishes Frau S. for not “taking measures to bring order to her married life.” Namely, she could have spoken to her mother about the abuse or she could have turned to her neighbours for help on the day of the incident, or even asked them to call the police. The defense’s argument that Frau S. was too ashamed to speak about her abuse was rejected by the court.

Engaging citizens in the judicial system and in the lives of their co-workers and neighbours was symptomatic of the kinds of early postwar attempts made by the SED to craft new citizens who would uphold and embody socialism. The redefinition and politicization of the private sphere was key to this process as various legal and political mechanisms attempted to mould citizens into socialists, breaking down the divisions between public and private and encouraging people to take up values of gender equality in their intimate relationships. The social court system was a part of this project of building socialism and the judicial ordinance of April 4, 1963 (enacted prior to Frau S’ trial), both widened the scope of the social court system, and more generally sought to “expand forms of participation in the party-controlled ‘socialist democracy’.”²⁹⁵

²⁹⁴ Ibid.

²⁹⁵ Monika Kaiser, “Reforming Socialism? The Changing of the Guard from Ulbricht to Honecker during the 1960s,” in *Dictatorship as Experience. Towards a Socio-Cultural History of the GDR*, ed. Konrad H. Jarausch (New York: Berghahn Books, 1999), 330. Also: Betts, *Within Walls*; Mario Kebler and Thomas Klein, “Repression and Tolerance as Methods of Rule in Communist Societies,” in *Dictatorship as*

On the surface this decision highlights a very advanced attitude towards violence in the family: it is acknowledged as being a serious issue, albeit couched in the language of morality, and to a certain extent the court understands the position of Frau S., acknowledging the threat her husband posed. This is particularly significant given the state of awareness and research on domestic violence in the early 1960s and in light of the struggles West German feminists would face over 10 years later as they fought to have violence in marriage taken seriously.²⁹⁶

However, there were also serious limitations with the court's emphasis on the role of others in addressing domestic violence. As outlined in Chapter Two and underscored in the references to Herr S' "petit bourgeois" ideas, domestic violence was seen as an aberration to the socialist personality in East Germany, one that would end the more people embraced socialism. Further, the court's decision relies on a porous division between public and private as the onus of dealing with an abusive partner was firmly in the hands of the woman and her social support network. Frau S. was officially expected to overcome her shame, master her emotions and reach out for help, whether in the form of state services or neighbours, co-workers, family and friends. As a result, the entire burden of destigmatizing and dealing with domestic violence was placed on her shoulders, and not on the state or even society. This approach not only ignores the

Experience. Towards a Socio-Cultural History of the GDR, ed. Konrad H. Jarausch (New York: Berghahn Books, 1999): 109-121.

²⁹⁶ It was not until the 1970s that a real spotlight was shed on domestic violence and violence against women, both in West Germany and throughout the West. In particular, Erin Pizzey's book *Scream Quietly or the Neighbors will Hear*, published in 1974 in English and 1976 in German, stimulated the construction of battered women's shelters across Europe, North America and Australia. Further still, it was not until the mid-to-late 1970s that many of the first major sociological and criminological studies of violence in the family were published. See: Benard and Schlaffer, *Die ganz gewöhnliche Gewalt*; Suzanne Steinmetz and Murray Straus, eds., *Violence in the Family* (New York: Harper and Row, 1974); Del Martin, *Battered Wives* (San Francisco: Glide Publications, 1976). For a more detailed overview of the development of research into domestic violence, see: Gelles, "Violence in the Family."

networks of control and dependence formed in abusive relationships, but this dual expectation of social(ist) change and the support of others, meant that when norms did not change women were left vulnerable. While this does treat women as independent actors, determining the course of their own lives, with few other options for support, it does leave open the question of what a woman living with abuse could do if no one was willing to help. As the fate of Frau S. makes clear, it was often the case that neighbours and co-workers were more inclined to turn a blind-eye than get involved in domestic matters.

This shows that the SED were more than willing to get citizens – primarily the woman experiencing abuse, but also her co-workers, family or friends – to compensate for the shortcomings of the system, in particular the failure to transform gender roles. The solution of waiting for socialism to be realized, not only reveals how the future socialist utopia was built on the bodies of women, but also suggests that the implementation of socialist gender equality ‘from above’ foreclosed a more direct engagement with domestic violence as women were left with the responsibility of dealing with abuse. Significantly, this approach did not evolve, even after Honecker took power and the SED shifted to a politics of real-existing socialism, with its focus on the individual and everyday life. Indeed, the ability of women to turn to others for assistance in leaving an abusive partner would only become more difficult under Honecker as the demarcation of the private sphere took on greater significance.²⁹⁷

As in the GDR, women in the West were also responsible for removing themselves from violent home lives. While the involvement of others was officially

²⁹⁷ Betts, *Within Walls*.

mandated as a part of constructing socialism in the East, it also played a significant role for women in the West who were attempting to leave a violent partner. However, unlike the expectation of assistance in the East, West German activists worked to create networks of support. Whereas equality from above restricted discussion of domestic violence in the East, in the West having to fight for equality meant that it was addressed head-on as activists saw violence against women as symbolic of the greater oppression of women and it formed a central part of their campaign for equality. It was through the women's movement that the taboo of domestic violence was broken in West Germany as feminist groups formed to establish shelters and bring citizens, particularly women, into the fight against gender inequality, because as one feminist put it "this struggle cannot be just for the women's shelters and feminist groups. Everyone is asked to take part in this fight."²⁹⁸

In the early seventies, federal law meant that women were required to prove abuse had occurred, either through witness testimony or a declaration from a doctor, in order to obtain criminal charges or a divorce.²⁹⁹ As a result, women who were being beaten were encouraged by activists to "yell loudly for help, so that the neighbours can hear," and that they might have "witnesses to press charges, to begin criminal proceedings against the husband, to get a divorce."³⁰⁰ Similarly, women who had been raped were encouraged to first contact a female friend or other trusted person to accompany them to the doctor or

²⁹⁸ Karin Kauffeld et al, eds, *Frauen gegen Macht. Frauengegenmacht: Frauenprojekte gegen Gewalt und Kreuzberger Fraueninitiativen. Eine Auswahl*, Entstanden anlässlich der Ausstellung 'Gewalt gegen Frauen', September 1986. Grünes Gedächtnis Archiv, Berlin.

²⁹⁹ Hagemann-White et al., *Hilfen*; "Geschlagen-Getreten-Gedemügt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus," E Rep 300-96/9, LAB.

³⁰⁰ "Jede hat ein Recht auf Hilfe," *Metall*, December 14, 1976, A Rep 400 BRD 22.5 (1970-78), FFBIZ.

the police.³⁰¹ Of course, doctors and neighbours were often unwilling or reluctant to testify to abuse, a fact which did not pass activists by.³⁰² Neighbours were accused of “closing their doors...more likely to help an injured animal than a helpless woman, a fellow human being.”³⁰³ Doctors were similarly censured for using prescriptions – for valium, sleeping tablets or even vitamins – as a way of treating the physical consequences of abuse at the expense of addressing the true cause of their patients’ problems.³⁰⁴ Further still, passersby were called out in a 1977 “Women’s Night Demo” (*Frauen-Nacht-Demo*) flyer for not responding to women’s cries for help because “they think that the woman is to blame” or, as a 1974 booklet claimed, for believing that “marriage gave men the right to be violent towards women.”³⁰⁵

In response to this inaction, the West Berlin women’s shelter group, developing after 1974, worked to create a network of support that would help enable women to leave abusive spouses and were among the first calling for intervention by neighbours in abusive situations. In “Beaten, Kicked, Humiliated” (“*Geschlagen-Getreten-Gedemütigt*”) one of the earliest brochures published by the women’s shelter group in

³⁰¹ “Was du nach einer Vergewaltigung tun kannst,” 1981, Papiertiger Archiv; Olga-M Wernet, “Was nach einer Vergewaltigung zu beachten ist,” *Courage* 6 (1980): 17.

³⁰² “Geschlagen-Getreten-Gedemütigt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus,” E Rep 300-96/9, LAB.

³⁰³ Voss, “Meine Meinung,” 2.

³⁰⁴ Haffner, *Gewalt in der Ehe*. For more details on how various social institutions treated domestic violence in West Germany, see: Sarah Haffner, “Labyrinth oder wie aus Menschen “Fälle” gemacht werden,” in *Gewalt in der Ehe und was Frauen dagegen tun*, ed. Sarah Haffner (Berlin: Wagenbach, 1976), 47-63.

³⁰⁵ “Frauen, wir erobern uns die Nacht zurück!” A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; “Geschlagen-Getreten-Gedemütigt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus,” E Rep 300-96/9, LAB. See also: *Gewalt gegen Frauen in Ehe, Psychiatrie, Gynäkologie, Vergewaltigung, Beruf, Film und was Frauen dagegen tun. Beiträge zum Internationalen Tribunal über Gewalt gegen Frauen, Brüssel März 1976* (Berlin: Frauenzentrum Berlin, 1976), Spinnboden Archiv.

West Berlin, the authors outline the options open for women in abusive situations.³⁰⁶

Despite acknowledging the limitations of the system and although “only an immediate change in their living situation can offer these women protection from their husbands’ violence,” the brochure makes several suggestions for women experiencing abuse.

Alongside encouraging women to get their family doctor to attest to the abuse, or to search out legal and financial advice, this early shelter literature calls for women to either find another woman to talk to or visit their local women’s centre for assistance.³⁰⁷

This kind of peer support, in particular from activists or those engaged with feminist politics, would go on to become a central platform of the ‘self-help’ approach used by workers in the shelters to address domestic violence and was a part of the broader project of using feminist politics to combat violence against women. It was also a method employed early on in the shelter movement, as people, in particular women, were encouraged by feminists to get involved in the affairs of their neighbours when hearing instances of abuse. The experiences of artist, turned activist, Sarah Haffner were particularly poignant in this regard. It was only in the early seventies, after a new family moved in to her West Berlin apartment building that Haffner discovered what domestic violence was. “When I heard the screams of my female neighbour for the first time,” she recalls in her volume on women’s shelters, “I was so terribly paralyzed that it never occurred to me to call the police.”³⁰⁸ Afterwards, Haffner went to see a lawyer, to child protective services, even to a priest, only to discover that there was little that could be

³⁰⁶ “Geschlagen-Getreten-Gedemütigt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus,” E Rep 300-96/9, LAB.

³⁰⁷ Ibid; *Gewalt gegen Frauen in Ehe, Psychiatrie, Gynäkologie, Vergewaltigung, Beruf, Film und was Frauen dagegen tun. Beiträge zum Internationalen Tribunal über Gewalt gegen Frauen, Brüssel März 1976* (Berlin: Frauenzentrum Berlin, 1976), Spinnboden Archiv.

³⁰⁸ Haffner, *Gewalt in der Ehe*, 6.

done to help her neighbour.³⁰⁹ She herself even “stood in front of their door in the middle of the night,” unable to ring the bell out of fear.³¹⁰ These experiences eventually led Haffner to the British women’s shelter system, in particular the London-Chiswick shelter established by Erin Pizzey in 1971. She also became involved in the growing women’s shelter movement in West Berlin, her documentary *Screaming is Useless: Brutality in Marriage (Schreien nützt nichts-Brutalität in der Ehe)* helping to draw attention to domestic violence in West Germany prior to the opening of the first domestic violence shelter in West Berlin in 1976. Alongside Haffner’s story, which was both published in her volume *Violence in Marriage and What Women can do About It (Gewalt in der Ehe und was Frauen dagegen tun)* and throughout the West German media, other political and media sources also encouraged people to intervene in their neighbours’ affairs.³¹¹ Prescient of the “You Can Help Too” pamphlet, one journalist stated that “neighbours, who hear or see acts of violence, should not be afraid to call the police. They must respond to such emergencies.”³¹²

We might question why these calls for neighbourhood intervention were so popular. For feminist activists, much like their socialist counterparts, it speaks to an attempt to engage women and society in feminist politics, redefining the boundaries of the private sphere, while at the same time critiquing the failure of the state to protect women. For others, however, community or neighbourly intervention was seen as a way of keeping the state, or even activists, out of the lives of citizens. This only served to keep

³⁰⁹ Ginger Held, “Gustav, der Knüppel und die Folgen,” *Frankfurter Rundschau*, November 13, 1976.

³¹⁰ Haffner, *Gewalt in der Ehe*.

³¹¹ Held, “Gustav”; Voss, “Meine Meinung”; “Tabuthema wird neu endlich öffentlich diskutiert”; Haffner, “Gewalt in der Ehe. Was können Frauen dagegen tun?”, “Soziale Hilfe für geprügelte Frauen”; “Schreien nützt nichts,” *Frankfurter Rundschau*, April 27, 1976. All found in A Rep 400 BRD 22.5 (1970-78), FFBIZ.

³¹² “Jede hat ein Recht.”

domestic violence a private matter, working against activist attempts to make the private public by engaging people in women's issues. In an interview, SPD politician and department head of the Federal Ministry for Youth, Family and Health, Helga Elstner stated that women experiencing abuse "must free themselves from their own situation, but for that they need our help, our solidarity."³¹³ Similarly, in "Punches and Beatings- Our Women Don't Deserve Them!" journalist Peter Voss reflected that while women's shelters "were a good start...it appears to me that it would be better if neighbours were more actively involved. If he wants, neighbour Egon can calm his friend Fritz down and appeal to his conscience better than a psychiatrist or a police officer."³¹⁴ Both outlooks hint towards an attempt to harmonize domestic violence intervention with liberal values, such as individual responsibility and the division between the state and private sphere. Doing so, however, reiterates domestic abuse as a 'private' matter, to be dealt with by family, friends and neighbours, not as a criminal issue or with outside intervention. Much like the case of Frau S. in Weissensee then, neighbours, friends and family are being used as a solution to a problem with much deeper and more wide-reaching origins, and the question of what a woman experiencing abuse should do if there is no "solidarity" forthcoming is left open.

Activists were very critical the effect such attitudes had on their work to get domestic violence and violence against women into the public consciousness. In *Courage*, the West Berlin feminist magazine, telephone helplines, charitable missions and even marriage counselling centres were censured for telling women to go and stay

³¹³ "Soziale Hilfe für geprügelte Frauen."

³¹⁴ Voss, "Meine Meinung".

with friends, or if it was an emergency to find a hotel room.³¹⁵ Similar suggestions were also provided by Social Services, which was accused of encouraging women to go and live with their parents.³¹⁶ Feminists saw advice like this as contributing to a further privatization of domestic violence and detrimental to the campaign for women's equality. Although women activists similarly encouraged people to reach out to others, their work was politicized as a way of critiquing the failure to protect women from violence.³¹⁷ Some even saw themselves and the services offered by women's groups as doing the work of a state that had let women down.³¹⁸

It is difficult to know how men and women 'on the ground' processed these attempts to involve them in domestic violence intervention. In both East and West Berlin, networks of support formed out of necessity as women attempting to leave abusive relationships drew on other women, family and friends. Research into the experiences of West Berlin shelter residents indicates that a majority of residents had attempted to find help, but had ended up returning to the abuser prior to arriving at the shelter.³¹⁹ Furthermore, between 60 and 70% of residents listed "relatives, acquaintances, friends, colleagues and neighbours" as a source of support in their attempts to leave, almost double the amount that listed official services, such as child welfare or marriage counselling services.³²⁰ In the East, the SEDs move away from the socialist experimentation of the 1960s and towards real-existing socialism, not only led to a more

³¹⁵ Conny Döhring, Carola Schewe and Olga-Maria Wernet, "Keine Geldquelle ist verlässlich: Frauenhäuser," *Courage* 3 (1981): 46-49.

³¹⁶ "Im Frauenhaus ziehen gequälte Mütter Bilanz."

³¹⁷ Margit Brückner, "Was kommt nach der Aufbruch? Die Entwicklung der Frauenhausbewegung in Deutschland," in *Dokumentation Fachforum 2 – Frauenhaus in Bewegung, 20.-22.11.1996* (Berlin: Diakonisches Werk der Evangelischen Kirche in Deutschland, 1996), 15-20.

³¹⁸ Wagner, "Wir wußten doch immer."

³¹⁹ Hagemann-White et al., *Hilfen*.

³²⁰ Ibid, 103.

general loosening of rigid social strictures, including the introduction of no-fault divorce in 1965, but also to a greater demarcation between the public and private spheres. This meant that the court no longer officially required women to turn to their neighbours, as was the case with Frau S. Instead, the rapid expansion of services aimed at supporting socialist families over the 1960s meant that there was an official expectation that couples would turn to these services over more informal networks. Indeed young people were criticized by the DFD for preferring the convenience of speaking with non-Party affiliated relatives and friends to the “unbiased” Marital and Family Counselling Centres (*Ehe- und Familienberatungsstelle*).³²¹ At the same time, however, the newfound importance of the private sphere made addressing domestic violence more difficult, as people were increasingly less willing to assist neighbours in distress.³²² In spite of this, couples still turned to family and friends for help. As a 1974 Central Institute for Youth Research study shows, when facing relationship issues 23% of women would turn to a relative and a further 23% of women would speak with a counsellor at a Marital and Family Counselling Centre. Many young people, however, would not turn to anyone for advice, with 38% of men and women respectively preferring to keep their problems to themselves.³²³ This was reiterated in a 1977 study that found that over one third of young

³²¹ Demokratischer Frauenbund Deutschlands, “Zusammenfassung der Arbeit „Junge Ehe Heute“, 24.2.1977. Manuskript eines Kollektivs vom Zentralinstitut für Jugendforschung Leipzig unter Leitung von Prof. Dr. Walter Friedrich,” DY 31/1067, SAPMO-BArch.

³²² Kurzinformation zum Referat ‘Gewalt in der Familie’ zum 3. Dresdener Frauenfest 2.-4.10.87, RHG/G2/A1/2359.

³²³ W. Friedrich, *Lebensweise und Lebensgestaltung Junger Ehen. Gesamtverantwortung*, (Leipzig: ZIJ, Januar 1974), DC 4/2086, SAPMO-BArch. See also: Gysi, Dorbritz and Hespel, *Protokolle und Informationen*.

married couples would not speak to anyone about their marital issues, while 24% would turn to a friend, 23% to a lawyer and 12% to friends.³²⁴

However, the shortage of housing and more generally the limited material situation in the GDR meant that women often still had to turn to friends and neighbours for assistance, traces of which can be found in divorce cases. For one Leipzig woman who fled her apartment after being beaten by her husband and attacked with a knife, her neighbours' intervention may have saved her life as she was found in the apartment courtyard with 18 knife wounds in her back. Her neighbours brought her inside and called an ambulance.³²⁵ It was also commonplace for neighbours to act as witnesses, testifying to abuse and enabling women to prove the grounds for divorce. Women also often left home, either explicitly or presumably staying with friends or family, as a way of escaping violence.³²⁶ This tactic, however, did leave mothers vulnerable to losing custody, which they conventionally won.³²⁷ In one instance, a mother and her child had lived in "confined living conditions" after leaving her abusive husband.³²⁸ As a result she was declared an unfit parent. Although she won custody of her child on appeal, it does show how high the stakes were when a woman left a violent home: not only was she

³²⁴ Demokratischer Frauenbund Deutschlands, "Zusammenfassung der Arbeit „Junge Ehe Heute“, 24.2.1977. Manuskript eines Kollektivs vom Zentralinstitut für Jugendforschung Leipzig unter Leitung von Prof. Dr. Walter Friedrich," DY 31/1067, SAPMO-BArch. See also: "Entwurf zur Tätigkeit der FDJ bei der Vorbereitung der jugendlichen auf die Liebe, Ehe und Familie", 1977, DY 24/21221, SAPMO-BArch.

³²⁵ BV Lpz KD Lpz-Stadt 01409 Bd 2, BStU. See also: Kappus, "Gewalt, die es nicht geben dürfte."

³²⁶ On neighbours used as witnesses in divorce cases, see: Case BFB 127/86, 16.6.1986, Stadtgericht Berlin, C Rep 301/3755, 101-197/86 (1986), LAB; Case 109 BFB 145.74, 30.9.1974, Stadtgericht Berlin, C Rep 301/3757, 100-149/74, LAB; Case 109 BFB 12.73, 12.2.73, Stadtgericht Berlin, C Rep 301/3768, 1-50/73, LAB. On women turning to family/friends to escape abuse, see: Case 109 BFB 28.72, 15.5.1972, Stadtgericht Berlin, C Rep 301/3762, 1-34/72, LAB; Case BFB 194/87, 10.8.1987, Stadtgericht Berlin, C Rep 301/3787, 151-249/87, LAB; Case BFB 292/87, 28.1.1988, Stadtgericht Berlin, C Rep 301/3788, 250-365/87, LAB; Case 109 BFB 57.72, 17.7.1972, Stadtgericht Berlin, C Rep 301/3763, 35-65/72, LAB.

³²⁷ Case 109 BFB 114.74, 12.8.1974, Stadtgericht Berlin, C Rep 301/3757, 100-149/74, LAB; Case 109 BFB 57.72, 17.7.1972, Stadtgericht Berlin, C Rep 301/3763, 35-65/72, LAB.

³²⁸ Case 109 BFB 114.74, 12.8.1974, Stadtgericht Berlin, C Rep 301/3757, 100-149/74, LAB.

expected to leave the violence, but she was also meant to keep being a ‘good mother’, having to find suitable living conditions for herself and the child in the limited East German housing market.

Of course not everyone was supportive of the calls to intervene in the affairs of their friends and neighbours. Monika, one of the first residents of the shelter in West Berlin, turned to her female neighbour for support after she took too many sleeping tablets to escape her husband’s abuse. In response, Monika was scolded for not being more responsible.³²⁹ Similarly, in Leipzig, when Frau A. ran to her neighbour’s apartment, asking him to call the police on her husband, he refused to help her, making her call from the payphone on the street.³³⁰ One of the reasons suggested for this reluctance to assist women in abusive situations is the danger family and friends would face from the husband attempting to bring back their wife.³³¹ Alternatively, it was also argued that the cycle of leaving/returning also made women seem less believable, making family unwilling to help and ultimately reinforcing the isolation caused by abuse.³³²

Whatever the reason, this reluctance to help women in abusive situations reflects an ongoing negotiation of changing gender roles and an attempt to demarcate the boundaries of the private sphere. In particular, it is the nature of domestic violence as a criminal act that takes place in the private sphere that triggered this concern. This is visible both in the hesitancy for people to get involved in the private affairs of others, but also in the way neighbourly and family intervention helped to make domestic violence

³²⁹ Hagemann-White et al., *Hilfen*, 107-111.

³³⁰ Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*.

³³¹ Hagemann-White et al., *Hilfen*. This is also made out in several East German criminal cases, where violent ex-husbands go on to attack their former in-laws. See, e.g.: Case 105 37.74, 18.3.74, Stadtgericht Berlin, C Rep 301/3434, 1-75/74, LAB.

³³² Hagemann-White et al., *Hilfen*.

private (or at least not a matter of state concern). This negotiation suggests that the postwar responses to the excesses of Nazism, in particular the debates over the ‘return to the family’ and legal patriarchal authority, were still being negotiated in the mid-1970s as Germans, both East and West, grappled with the extent to which the state could be involved in private affairs.³³³ It also shows what the consequences of the much-vaunted East German private sphere were for women who relied on, and were required to turn to the help of others. While it may have served as a “cherished locus of individuality, alternative identity-formation, and/or dissent and resistance” for some, for women attempting to leave abuse this may have meant closed doors and ears.³³⁴

This is not meant to diminish the important role that those people who did assist women attempting to leave a violent partner played. Although women in the West had domestic violence shelters and formal services open to them after 1976, and women in the East did not, in both cases women experiencing abuse turned to others for support. And in both cities the involvement of others was varyingly supported from above and below. This resulted in tension as people negotiated the role of the state in the private sphere and changing gender roles. In the West, we see this in the different ways in which ‘others’ were employed. On the one hand, feminist activists encouraged people to call the police or to check on their neighbours as a way of creating a more active and socially aware citizenry that recognized domestic abuse as a serious issue. On the other hand, getting neighbours to intervene was also a way of keeping domestic violence, the private

³³³ Herzog, *Sex After Fascism*; Moeller, *Protecting Motherhood*; Elizabeth Heineman, “Complete Families, Half Families, No Families at All: Female-Headed Households and the Reconstruction of the Family in the Early Federal Republic,” *Central European History* 29 (1996): 19-60; Maria Höhn, “Frau im Haus, Girl im Spiegel: Discourse on Women in the Interregnum Period of 1945-1949 and the Question of German Identity,” *Central European History* 26 (1993): 57-90.

³³⁴ Betts, *Within Walls*, 238.

sphere and ongoing patriarchal authority, out of the eyes of the state. In the East, meanwhile, encouraging people to turn to others for support was a part of the project of creating active socialist citizens and communities, where equality between men and women was entrenched. But, it is also possible that not helping women was a way of ensuring privacy and maintaining gender norms, preventing the intrusion or involvement of the state in the private lives of East Germans. What can be seen over the course of division, however, is that while the informal role of others in the West became less significant, as peer support and self-help were established within the shelter system, in the East it became more important, as the turn to real-existing socialism and the limited material situation meant women often relied on their neighbours to testify to abuse, provide shelter and call the police. Nevertheless, in both cases the use of ‘others’ often resulted in a failure to come to terms with the structural inequalities that cause domestic violence. The next section will follow these developments, and the role of citizens in institutional venues, namely in the use of self-help and peer support in the shelters in the West and in the role of the social court system in the East.

Gendering Social Change: Engaging Citizens in Official Settings

Alongside this informal engagement, in both East and West everyday Germans, including domestic violence survivors themselves, were brought into official intervention programs that addressed abuse in the home. In the East, this was primarily through the social court system and the involvement of workers’ collectives in family matters. In the West, it was through practices of self-help and empowerment within the shelter system. Both these processes were attempts to engage people in the kinds of social change envisioned in

feminism and socialism – whether that be changing gender norms and fighting for women's equality or constructing socialism. They also both did so by giving voice to marginalized figures within an official setting. Hearing from and empowering women who experienced abuse was central to feminist approaches to combatting domestic violence and establishing gender equality in West Germany. Similarly, the SED introduced a system of lay assessors in the East German social courts as a way of enacting the morals and values of the working class.

However, these were also very gendered approaches. More often than not calls on citizens to informally engage in domestic violence intervention were explicitly directed towards women: Frau S. should have spoken to her mother or female neighbours and activists in the West encouraged women to speak to a female friend or go to a women's centre when confronted with violence. The gendered dynamic evident in these calls for informal intervention also played out in official venues as women were left to take care of themselves and each other. This was explicitly the case in the West as feminist concepts of women's self-help and empowerment centred on shaping an emancipated womanhood to the exclusion of men. As these approaches became a part of mainstream politics, however, this focus on female citizenship was depoliticized and misinterpreted as domestic violence support was concretized into a women's issue and men's role in violence was left unexamined. In the East, although the social court system was made up of men and women, its ineffectiveness in addressing domestic violence, in particular its focus on male citizenship and reconciling families, meant that women were left vulnerable and alone to deal with their partner's violence. By ignoring women's safety, social courts implicitly shouldered women with the responsibility of dealing with

violence, as they were forced to rely on their own fortitude, and their neighbours and family's willingness to respond to their calls for help. Despite proclaiming to aid in the ideological projects of feminism and socialism then, the social court system and the political co-optation of self-help and empowerment only left the boundaries of the private sphere intact. While rhetorically rejecting patriarchy, these projects required women to maneuver around a system in which men's roles and masculinity were privileged, highlighting the extent to which both East and West Germany relied on women to protect their own rights as citizens, as the state sat by and provided them with ineffective and second class solutions.

One of the central and most distinctive pillars of the feminist approach to domestic violence in West Germany was 'self-help', a concept which encompassed principles of women helping women, autonomy, equality and anti-authoritarianism.³³⁵ The importance of these values is underscored in the use of the German word *Frauenhaus* or "women's house," which implies a modicum of communality between women especially when compared with the use of 'shelter' in the US and 'refuge' in the UK. Furthermore, the very names of the women's projects themselves emphasized these feminist principles as the first two autonomous shelters in West Berlin were organized by the groups Women's Shelter – Women Helping Women and Women's Self-Help – Women Against Violence Towards Women. These values, however, were more than just rhetoric. Instead, they structured the practices of the shelters and were central to the feminist struggle against women's oppression.³³⁶ As discussed in the Chapter One, these

³³⁵ Ferree, *Varieties of Feminism*.

³³⁶ Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976) and Konzeption für das zweite Berliner Frauenhaus (1978), B Rep

principles found expression not only in the organization of the shelters, but also in the feminist approach to rehabilitation and the way activists engaged people in domestic violence intervention and women's equality. Dissolving hierarchies between workers, banning men from the premises and encouraging residents to share in household duties were all ways that feminists attempted to emancipate women through self-help.³³⁷

Concepts like empowerment, collective support and self-help have long been used as a tool for addressing systemic power imbalances, whether between rich and poor, social worker and client, or between abusive spouse and battered wife. In West Germany, if not also Western Europe, the late 1960s and 1970s saw a proliferation of protest groups who used grassroots methods and a politics 'from below' as a way of giving voice to marginalized people and opinions. In West Berlin, the language of self-help was particularly prevalent in the squatting movement, as those most vulnerable to processes of urban renewal took back and occupied apartments as a way of protesting the lack of affordable housing in the traditionally working class area of Kreuzberg.³³⁸ Ideals of collective living and communal responsibility were employed among the New Left and exemplified in the *Kommune* projects, where political activists countered the bourgeois nuclear family, and attempted to find new modes of living together.³³⁹ Similarly, within

002/12504, LAB; Hagemann-White, "Die Frauenhausbewegung"; "Darum haben Männer im Frauenhaus nichts zu suchen." See also: Ferree, *Varieties of Feminism*.

³³⁷ Verein zur Förderung des Schutzes misshandelter Frauen (e.V) Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West) (1976) B Rep 002/12504, LAB; Konzeption für das zweite Berliner Frauenhaus (1978), B Rep 002/12504, LAB.

³³⁸ Carla MacDougall, "Cold War Capital: Contested Urbanity in West Berlin" (PhD diss., Rutgers, The State University of New Jersey, 2011); Anna Ross, "Photographing Reurbanization in West Berlin, 1977-84," in *The Ethics of Seeing: German Documentary Photography Reconsidered*, eds. Jennifer Evans, Paul Betts and Stefan-Ludwig Hoffmann (New York: Berghahn Books, forthcoming).

³³⁹ Herzog, *Sex After Fascism*.

the women's movement, *Kinderläden* (discussed in Chapter One) were used as a way of sharing parental responsibilities, allowing mothers to participate in politics.

Within this context empowerment was forged as a defining feature of the feminist approach to domestic violence, and still continues to be used as an important tool for rehabilitating the agency and voice of women who have survived an abusive partner. For feminists, empowerment is a way of creating solidarity between women, as social work professor Susan Schechter argues: "In a feminist political context, empowerment signifies standing together as a community, just as it means supportively enabling a person to take risks."³⁴⁰ Drawing from this framework, shelter practices attempted to privilege women's voices and their experiences as a way of treating both the control and violence exercised over them in their intimate relationships with men, and in society more generally. In this way, feminists forged a different vision of living together, where women support their fellow citizens and empower one another. However, these concepts also framed domestic violence as a women's issue, purposefully excluding men, which filtered through in problematic ways as the feminist shelter system entered the mainstream political consciousness.

Social courts in the East also served a similar purpose, using citizens as lay jurists to preside over cases involving their peers and co-workers. Based on earlier forms of communal arbitration in Germany and the Soviet system of Comrades' Courts, social courts were first introduced in East Germany in 1953.³⁴¹ With similar examples

³⁴⁰ Susan Schechter, *Women and Male Violence: The Visions and Struggles of the Battered Women's Movement* (Cambridge: Southend Press, 1982), 109.

³⁴¹ Edith B. Weiss, "The East German Social Courts: Development and Comparison with China," *American Journal of Comparative Law* 20 (1972): 266-289; Friedrich-Christian Schroeder, "Die 'gesellschaftliche Kräfte' im Strafverfahren der DDR," *Recht in Ost und West* 32 (1988) 1-8; Erich Buchholz, "The Social

throughout the Soviet Bloc, social courts, alongside other practices of involving citizens in the judicial process, were an important part of constructing of socialism: engaging East Germans in the legal system not only helped to establish a socialist jurisprudence directed by the morals and values of the working class, but also bound citizens to the state.³⁴² Despite being communally based, the social courts, consisting of workplace Dispute Commissions and local Arbitration Commissions, were an official part of the legal system and represented the lowest level of legal adjudication in the GDR.³⁴³ Although the Dispute Commissions tended to focus on issues involving the workplace, such as poor work ethic or forged doctor's notes, both venues had the competency to hear civil matters, including cases of family and marital problems.³⁴⁴ Indeed, both courts were particularly concerned with matters of juvenile delinquency and rowdiness (*Rowdytum*).

Of the social courts the first to develop were the workplace Dispute Commissions, with the first established in Zwickau in 1953. They soon spread throughout the GDR and by 1954 there were 5682 commissions with over 45,000 members.³⁴⁵ This number had increased almost five times by 1976, with over 200,000 members.³⁴⁶ The success of these workplace judicial bodies led to the creation of neighbourhood Arbitration Commissions

Courts in the German Democratic Republic – Bodies of Criminal Justice,” *International Journal of Comparative and Applied Criminal Justice* 4 (1980): 37-42. For an in depth discussion of East German social courts, see: Sperlich, *East German Social Courts*.

³⁴² Sperlich, *East German Social Courts*; *Gesetz über die gesellschaftlichen Gerichte der DDR* 1982 (GDR), §3; Langer, Posorski and Winkler, *Die Konfliktkommission hat eingeladen*; Ministerium der Justiz und Bundesvorstand des FDGB, eds, *Gesellschaftliche Gerichte*; Heinze, *Die Tätigkeit der Konfliktkommissionen*; Richard D. Little, “Mass Political Participation in the US and the USSR,” *Comparative Political Studies* 8 (1976): 437-457; Horst Herlemann, “Zur Frage politischer Partizipation in der Sowjetunion,” *Osteuropa* 34 (1984): 318-328.

³⁴³ Buchholz, “The Social Courts in the German Democratic”; *Gesetz über die gesellschaftlichen Gerichte der DDR* 1982 (GDR), §1; Ronald Kasper, “Grundsätze der Arbeit der gesellschaftlichen Gerichte,” *Der Schöffe* 27 (1980): 221-223.

³⁴⁴ Langer, Posorski and Winkler, *Die Konfliktkommission hat eingeladen*; Ministerium der Justiz und Bundesvorstand des FDGB, *Gesellschaftliche Gerichte*.

³⁴⁵ Sperlich, *East German Social Courts*.

³⁴⁶ Riemann, *Law and Justice in a Socialist Society*.

in 1963 as the SED tried to engage citizens more fully with the task of creating socialism. These courts were formed ‘socially’ as any workplace – whether an industrial concern or an agricultural collective – with more than 50 workers, or any neighbourhood/region/productive association could establish a Commission. Further, Arbitration and Dispute Commissions were both elected bodies, with commissioners nominated and elected either by the union (for Dispute Commissions) or by mass organizations and political representatives (for Arbitration Commissions).³⁴⁷ As elected representatives, commissioners were accountable to their membership and could be recalled. Of course these lay jurists had to be exemplary citizens – embodying socialist ideology and ethics – which they were expected to exercise in their judicial decision making as they helped to forge socialism from the ground up.³⁴⁸ Alongside this socialist pedigree, commissioners also attended monthly seminars on the East German legal system and legal procedure, and magazines like *The Lay Assessor (Der Schöffe)* provided guidance and information for Commissioners, publishing articles that discussed cases adjudicated within the social court system and pedagogical pieces written by lawyers and judges from superior courts. This education was of central importance to the legitimacy of the social court system. Although the commissioners were lay individuals hearing cases involving their peers, they were expected to make their decisions objectively and in accordance with the principles of socialist law.³⁴⁹ The social courts could hear both minor criminal and civil cases, including misdemeanours, petty offenses and simple civil cases. Family matters would reach these courts directly, by referral from a local judge, who

³⁴⁷ *Gesetz über die gesellschaftlichen Gerichte der DDR* 1982 (GDR), §6.

³⁴⁸ Ibid. See also: Walter Hantsche, “Die Wahlen der Konfliktkommissionen und der Schöffen,” *Der Schöffe* 12 (1965): 369-371.

³⁴⁹ Sperlich, *East German Social Courts*.

might direct divorcing couples to go to their collective for counselling first, or alternatively, cases could be referred by the local police or criminal courts.³⁵⁰

While the social court system may have successfully involved citizens in the legal process, the same cannot be said for how effectively it dealt with cases of domestic violence. Legal scholar Peter Sperlich's in-depth analysis of the East German social court system suggests that its engagement and education of citizens in legal and procedure was one of the few successes of the socialist system.³⁵¹ He bases his argument on the use of various "social forces" that would assist the Commissioners in the adjudication of matters. For example, in cases involving children, representatives for Child Protective Services would also be present. He also underscores the pedagogical role Commissioners played, presenting seminars on legal matters as a way of educating the public as to their work.³⁵² However, like much of the contemporary discussions around restorative justice and Indigenous sentencing circles, one of the major issues with social courts was their failure to take into account the significant power imbalances between men and women, particularly in cases of domestic violence.³⁵³ This situation was only made worse by the SED rhetoric of existing gender equality, which made acknowledging such imbalances

³⁵⁰ "Neue Formen der gerichtlichen Tätigkeit"; VEB Transformatorenwerk, "Karl-Liebknecht," Konfliktkommission Beschluss, 4.11.1970, C Rep 411/1358, LAB; Case 102d BSR 17.64, 31.3.1964, Stadtgericht Berlin, C Rep 301/3217, LAB; Riemann, *Law and Justice in a Socialist Society*.

³⁵¹ Sperlich, *East German Social Courts*.

³⁵² Ibid.

³⁵³ Joanne Belknap and Courtney McDonald, "Judges Attitudes about and Experiences with Sentencing Circles in Intimate-Partner Abuse Cases," *Canadian Journal of Criminology and Criminal Justice* 52 (2010): 369-295; Elena Marchetti, "Indigenous Sentencing Courts and Partner Violence: Perspectives of Court Practitioners and Elders on Gender Power Imbalances during the Sentencing Hearing" *Australian and New Zealand Journal of Criminology* 43 (2010): 263-281; Rashmi Goel, "No Women at the Center: The Use of the Canadian Sentencing Circle in Domestic Violence Cases," *Wisconsin Women's Law Journal* 15 (2000): 293-334.

impossible, especially given the social courts role of building better socialist relationships.

Highlighting the effect such serious power imbalances played in the courtroom, legal scholar Inga Markovits has argued “the socialist process of conciliation, where plaintiff and defendant together are charged with the restoration of social harmony, also subjects both to the state’s definition of what harmony should look like.”³⁵⁴ This dynamic is visible in the way social courts adjudicated matters of family violence: with their exclusive focus on minor criminal and civil cases and their important role developing socialist citizenship, they were heavily focused on reconciling couples at the expense of protecting women and children from violence.³⁵⁵ We have already seen how one workplace collective dealt with domestic violence in Chapter Two: uncomfortable discussing their co-worker’s intimate life, the committee focused instead on his socialist credentials, encouraging him to have a better work ethic and leaving the divorce application to be decided in six months’ time.³⁵⁶ This pattern is also visible in other cases concerning marital issues, where commissions recommended either bringing the couple in to discuss their issues or suggested that workplace conditions be improved as a way of alleviating stress within the home.³⁵⁷ Even in cases involving couples that had already

³⁵⁴ Inga Markovits, “Owning and Sharing – The Rightholder’s Relation to Society in Bourgeois and Socialist Law” (paper delivered at the annual meeting of the American Political Science Association, Washington DC, 1980). See also the discussion of married harmony in: Margarete Wolfram, “Die Grundung von Ehe und Familie erfordert hohe gesellschaftliche Verantwortung”, *Der Schöffe* 22 (1975): ix-xiv.

³⁵⁵ Ursula Rohde, “Die Rechtsprechung der Gerichte in Eheverfahren,” *Der Schöffe* 18 (1971): 293-297; Ministerium des Justiz, “Untersuchung des Ministeriums der Justiz zu einigen Fragen der Rechtsprechung auf dem Gebiete des Familienrechts in den Bezirken Dresden und Neubrandenburg,” DY 34/4290, SAPMO-BArch.

³⁵⁶ “Neue Formen der gerichtlichen Tätigkeit,” 493. See also: Harsch, *Revenge of the Domestic*.

³⁵⁷ “Erfahrungen bei der Überwindung von Ehekonflikten,” *Der Schöffe* 24 (1977): 39-43; VEB Funk- und Fernmelde-Anlagenbau, C Rep 406-05/41, LAB; Jochen Esdohr, “Familienrechtskonflikte und Wege zur ihrer Beseitigung,” *Der Schöffe* 9 (1962): 357-359.

divorced, the social courts left women open to violence. In one 1970 case handed to the Dispute Commission at the Transformer Plant “Karl-Liebknecht” in Berlin-Köpenick by the local police inspectorate, a husband stood accused of drunkenly beating his ex-wife, with whom he still lived.³⁵⁸ The decision of the Commission was that: firstly, the husband, their colleague, apologize to his ex-wife for beating her; secondly, he swear never to hit or bother his ex-wife again; and finally, he promise to move out of his ex-wife’s apartment. It was also suggested that the wife avoid anything that may provoke her ex-husband, and that as little be said between the couple as possible.

This is not to say that the court system took domestic violence lightly. Indeed, in one case involving a man charged with assault for beating his fiancée with clothes hangers and a hose, the initial district court decision to refer the matter to the man’s workplace Dispute Commission was overturned by the Berlin Municipal Court, citing the severity of the attack and the woman’s injuries.³⁵⁹ However, what the social court decisions highlight is that much like the superior courts, they were limited by the pedagogical role they were supposed play. This role was as the very heart of their function – even set out in the Social Courts Law of 1983. Although the push towards reconciling couples had weakened by the late 1980s, cases that were heard within this system focused on creating better socialists.³⁶⁰ While these courts may have successfully engaged citizens in the legal process, they were not effective at addressing domestic violence. In this manner, the social court system, much like superior courts, had a gendered effect: privileging male citizenship and intact families meant that women were

³⁵⁸ Konfliktkommission Beschluss, 4.11.1970, VEB Transformatorenwerk, „Karl-Liebknecht,“ C Rep 411/1358, LAB.

³⁵⁹ C Rep 301/3217, LAB.

³⁶⁰ "Die Aufgaben des Gerichts im eheverfahren," *Der Schöffe* 35 (1988): 157-162.

left vulnerable by the official forms of intervention and civic engagement. Instead, the legal system, if not the state as a whole, made women responsible for both leaving and doing something about domestic violence, whether as activists or by having to rely on the informal roles of other women in helping them to escape violence.

The way in which citizens were brought in to official domestic violence intervention in the West had a much more explicitly gendered effect, as the call for other women to informally support each other and themselves were institutionalized in the shelter movement. The women's movement had been built on the principle of separatism and men were actively pushed out of feminist politics, as women attempted to create venues for the expression and emancipation of womanhood. This found clear expression in domestic violence projects, which relied on the binary of female victimhood and male perpetratorship. While this approach was a clear part of the critique of the masculinist state, as I show later, in order to secure funding and legitimacy for the West Berlin shelter, activists had to downplay the feminist rhetoric and politics coming out of the movement. I argue that this led to a weakening of radical politics as the shelter movement was co-opted by the state, a process that was only reinforced by the growth of the shelter system away from the broader women's movement, as discussed in the first chapter. Indeed, as shelters became more entrenched within social support systems in the West, feminists lost the ability to "insist on [the] strict interpretation of their rules."³⁶¹ What followed was the re- (mis-) interpretation of the concepts most central to the autonomous shelter system and its engagement of citizens – namely, empowerment and self-help – within mainstream politics in the West. Despite critiquing the absence of men

³⁶¹ Ferree, *Varieties of Feminism*, 96-97.

within the shelter space, discussed in the following chapter, the West German Federal government and the Berlin Senate used their interpretation of feminist principles to de-emphasize the role of the state and men in dealing with gender violence, and instead placed the solution squarely on women's shoulders.

In political discussions of domestic violence and violence against women more broadly, 'self-help' and 'empowerment' were interpreted simplistically. This had the effect of depoliticizing the feminist project of engaging citizens in self-help and social change, and led to a superficial understanding of the causes of violence against women. This was particularly fostered by the early, and close, relationship between the first West Berlin shelter project and the classically liberal FDP. The FDP – through its Working Group on Emancipation – supported the initial shelter project, not only getting much needed political traction for the group, but also becoming a public mouthpiece for the problem of domestic violence.³⁶² As the major political representative of the shelter initiative in West Berlin, the FDP, closely followed by the SPD (who held the majority in the West Berlin Senate until 1981 and were responsible for the youth, family and health portfolio in the Federal Government between 1969 and 1982), was able to shape public discussion. Consequently, much of the political interpretation of the feminist approach to domestic violence, arising not only from the FDP, but also the SPD and CDU, was couched in the liberal ideology of individual responsibility.

For example, in a 1978 meeting to discuss the creation a second shelter in West Berlin, the FDP's Working Group on Emancipation defined a shelter as "a group of

³⁶² Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West), B Rep 002/12504, LAB; Protokoll der AKE-Sitzung am 10.2.1976, FDP LV Berlin, AK Emanzipation 16844, AdL; Arbeitskreis-Emanzipation, Bibl/Druckschrift D1-592(1978), AdL.

women who through self-help overcome their problems, wherein the main emphasis lies on the self-initiative of the victim herself.”³⁶³ Similarly, after claiming that the primary goal of women’s shelters was the maintenance of the family, Minister for the Family Katharina Focke (SPD) acknowledged that to fight the root causes of domestic violence, the state needed to “make women as a whole more self-sufficient – through better education, better job opportunities...so that women are not so dependent on their husbands.”³⁶⁴ A similar stance was taken by Hans Geissler the Christian Democratic Minister for the Family from 1982 to 1985, who argued that it was the “role of the Federal Government and the entire Parliament to stand on the side of those who are weaker physically and socially, and to protect them from the strong.” In order to do this, he claimed women needed to be encouraged to confront domestic violence in their lives.³⁶⁵ While Minister Focke frames empowerment, and domestic violence as issues of women’s financial independence, the FDP working group and Minister Geissler underscore self-help as being about a woman’s own responsibility for the violence she experiences. In doing so, both cases undermine the radical politics of engaging women and citizens in transforming society and in the fight against structural gender inequalities that permit domestic violence. Not only do these statements misconstrue the work being done by shelters, but both emphasize women’s own responsibility for creating gender equality: in order for women to stop being victims of domestic violence, they first needed to stop being victims of the systemic gender imbalances that limited women’s life

³⁶³ Protokoll der Sitzung vom 20.12.1978, FDP LV Berlin, AK Emanzipation 16850, AdL.

³⁶⁴ Parlamentarisch-Politischer Pressedienst, *Das aktuelle PPP-Interview. Brutalität in der Ehe ist ein ernstes Problem*, 6 May, 1976. A Rep 400 BRD 22.5 (1970-78), FFBIZ.

³⁶⁵ Fachtagung, “Gewalt gegen Frauen,” 13. Januar, 1984. Pressdienst der Bundesminister für Jugend, Familie und Gesundheit, B Rep 002/12505, LAB.

choices. Despite advocating for women, the project of help as devised by the government did not envision a change in masculinity because men were not expected to help or even change their behaviour. Rather, women were expected to maneuver around an unchanging masculinity.

These sentiments find a clear echo in the rejection of a proposed women's night taxi service by the West Berlin Senate in 1986. This program would have given women the opportunity to take taxis after dark for the same price as taking public transport and was initiated by the women's movement following the rape and murder of a woman in Neukölln in 1983. At a projected cost of 350 million DM, the decision not to proceed with the proposal was one largely based on resource allocation and costs. However, in announcing the end of the trial period, the Senate framed the decision as one made on "feminist grounds... [the night taxi service] places women in the role of helpless, dependent people in need of protection. In spite of the high costs, [the service] does little to support the creation of self-possessed and independent women."³⁶⁶ Echoing many of the debates taking place within feminist circles on the language and role of victimhood in securing funding for women's projects, the Senate's decision frames the state not as the protector or guarantor of women's rights, but rather as an agent of women's empowerment. Following this logic, it is by enabling the formation of independent and autonomous women citizens that the state helps to create a gender equal society. In this way, the language of empowerment is used to minimize the state's role in preventing gender violence as responsibility is placed firmly on the shoulders of women. In each of these three examples gender violence is not only reduced to a women's issue, but also to

³⁶⁶ Landespresso Dienst, Berlin, October 2, 1986, "Keine Nachttaxis für Frauen," A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ.

a question of formal equality, without recognition of deeper power relations at work or the way violence can isolate and harm women.

Not unsurprisingly these conceptualizations of empowerment and self-help fit closely with the West German liberal agenda, which had been developing over the nineteenth and twentieth centuries, and accelerating after 1945.³⁶⁷ Liberal development in Germany had long been tied to a sexual-moral order, in which paternal authority in the home was enshrined both socially and legally in the German Civil Code of 1900.³⁶⁸ The subject of an ongoing discussion during the Kaiserreich and Weimar eras, the tension between the maintenance of a heteropatriarchal family unit, in which women's abilities to enter into contracts and own property were circumscribed, and liberal values of equality came into sharp relief in the postwar era. When the conservative Adenauer government attempted to legislate patriarchal authority in marriage in 1957, the West German Constitutional Court ruled that such legislation was incompatible with the constitutional guarantee of equality between men and women.³⁶⁹ Despite the *de jure* triumph of equality, as the attempt to forge domestic violence as a women's issue shows, patriarchy had become entwined within the West German liberal system.

By encouraging gendered citizen-driven anti-violence strategies – whether by engaging female neighbours informally or by encouraging simplified and individualistic definitions of self-help and empowerment – dealing with domestic violence, and gender equality more broadly, was framed solely as a women's responsibility. Women were

³⁶⁷ FDP Info-Blätter-Frauen, 1978-79, AdL.

³⁶⁸ Heineman, *Before Porn was Legal*; Moeller, *Protecting Motherhood*; Pateman, *The Sexual Contract*; Isabel V. Hull, *Sexuality, State, and Civil Society in Germany 1700-1815* (Ithaca: Cornell University Press, 1996); Dieter Schwab, "Gleichberechtigung und Familienrecht im 20. Jahrhundert," in *Frauen in der Geschichte des Rechts*, ed. Ute Gerhard (Munich, 1997), 796-801.

³⁶⁹ Moeller, *Protecting Motherhood*.

charged with helping others, and themselves. In doing so, state responsibility for protecting its citizens was weakened, as the role of the state was framed not as an enactor of equality or even as the protector of rights, but rather as a catalyst for enabling people to create social change. This approach reinscribed domestic violence as a women's issue foreclosing a more thorough reckoning with the gender imbalances that make violence against women possible. Although this did not affect the work done within the shelters themselves, the focus on enabling formal equality between men and women was at the centre of much of the political work of the 1980s and 1990s, as politicians debated the possibility of an anti-discrimination law, paid housework and getting women in to the workforce.³⁷⁰ While there were some political moves to improve the way domestic violence was addressed in the social services and to legally address women's equality, as I discuss in the final chapter, it was not until the late 1990s and early 2000s that violence against women in the family was the subject of legal reform through the criminalization of rape in marriage (1997) and the Protection from Violence Act (2002), finally legally ensuring women's rights to freedom from violence.³⁷¹

Conclusion

By looking at the similar ways in which citizens were engaged in the fight against domestic violence in East and West Berlin we are given a glimpse into the position of women in liberal and socialist state-making and the way Germans in the postwar era dealt

³⁷⁰ "FDP, Die Liberalen. Landesverband Berlin, Arbeitskreis Emanzipation," Bibl/Druckschrift D1-592 (1978), AdL; 31. Bundesparteitag München, 5-6 Dezember 1980, Anträge und Beschlüsse, FDP-Bundesparteitag 4034, AdL; Liselotte Funcke, "Gleichberechtigung," N73-26, AdL; E Rep 300-96/17, LAB; E Rep 300-96/21, LAB.

³⁷¹ E Rep 300-96/80, LAB; Berlin SPD-Commission, Gleichstellung der Frauen in der Gesellschaft, E Rep 300-96/79, LAB; Beschlüsse der Bundeskonferenz der Arbeitsgemeinschaft Sozialdemokratischer Frauen, 15-17.6.1981, E Rep 300-96/79, LAB

with changing gender roles and negotiated the public/private sphere. Feminists in the West advocated for neighbours and other women to assist those experiencing domestic violence, an approach also taken up in the practice of ‘self-help’ within the shelters. Although this was meant to help develop empowerment among women, it was often taken up problematically, as community support was not only seen as a substitute for legal change, but as a way of keeping domestic violence ‘private’. Such interpretations left women vulnerable as they were shouldered with the responsibility of ensuring their own safety. Political discussions of women’s empowerment and equality, meanwhile, focused on women’s financial independence and questions of men’s role in violence were left unaddressed. Although fighting for equality opened up a space to discuss violence and issues of power and gender in the West, these discussions of transforming society were watered down as, along with the shelter system, domestic violence intervention became more mainstream, the subject of the following chapter.

In the East, women were also expected, both informally and formally, to turn to their neighbours and colleagues. This was an approach initially driven by the state, who wanted to create a socialist citizenry, but one that petered out with the turn to real-existing socialism. After Honecker took power, the demarcation of the private sphere made addressing domestic violence more difficult, as people were increasingly less willing to assist neighbours in distress or even turn to others for help. However, the limited material situation meant that women continued to have to turn to neighbours. Significantly, in the East the imposition of equality from above foreclosed a more direct engagement with the patriarchal norms which continued to exist in the GDR.

Ultimately we see how on both sides of the Berlin Wall citizens, in particular women, were responsible – officially and informally – for ensuring social change. Women were expected to assist and be able to turn to their neighbours and family for assistance. Shelters were constructed on concepts and practices of communal female empowerment. Social courts were intended to help build socialism, through peer adjudication. In both East and West then, citizens were expected to create equality between men and women by assisting women experiencing violence. Indeed, the two states relied on these people to fill the gap in the protection of women's rights. At the same time, however, the two states capitalized on this unpaid, and often unrecognized, emotional labour, using it to ingratiate themselves in a liberal or socialist order in which the construction of equality was of political value. Whereas in the East women's equality was an ongoing source of moral supremacy for socialism vis-à-vis the West, as I discuss in the following chapter, addressing domestic violence was an important part of building liberalism in West Germany, which was increasingly being left behind by its Cold War allies, the United States and the United Kingdom. This shows how such configurations of women's citizenship and the role of the state left women on either side of the Berlin Wall vulnerable to violence, suggesting that at least part of the liberalization of divided Germany was built on the bodies of women.

4 Learning Liberalism, Learning Feminism: Domestic Violence

Shelters and Institutional Change over Division

Since the opening of the first domestic violence shelter in West Berlin in 1976, an entire infrastructure of support services for women and children facing violence has been developed. With over 400 shelters run by various organizations, including autonomous women's groups and charitable institutions affiliated with the Protestant or Catholic Church, it is estimated that between 40,000 and 45,000 women a year turn to emergency housing in Germany, with many more accessing support hotlines, and rape and sexual abuse crisis centres.³⁷² While shelters today represent only one part of a broader system of support services for women and children, it was the activism of the West German shelter movement and its exposure of domestic abuse in the 1970s that fostered the cross-partisan support needed to fight violence against women. As one journalist has argued women's shelters represent “one of the most successful, and explosive initiatives of the autonomous women's movement.”³⁷³

However, the path to the official adoption of domestic violence as a cause worthy of attention was not straightforward. Indeed, the opening of women's shelters was the culmination – not the beginning – of years of bargaining between political actors, social

³⁷² BIG e.V., *Berliner Interventionsprojekt gegen häusliche Gewalt. Alte Ziele auf neuen Wegen. Ein neuartiges Projekt gegen Männergewalt an Frauen stellt sich vor* (Berlin: BIG e.V., 1996); Frauenhauskoordinierung e.V., *FrauenHäuser in Deutschland* (Frankfurt a.M.: Frauenhauskoordinierung e.V., 2008). Number of shelters established using the Frauenhaussuche at Frauenhauskoordinierung e.V., accessed October 12, 2015, <http://www.frauenhauskoordinierung.de/frauenhaussuche.html>.

³⁷³ *10 Jahre Frauenhaus* (1986), Radiosendung, FFBIZ. On the important role of women's activism against domestic violence in forging a path for other women's rights groups, see: Claudia Haarmann, Monika Heggenberger, Marlis Dürkop, *Durchsetzungsstrategien autonomer Frauenprojekte in Berlin (W)* (Berlin: Freie Universität Berlin, 1990).

activists and everyday Germans, as they negotiated issues of gender equality, female citizenship and the boundaries of the public and private spheres. These were discussions which, in various ways, tapped into broader negotiations involved in the making, and un-making, of the divided German state.

As we have seen, in both East and West Germany women were left vulnerable by the official mechanisms responsible for addressing domestic violence. Social services, the police and the legal system were generally ineffective in combatting abuse, and women on either side of the Berlin Wall were responsible for dealing with violence largely on their own as their stories were dismissed or disbelieved by the very organizations responsible for helping them. For those critical of the regimes in the two states, this failure to protect women was evidence of an ingrained misogyny that was distrustful and critical of women's voices.³⁷⁴ Indeed, it was these systemic shortcomings that inspired women, many of whom in their professional lives worked with those experiencing abuse and knew firsthand the limitations of the system, to organize against violence.

On both sides of the Wall, however, the construction of shelters, intended by activists as a radical critique of the state and its failure to protect women, was understood by various members of the public and government officials as an attack. Indeed, since the first *Frauenhaus* or women's shelter opened in West Berlin, tense discussions have surrounded the construction and ongoing support of these residences in East and West Germany, underscoring just how controversial addressing women's equality at anything more than a formal level was for the two states. Although over a decade separates the opening of shelters in West and East, and despite the very different political situations,

³⁷⁴ Hagemann-White et al., *Hilfen*; Dobash and Dobash. *Violence Against Wives*; Erin Pizzey, *Scream Quietly or the Neighbors will Hear* (Harmondsworth, Penguin, 1974).

grassroots engagement with domestic violence in both Germanys sparked a host of anxieties that stemmed from popular fears of a loss of male and state authority. By asserting women's right to protection from violence and creating autonomous spaces that allowed women to leave the marital home, activists were challenging ingrained beliefs about gender and the private sphere entrenched in the nineteenth century bourgeois foundations of the German state.³⁷⁵

While these discussions stemmed from similar anxieties, the two states dealt with them in different ways, highlighting the significant differences in how gender equality and social change were taken up by the two regimes. We have seen in the previous chapter that women on both sides of the Wall were made responsible for driving social change and creating *de facto* equality, as the burden of addressing domestic violence was placed on their shoulders. In this chapter, I focus on the process of fomenting institutional change and liberal development in Germany, examining how the two German states did (or did not) take up the fight against gender violence and what this meant for women's equality more broadly.

Although much has been written on the creation of *de jure* equality between men and women in postwar Germany, there has not been the same amount of attention given to everyday equality.³⁷⁶ Recent work on the postwar processes of liberalization in the West, however, has increasingly drawn attention to the role seemingly mundane

³⁷⁵ van Rahden, "Demokratie und väterliche Autorität"; Schwab, "Gleichberechtigung und Familienrecht"; Pateman, *The Sexual Contract*; Hull, *Sexuality, State, and Civil*; Moeller, *Protecting Motherhood*; Heineman, *Before Porn was Legal*.

³⁷⁶ Moeller, *Protecting Motherhood*; Schwab, "Gleichberechtigung und Familienrecht"; Davis, "The Personal is Political."

interactions have played in changing values and social attitudes.³⁷⁷ By examining the construction of women's shelters, and the discussions and relationships that subsequently formed between the state, shelter activists and citizens, I argue that the processes of liberalization in Germany have relied both on the transformation of everyday attitudes towards women and the state, and on the institutionalization of a limited vision of equality between men and women, driven and made possible by transnational developments.

I begin this chapter by examining the interplay of contestation and legitimization involved in the construction of shelters in West Berlin, and how the revelation of the existence and extent of domestic violence challenged the increasingly liberal and western orientation of the Federal Republic, with its promises of civil rights and equality.

Drawing from the work already done in other Western countries, in particular the United States and the United Kingdom, activists in the West agitated for the creation of domestic violence and crisis shelters as the first step on the road to establishing a system where women could get assistance and support to heal away from their abusers. In order to address violence in the family, however, political officials needed to weigh the activism of the shelter movement against popular concerns surrounding changing valuations of women's roles and widespread distrust of feminism. This balancing act required both institutional change and the creation of new forms of relationships and ways of living together, a process described by historians as "learning liberalism."³⁷⁸ By encouraging

³⁷⁷ Heineman, *Before Porn was Legal*; Konrad Jarausch, *After Hitler: Recivilizing Germans, 1945-1995* (Oxford: Oxford University Press, 2006); Ulrich Herbert, "Liberalisierung als Lernprozess: Die Bundesrepublik in der deutschen Geschichte-eine Skizze," in *Wandlungsprozesse in Westdeutschland: Belastung, Integration, Liberalisierung, 1945-1980*, ed. Ulrich Herbert (Göttingen: Wallstein, 2002), 7-49.

³⁷⁸ Heineman, *Before Porn was Legal*; Herbert, "Liberalisierung als Lernprozess."

discussions about the nature of intimate relationships and privacy, the shelter system sparked debates about women's rights that were reflective of ongoing anxieties connected to a liberal renegotiation of the division between the public and private spheres taking place in West Germany since 1945.

With respect to institutional change, notwithstanding the grassroots origins of these projects, the integration of the shelter movement into the West German state system highlights that the creation of these new relationships was guided as much from 'below' as it was encouraged from 'above'. While everyday Germans 'learnt liberalism' the West Berlin government went through its own process of 'learning feminism', incorporating feminist calls to address violence against women into the liberal mainstream. Although this meant that shelter skepticism could be overcome and cross-partisan support ensured, it also resulted in a dilution of radical feminist politics, which not only led to conflict with the women's movement, but also arguably to an overall failure to address the root causes of gender inequality.

Liberalization proceeded differently under socialism. Whereas institutional and social change were mutually reinforcing in the Federal Republic, in East Germany, state and political growth only arrived after society had started to agitate for a different kind of citizenship, one which respected both the extension of rights and the observance of duties. This movement was in direct opposition to the socialist regime and, in the second part of this chapter, I examine the process of establishing domestic violence shelters in East Berlin, and throughout East Germany. I argue that by creating a space explicitly defined in opposition to the state, and one that was outside of the official medical and welfare systems, the East Berlin crisis house raised serious concerns for the socialist

regime, as it fed into a broader movement that questioned the authority of the regime and ultimately destabilized socialist rule.

This bottom-up movement, however, was cut short by the fall of the Wall, which resulted in the integration of domestic violence activism into the political system in a manner similar to West Germany. Although there was only one crisis shelter in East Berlin, during the *Wende* various anti-violence projects sprang up throughout the (soon-to-be) former East. These groups benefitted from the work already undertaken by West German activists as their shelter proposals were relatively seamlessly picked up and funded, and the Western system of institutionalized women's shelters was transferred to the East. At the same time, the merger of activism on gender violence within the systems of power in West, and then reunified Germany, led to a mainstreaming and subsequent watering down of certain feminist concepts in ways that only concretized gendered power imbalances. This suggests that the liberalization of Germany, at least at the official levels, has been a largely normative and heteropatriarchal process.

Herr Scheuneman's Letters

Following a two-year activist campaign, the First Autonomous Women's House opened in West Berlin on November 1, 1976. Co-sponsored for four years by the Federal Ministry for Youth, Family and Health, and the West Berlin State Senate, this shelter was to act as a model-project for dealing with domestic violence, and was closely followed by similar organizations in Cologne, Bremen and Frankfurt.³⁷⁹ The development of this shelter and its continued support were the result of a complicated interplay between the

³⁷⁹ Hagemann-White et al., *Hilfen*; Heidede Weidle, "Jede zehnte Frau wird von ihrem Mann geprügelt, getreten, gewürgt und mißhandelt," *Neue Revue* (1977) in A Rep 400 BRD 22.5 (1970-78), FFBIZ.

processes of establishing legitimacy and negotiating popular contention. Indeed, as conceptualizations of public need and human rights expanded to address domestic violence, everyday West Germans struggled with the challenge, both real and imagined, to family structures and gender roles that resulted from the call for women's equality taking place in the late 1960s and 1970s. In the face of this extensive skepticism, activists, and later public officials, worked to legitimize domestic violence as a serious issue requiring intervention. The resolution of this challenge, however, lay in the integration of certain feminist values into the mainstream political agenda, in a process that not only weakened radical politics and provoked the criticism of the shelter movement, but also resulted in the reification of gendered power imbalances.

The first task of the women's shelter movement was to convince the public that violence against women was a serious issue, an undertaking that meant tackling long-held conceptions of the family and the primacy of the private sphere. As discussed in Chapter One, starting in the Winter of 1974, the initiative to create a domestic violence shelter in West Berlin emerged when a group of feminist-minded social scientists interested in creating a service for women came together, forming the Women's Shelter – Women Helping Women initiative. In their professional lives they had seen first-hand the serious issues women faced in the home and wanted to help.³⁸⁰ Their shelter was to be organized along feminist principles of empowerment and self-help, making the site a space where women could receive professional legal and medical help and where they were encouraged to learn from each other's experiences, gaining independence and confidence through self-organization. However, activists faced an uphill battle. Much of the early

³⁸⁰ Schwarzer, "Ein Tag im Haus für geschlagene Frauen."

work of the shelter movement focused on destigmatizing stories of abuse and consciousness raising, with women from the initiative group handing out brochures and poster. Unfortunately, these attempts to legitimize domestic violence as a serious issue often only fueled concerns over the state of the German family, perceived to be in flux following the upheavals of the late sixties.

As historian Dagmar Herzog, among others, has shown the postwar “return to the family” connected political and social stability with the concretization of the patriarchal family unit.³⁸¹ However, despite ‘the family’ holding a privileged and protected status within the West German constitution, it was also an ideal that was continually challenged, whether by working single women and mothers who eschewed the model of the male-bread-winner family or by feminist politicians who fought for women’s equality over the 1950s.³⁸² As a result, the family has been a central point for social anxieties during the postwar era, and the 1960s and 1970s were no different. Indeed, the upheavals connected with the sexual revolution led to renewed concerns about the state of the German family in the seventies as the new social climate was negotiated and processed by everyday Germans. Articles on “Marriage in Crisis,” proclaiming that the institution of marriage was sick, dead or dying were common features in many dailies throughout 1975 and into 1976, as psychologists and counselors offered readers solutions to their marital problems. Many of these articles focused on the challenge that changing gender roles posed to married life; of particular concern was the effect of female independence and employment on the family.

³⁸¹ Herzog, *Sex After Fascism*; Moeller, *Protecting Motherhood*; Heineman, *What Difference Does a Husband Make?*; van Rahden, “Wie Vati die Demokratie lernte.”

³⁸² Moeller, *Protecting Motherhood*; Heineman, *What Difference Does a Husband Make?*

When it came to addressing domestic violence, activists remember the challenges they faced getting abuse within the family to be taken seriously by everyday West Germans, describing early responses to their activism as “totally different,” the “tremendous disavowal” of domestic violence among the public at the time almost unimaginable in the present day.³⁸³ At the first rallies held by the initiative group in the winter of 1974/75, activists recall very few women staying to listen, with others being taken away by their husbands or heckling at the back of the crowd.³⁸⁴ These reactions are indicative of broader concerns for the family and anxieties over changing gender roles. Although attitudes slowly started to change throughout the late seventies, these efforts to destigmatize domestic violence and raise awareness would be ongoing, as the image of the ideal postwar family proved hard to change.

Alongside these efforts to raise awareness, activists also worked to get official support from both the Federal and the West Berlin governments.³⁸⁵ In spite of their critical views on the state’s approach to violence against women, there was a strong impetus to integrate the Berlin shelter project into official channels. Unlike other autonomous women’s shelters in Europe, the West Berlin project confronted greater legal restrictions. While shelters in the Netherlands and the United Kingdom were created out of squats, with children home-schooled by shelter workers and volunteers, this form of organization was not possible in West Germany, where activists feared police persecution if caught squatting and compulsory school attendance posed problems for any children

³⁸³ *10 Jahre Frauenhaus* (1986), Radiosendung, FFBIZ. See also: Hagemann-White et al., *Hilfen*.

³⁸⁴ *10 Jahre Frauenhaus* (1986), Radiosendung, FFBIZ.

³⁸⁵ Ibid; Offener Brief, 21.6.1976, B Rep 002/12504, LAB; Protokoll der AKE-Sitzung am 10.2.1976, FDP LV Berlin, AK Emanzipation 16844, AdL; Arbeitskreis-Emanzipation, Bibl/Druckschrift D1-592(1978), AdL; Ferree, *Varieties of Feminism*.

living in the shelter.³⁸⁶ Applying for state funding also had a specific political meaning for the women's shelter movement.³⁸⁷ Writing in 1988, Carol Hagemann-White, sociologist and author of the Federal report on the model shelter project, argued that taking state funds was a way of holding the state accountable, and in the process showing both the “intolerability of women's living conditions” and that women could “demand what they are entitled to.”³⁸⁸

Adopting this approach, the group initially worked to gain the support of the Berlin FDP's working group on women's emancipation. Although the SPD had a majority in the West Berlin Senate and held the Senate Office for Family, Youth and Sport, the Federal Government was led by a coalition of the SPD and the FDP, giving the FDP a measure of political sway at both levels of power. Together with the shelter initiative, the FDP working group used sitting party members to bring attention to the issue in the West Berlin Senate.³⁸⁹ By the beginning of 1976, with a proposal already submitted to the Federal Ministry for Youth, Family and Health, politicians were starting to take notice of the project, especially following an information request (*Kleine Anfrage*) put to the West Berlin Senate by the FDP's Ulrich Roloff, which revealed that every 12th woman seeking help from Berlin's family counselling centres was experiencing abuse.³⁹⁰ The SPD Senator responsible for Family, Youth and Sport, however, remained unconvinced.

³⁸⁶ Pizzey, *Scream Quietly*; Dorsch, “Frauenhaus oder Krisenzentrum.”

³⁸⁷ Hagemann-White, “Die Frauenhausbewegung.”

³⁸⁸ Ibid, 50.

³⁸⁹ Protokoll der AKE-Sitzung am 10.2.1976, FDP LV Berlin, AK Emanzipation 16844, AdL; Arbeitskreis-Emanzipation, Bibl/Druckschrift D1-592(1978), AdL.

³⁹⁰ Projektantrag zur Einrichtung eines Frauenhauses in Berlin (West), B Rep 002/12504, LAB; Protokoll der AKE-Sitzung am 10.2.1976, FDP LV Berlin, AK Emanzipation 16844, AdL; Arbeitskreis-Emanzipation, Bibl/Druckschrift D1-592(1978), AdL.

One of the possible reasons the FDP so quickly took up the activists' project is the way they appealed to liberal political values, highlighting domestic violence activism as the responsibility of any liberal and Western government. By emphasizing similar projects in other Western European countries and the United States, the shelter group was able to present West Germany as both behind the times and failing to respect women's rights, a criticism all the more significant given Germany's violent past. Many of the early brochures created by the initiative group used the examples of the British and Dutch shelters to underscore the way West German women were being let down by a government that tolerated family violence through inaction.³⁹¹ This discourse found a wider audience in April 1976, when a television report on violence against women aired on ARD.³⁹² The special, *Screaming is Useless: Brutality in Marriage*, directed by Sarah Haffner, juxtaposed the violence present in West German homes with the established British Chiswick Women's Aid, whose founder, Erin Pizzey provided inspiration for the documentary and the West German shelter movement *tout court*. The German edition of her book *Scream Quietly or the Neighbours Will Hear* was even released to coincide with the airing of this documentary. These kinds of rhetorical connections between the West Berlin movement and Pizzey's Chiswick refuge were popularly taken up, and newspaper articles frequently positioned domestic violence in West Germany and the proposed Berlin shelter within a broader liberal European context, particularly highlighting the slower introduction of intervention projects in the Federal Republic, as compared to other

³⁹¹ "Geschlagen-Getreten-Gedemütigt. Frauen werden von Männern misshandelt! Wo finden sie Hilfe? Wir brauchen ein Frauenhaus," E Rep 300-96/9, LAB.

³⁹² By 1976 there were already 80 women's shelters in the UK, and shelters had been opened in the US, the Netherlands, Australia, Norway and Denmark.

western countries.³⁹³ Drawing the comparison between a West German state that had so far failed to protect women, and the successful British movement provided the West Berlin initiative with liberal and western legitimacy, and also brought the Federal Republic's claim to being a *Rechtsstaat* into question, by portraying domestic violence prevention as the duty of the liberal state, whose rule was based on the protection of individual civil and political rights.

More important than these discursive patterns to the legitimization of the women's shelter movement were the ongoing transnational links between feminists in West Germany and other European countries, which helped to drive West German liberalization and the institutionalization of domestic violence activism. For her documentary, Haffner travelled to the UK to meet with Pizzey and discuss her activism, a connection which would bind the two movements. Not only did Pizzey participate in a podium discussion at the Frankfurt Book Fair alongside the Federal Minister for Youth, Family and Health, Katharina Focke, and member of the Berlin shelter group, Ruth Nehren, but members of the West Berlin project would go on to sit as board members of the Chiswick shelter.³⁹⁴ Further still, shelter activists were sure to attend highly visible international feminist events, such as the Brussels Tribunal on Violence Against Women,

³⁹³ Haffner, "Gewalt in der Ehe: Was können Frauen dagegen tun?", "Gewalt ist eine Sache von Gewalt," *Spandauer Volksblatt*, 7. November, 1976; "Schrei Leise," *Hessische Allgemein*, September 25, 1976; "Wenn der Mann am Samstag zuschlägt," *Frankfurter Neue Presse*, September 18, 1976; "Schrei leise," *Der Spiegel*, April 19, 1976; Heidede Weidle, "Jede zehnte Frau wird von ihrem Mann geprügelt, getreten, gewürgt und mißhandelt," *Neue Revue* (1977) in A Rep 400 BRD 22.5 (1970-78), FFBIZ; Elisabeth Mühlfriedel, "Das Londoner Frauenhaus: eine Zuflucht für Mißhandelte," *Courage* 2 (1977): 30-32.

³⁹⁴ Brief von Erin Pizzey an Dr. Barbara von Renthe-Fink, 8.11.77, E Rep 300-96/9, LAB; Chiswick Women's Aid, 14.2.1977, E Rep 300-96/9, LAB; "Wenn der Mann am Samstag zuschlägt."

which is said to have inspired the work of the Berlin shelter group.³⁹⁵ These kinds of personal and discursive connections to international projects helped to guide the Berlin initiative as activists could draw from British experiences. The visibility of similar international projects in the media also gave the proposed Berlin shelter, and its feminist orientation, legitimacy; not only had similar projects been successful elsewhere, but they were taken up by those liberal allies closest with West Germany. Framing the issue in this manner allowed these women activists to present issues of gender equality, manifested in the example of partner violence, as a central part of western liberalism and the growing framework of human rights. In doing so, they were able to gain political traction for women's issues in a state that had learnt and drawn from Western models since postwar occupation.³⁹⁶

To a certain extent, these tactics worked: the West Berlin government took up the struggle against violence against women, embracing both the liberal connections to the UK and the rights-based discourse. By May 1976, the SPD had begun to support the project as the Federal Ministry announced their conditional support for the model-project and from June onwards the West Berlin Senate Office for Family, Youth and Sport worked with the women's initiative group to examine the experiences of shelters in England, even sending a delegation to a workshop on violence in the family, held at

³⁹⁵ Hagemann-White, “Die Frauenhausbewegung”; *Gewalt gegen Frauen in Ehe, Psychiatrie, Gynäkologie, Vergewaltigung, Beruf, Film und was Frauen dagegen tun. Beiträge zum Internationalen Tribunal über Gewalt gegen Frauen, Brüssel März 1976* (Berlin: Frauenzentrum Berlin, 1976), Spinnboden Archiv.

³⁹⁶ Poiger, *Jazz, Rock and Rebels*; Grossmann, *Jews, Germans and Allies*; Frank Biess, “Everybody has a chance.” Civil Defense, Nuclear Angst and the History of Emotions in Postwar Germany,” *German History* 27 (2009): 215-243; Heide Fehrenbach, *Cinema in Democratizing Germany: Reconstructing Race After Hitler* (Chapel Hill: University of North Carolina Press, 1995); Maria Höhn, *GIs and Fräuleins: The German-American Encounter in 1950s West Germany* (Chapel Hill: University of North Carolina Press, 2002).

Chiswick Women's Aid in July 1976.³⁹⁷ However, while emphasizing violence as something that “offends, belittles and hurts” a woman’s personhood, the West Berlin Senate’s report emerging from the London workshop also highlighted what it perceived to be the problematic connection between women’s crisis housing and the women’s movement.³⁹⁸

This question of legitimacy – for both the shelter movement and the government agencies supporting them – was all the more important given recent events, which had seen the denial of feminist principles at the highest levels of power. Since the early seventies, the women’s movement had been actively protesting the restrictive West German abortion law, culminating in a 1974 decriminalization of abortion by Parliament. Only one year later, in 1975, this reform was overturned by a Constitutional Court, and abortion was recriminalized.³⁹⁹ With the women’s shelter due to open in late 1976, activists, the Ministry and the Senate faced the hard task of convincing those skeptical of feminist politics in the government and the public that a shelter organized along those principles was both constitutional and the most effective way of dealing with domestic violence. In a move foreshadowing much of the conflict and contestation to come, the Senate report on the Chiswick shelter, despite upholding the feminist orientation of the UK shelters, also underscored that the “prejudices and resistance” associated with popular attitudes towards the women’s movement would result in the over-simplification

³⁹⁷ Ilse Haase-Schur, *Gewalt in Familien: Erfahrungen mit Krisenzentren für mißhandelte Frauen in England* (Berlin: Landespresso Dienst, July 9, 1976).

³⁹⁸ Ibid, Vorbermerkung.

³⁹⁹ Nanette Funk, “Abortion and German Unification,” in *Gender Politics and Post-Communism: Reflections from Eastern Europe and the Former Soviet Union*, eds. Nanette Funk and Magda Mueller (New York: Routledge, 1993), 195; Helmut L. Karcher, “German Court Blocks Liberal Abortion Law,” *BMJ* 305 (1992): 385; Kristina Schulz, *Der lange Atem der Provokation: Die Frauenbewegung in der Bundesrepublik und in Frankreich 1968-1976* (Frankfurt and New York: Campus Verlag, 2002).

of domestic violence, recommending that any future shelter be distanced from the movement.⁴⁰⁰ This belief would prove formative for the institutionalization of domestic violence activism in West Berlin.

The push to legitimize the women's shelter, then, came as much from the upper echelons of power, as it did the grassroots initiative. While feminists campaigned to destigmatize family violence and collaborated with social institutions to promote the shelter, the government worked to ensure the project would receive public support. One way the West Berlin Senate could immediately ensure the initiative's legitimacy was to solidify the legal standing of the shelter. Over the long term, however, it was the muting of feminist rhetoric that worked to make domestic violence intervention more palatable.

Before funding could be approved by the Federal Government and West Berlin Senate, certain control mechanisms needed to be implemented as a way of securing legitimacy and constitutionality for the shelter and the women's movement. The initiative group needed to be brought within the sphere of established welfare services, and was asked to fulfill three conditions before receiving Federal and State support. Firstly, the group needed to become a registered association, represented publicly, not by the initiative group, but by "public individuals," such as representatives of charitable bodies and social services that would help ingratiate the proposed shelter within the welfare system. Following this, the newly registered organization was required to clarify and resubmit the proposal and financing schedule for the shelter and finally, the Federal Ministry ordered an academic review of the model project.⁴⁰¹

⁴⁰⁰ Haase-Schur, *Gewalt in Familien*, 10.

⁴⁰¹ Brief an den Hauptausschuss, 20.9.1976, B Rep 002/12504, LAB; Brief von Abg. Gisela Fechner an den RBm, 18.10.1979, B Rep 002/12504a, LAB.

While these efforts to concretize the foundation of the shelter highlights the high-level support for the project, mandating external oversight and connecting the grassroots movement with public figures suggests there was concern that the kinds of radical critique presented by the shelter and the women's movement might be perceived as threatening or dangerous to traditional systems of power by the wider public and political critics. Integrating the shelter within the established welfare system, then, worked to both legitimize the domestic violence shelter movement, while also distancing the project from its feminist roots as the state and the West Berlin Senate deliberately intervened to drain the movement of its principles, at the same time as it wished to enact them.⁴⁰² This intervention would only reinforce the shelter system's later divergence away from the women's movement, discussed in Chapter One.

Although support for the project grew, with the West Berlin Senate finally approving the project on October 28, 1976, for various government officials and members of the public the shelter remained a contested space, where anxieties surrounding the negotiation of liberal values were focused. Before the shelter had even opened in 1976, the West Berlin Senate faced criticism. An old Red Cross villa in the upper/upper-middle class neighbourhood of Gruenewald had been granted to the now publicly registered shelter group Women Helping Women to use as a shelter for their proposed project, causing much anxiety for nearby residents.⁴⁰³ While many simply complained about the noise of the residents and their children, the concerns of a Herr Dr. Jur. Scheuneman highlight how the construction of a domestic violence shelter contested long-standing norms of gender, class and authority, the negotiation of which was central

⁴⁰² Dorsch, "Frauenhaus oder Krisenzentrum"; Ferree, *Varieties of Feminism*.

⁴⁰³ See, e.g.: Marbach, "Frauenhaus – der Bedarf ist gross."

to entrenching liberal values of equality and freedom from violence.

Herr Scheuneman, who lived next to the shelter in Gruenewald, spearheaded a letter writing campaign to protest the construction of the shelter, and his letters highlight the way that discussions of the shelter intersected with other concerns about the family, class and the state.⁴⁰⁴ While Scheuneman’s initial fears focused on what the shelter would mean for his property and tax dollars – whether there would be extensive construction or noise, how would the shelter be financed – as his campaign continued his letters took on an increasingly alarmist quality, imagining both the breakdown of the German family, but also of Gruenewald, which he feared would be overrun by “hypernervous women” and “startled children, forced to choose between their mother and father.”⁴⁰⁵ Underlying Herr Scheuneman’s anxieties is a sense that traditional hierarchies and structures were being overthrown.

From the very beginning Scheuneman was skeptical about the feminist organization of the shelter and the residents it would attract. Writing to both the Mayor and the Senator for Family, Youth and Sport, he continually urged that the shelter be cancelled, even begging the Mayor to personally shut down the project, if it could not be run within the Church, the traditional bastion of welfare services in Germany. He also expressed deep concern over the unruly behaviour of the shelter’s potential residents, arguing that the shelter’s children would be damaged by having to leave their schools in “Kreuzberg” and attend those in Gruenewald, subtly hinting at the possibility of class, if not racial, transgressions that would be encouraged by the shelter, a sentiment further

⁴⁰⁴ See the series of letters from Herr Scheuneman in B Rep 002/12504, LAB.

⁴⁰⁵ Brief von Scheuneman an die Senatorin für Familien, Jugend und Sport, 28.9.76, B Rep 002/12504, LAB.

backed by his assertion that the shelter would result in the “insecurity” of the whole area.

Worse than disregarding class and racial distinctions, however, the shelter was also thought by Scheuneman to be repudiating the role of the father. Not only was he concerned that no one was thinking about the effects that shelter life would have on children, but he was also very worried that patriarchal authority was being disregarded by the Senate. Having already complained that the rights of fathers were being illegally taken away by a sovereign power, in his final letter to the Mayor we can see the way that the Berlin shelter forced Scheuneman to grapple with the process of implementing liberal values of equality. Written after the shelter had opened, his letter states that “It is now, as before, not the task or ‘right’ of the Senate to intervene in the private life of citizens.”⁴⁰⁶ Providing a space for women to live with their children, away from abusive home lives was a step too far by the Senate, revealing the extent to which, for Scheuneman, postwar democracy was enshrined in the protection of the patriarchal family unit and the private sphere. Alongside upsetting established hierarchies of church, class and race, it was by transgressing the public-private divide and actively removing one of the last vestiges of male authority in the family that domestic violence advocacy challenged the foundations of West German society for Scheuneman.

These anxieties were not only held by Scheuneman, but were rather part of a widespread discourse critical of feminism and distrustful of shelters. In March 1977, four months after the opening of the shelter, politicians from both sides of the political spectrum debated the veracity of certain claims regarding the shelter made in the popular

⁴⁰⁶ Brief von Scheuneman an den RBm, 11.3.77, B Rep 002/12504, LAB.

media.⁴⁰⁷ Of particular concern were claims that female residents were being silenced and controlled by the shelter workers, forced to sign divorce applications in order to be accepted into the shelter, where they were prevented from having any contact with men.⁴⁰⁸ Rumours like these were common following the opening of the shelter, alongside allegations of child neglect, that the shelter was run-down, dirty, and not fit for living, they circulated within conservative newspapers that saw charges of systemic domestic abuse as threatening male power and masculine ideals.⁴⁰⁹ Similar concerns were also aired in the media as several exposés “revealed” life behind shelter doors, with one newspaper going so far as to send a reporter posing as an abused woman to a women’s home in Hamburg.⁴¹⁰ Although these reports would often bring attention to the seriousness of domestic violence, they also played into gendered and classed assumptions about the kinds of ‘fallen’ women who sought refuge in shelters. While these rumours were unfounded, they reflected common fears that feminism, through domestic violence shelters, was both destroying the family, and acting as a subversive element within West German society, encouraging women to steal due to the conditions of the shelter and causing them to neglect their children. One Hamburg senator, before visiting the Berlin model shelter, went so far as to say that he hoped such shelters would not just become a breeding ground for feminists.⁴¹¹

⁴⁰⁷ 51. Sitzung Berliner Senat, 10.3.1977, B Rep 002/12504, LAB.

⁴⁰⁸ Ibid.

⁴⁰⁹ *10 Jahre Frauenhaus* (1986), Radiosendung, FFBIZ; Heideke Weidle, “Jede zehnte Frau wird von ihrem Mann geprügelt, getreten, gewürgt und mißhandelt,” *Neue Revue* (1977) in A Rep 400 BRD 22.5 (1970-78), FFBIZ; *Bild* article, 4.7.1978 in B Rep 002/12504, LAB.

⁴¹⁰ Heideke Weidle, “Jede zehnte Frau wird von ihrem Mann geprügelt, getreten, gewürgt und mißhandelt,” *Neue Revue* (1977) in A Rep 400 BRD 22.5 (1970-78), FFBIZ; *Bild* article, 4.7.1978 in B Rep 002/12504, LAB; “Frauen starren stumpfsinnig vor sich hin. Zur Berichterstattung über das Berliner Frauenhaus,” *Courage* 1 (1977): 35.

⁴¹¹ Heideke Weidle, “Jede zehnte Frau wird von ihrem Mann geprügelt, getreten, gewürgt und mißhandelt,”

Beyond ensuring political and social legitimacy for the shelter movement, politicians supporting the model-shelter project and domestic violence activism had to perform a balancing act, weighing these popular fears of feminism and changing gender roles against the liberal project of protecting women's right to freedom from violence. While Herr Scheuneman was invited to the office of the Mayor to discuss his concerns further (an offer he never took up), the concerns of politicians were often negotiated in ways that purposefully downplayed the feminist politics of the shelter. Already in announcing Federal support for the model shelter, Minister for the Family, Katharina Focke stated that women's shelters should not only work in conjunction with social services and institutions like the Church, but also that any counselling services offered to battered women should involve their husbands, as the primary goal of a women's shelter, should be the maintenance of the family unit.⁴¹² In a similar move, when it came to the publication of the final research reports commissioned by the Federal ministry, the authors of the report were advised by the Ministry to avoid using slogans or expressions that could easily be taken out of context or be seen as a sign of aggression towards men. This was seen as a way of getting more political traction for the shelter project.⁴¹³ Such a request was also asked of the authors of the West Berlin Senate report, where the office of the Mayor suggested that the section focusing on "Violence against Women as a Social Problem" and the paragraph outlining the goal of empowering women to leave abusive relationships be re-written.⁴¹⁴ In both cases we can see that at the same time as they were

Neue Revue (1977) in A Rep 400 BRD 22.5 (1970-78), FFBIZ.

⁴¹² Parlamentarisch-Politischer Pressedienst, *Das aktuelle PPP-Interview. Brutalität in der Ehe ist ein ernstes Problem*, 6 May, 1976. A Rep 400 BRD 22.5 (1970-78), FFBIZ.

⁴¹³ Interview with "Dagmar," August 5, 2013.

⁴¹⁴ Comments on the "Bericht über den Modellversuch "Hilfen für misshandelte Frauen" (Frauenhaus)"

attempting to create institutional support for domestic violence activism, politicians were mediating popular concerns surrounding feminism and changing gender regimes, particularly the fear of the dissolution of the family, by diluting, if not erasing, the very feminist critiques that have driven the shelter movement. In the process of meeting liberal goals then, existing normative gender roles were not overcome, but entrenched.

Changing Times?

Interestingly the co-optation of the fight against violence against women by the West Berlin Senate slowly led to increasing political and popular support for domestic violence intervention. Not only did neighbours stop complaining about the shelter, but women's activism on domestic abuse and violence against women was becoming increasingly popular, as initiatives like the women's taxi service and the anti-pornography movement gained momentum.⁴¹⁵ By the 1980s, even charitable organizations in West Berlin were starting to open their own shelters.⁴¹⁶ These kinds of changes, no matter how small, signal a growing change in the way West Germans thought about gender equality. By accepting shelters and domestic violence activism, everyday Germans and politicians were acknowledging that women had a right to bodily integrity and autonomy, even if

from the Office of the Mayor, B Rep 002/12504a, LAB.

⁴¹⁵ Blauth, "Nachttaxis für Frauen"; "Jede Frau muss die Möglichkeit haben, in dem Abend- bzw. Nachtstunden, sicher und angstfrei nach Hause kommen," June 27, 1990, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; Carola Jeschke, "Mobilitätschancen von Frauen in verkehrsschwachen Zeiten," *Internationales Verkehrswesen* 42 (1990); "Zwei drittel für Frauen-Nachttaxis," *Taz*, March 24, 1988; "Angst vor Männergewalt," *Schöneberger Stichel*, 11/87; *Nachttarif für Frauen*, January 30, 1985, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ. On the anti-pornography movement see: Reiner Schnell, "Wütende Frauen stürmten Kudamm-Kinos!" *Bild*, November 29, 1975; PorNO flyer and literature, 17.2.1988, A Rep 400 Berlin 21.22.6-21.22a (DFB), FFBIZ; "Frauen schneller als der Staatsanwalt," *Die Tageszeitung*, February 27, 1988. See also: Heineman, *Before Porn was Legal*.

⁴¹⁶ In 1983, Caritas opened a women's shelter in West Berlin. Arbeiterwohlfahrt, or Worker's Welfare Association had also been in discussions with the Senate about opening a second shelter in Berlin in the late 1970s.

this should come at the expense of patriarchal authority in the private sphere. However, while there was a growing popular and political consensus that violence against women was a serious issue, other aspects of feminist politics, in particular critiques of systemic misogyny were still thought to be problematic by conservative politicians and state officials. The process of opening a second shelter in West Berlin brought these ongoing concerns to light and the debates and controversies surrounding the new shelter demonstrate how the integration of feminist platforms into mainstream politics brought the shelter movement into a struggle with the government, media and state authorities.

Talks about opening a second domestic violence shelter began in earnest in early 1978, after a new initiative group, Women's Self-Help – Women Against Violence Towards Women, began negotiations with the Senator for Family, Youth and Sport. An open-door policy meant that the first shelter was constantly overfilled, and it was clear, at least to those on the left side of politics and increasingly those in the CDU, that a second shelter was needed.⁴¹⁷ By October, Senator Ilse Reichel approached the mayor of Berlin, and they agreed the need for a second shelter was "undisputed."⁴¹⁸ What remained at issue, however, was how to finance it. The question of shelter funding had become increasingly pressing throughout the Federal Republic following the opening of first model shelter in West Berlin as autonomous women's groups attempted to gain public funds for their projects. Although this matter would eventually reach the federal level in the early 1980s, as the Government considered introducing legislation to regulate shelter

⁴¹⁷ In the first year of the shelter, 615 women, accompanied by 730 children sought out the model-shelter. By the fall of 1978, the average was 50-60 women and 50-60 children taken in per month. The shelter, however, only had 15 bedrooms and there were often up to 12 people sleeping in each room. See: Bericht über den Modellversuch "Hilfen für misshandelte Frauen" (Frauenhaus), B Rep 002/12504a, LAB; Hagemann-White et al., *Hilfen*.

⁴¹⁸ Gespräch mit dem Regierenden Bürgermeister von Berlin am 12.10.1978 über Einrichtung eines 2. Zentrums für misshandelte Frauen, B Rep 002/12504, LAB.

funding, in West Berlin it came out as the initial four-year trial of the model shelter was coming to a close.⁴¹⁹

The model shelter, due to end in 1980, was 80% financed by the Federal Government, with the other 20% coming from the West Berlin Senate. This meant that not only did the West Berlin Senate need to find a way to fund a second shelter, but it also had to take on the full financial support for the first. It was initially proposed to use §72 of the Federal Social Welfare Act as a way of compensating for the loss of federal funding. However, this was hotly contested by feminists, and shelter workers and residents. This paragraph holds that individuals who “face particular social difficulties preventing them from participating in society” are entitled to assistance to overcome these difficulties, if they are unable to do so themselves.⁴²⁰ For those activists associated with the shelter, the use of this paragraph represented an official confirmation that women were responsible for their own abuse by suggesting that it is the women themselves, not the violent men, who are incapable of living in society. In newspaper articles, shelter residents spoke out about feeling “branded as a fringe group” by the paragraph, arguing that using the paragraph went against the core values of activists, who had worked to get domestic violence understood as a widespread issue facing all women. Further still, shelter workers had serious concerns regarding women’s privacy and whether courts would come to “false conclusions” in divorce and custody cases, with

⁴¹⁹ On the Federal discussion of shelter funding see: Rundeschreiben an Bundesländer aufgrund Gespräch mit allen Gleichstellungsstellen zur Finanzierungsfrage Frauenhaus, B 189-25421, BArch-Koblenz. See also: Unterrichtung durch die Bundesregierung. Zweiter Bericht der Bundesregierung über die Lage der Frauehäuser für misshandelte Frauen und Kinder, Drucksache 11/2848, September 1, 1988.

⁴²⁰ *Bundessozialhilfegesetz* 1961 (Germany, West) §72.

respect to former residents' abilities as mothers.⁴²¹

The Senator's office, meanwhile, was not convinced of the discriminatory character of the Welfare Act provisions and instead tried to negotiate different ways of addressing the issue with the shelter group, including amending the offensive formulation of §72 or even creating a welfare provision for women experiencing violence. In spite of this, by the end of 1978, the initiative group took up a firm stance against this form of financing, planning to fund themselves through donations, and were further supported by the Berlin FDP who came out in support of the second shelter, calling for the project to be funded through the state budget.⁴²²

What started as an issue between the initiative group and the State government soon grew much larger, galvanizing the support of feminists, local authorities and the media across West Germany. Further political traction was garnered in the West Berlin Senate following the revelation of the extent of over-crowding at the model shelter, which would often house between 70 and 80 women, with 50-60 children at one time in a building designed to house 70 people.⁴²³ Even the conservative CDU called for an immediate resolution of the over-crowding problem.⁴²⁴

Aware of the growing critique, the Senator for Family, Youth and Sport attempted

⁴²¹ "Haben Berliner Beamte kein Verständnis für Frauen in Not? Die Mitarbeiterinnen im Frauenhaus klagen über Ignoranz und Vorurteile," *Spandauer Volksblatt*, November 2, 1978; "Problem der Misshandlung in Familien bewusst gemacht," *Der Tagesspiegel*, November 2, 1978.

⁴²² Ibid; "Das zweite Frauenhaus könnte schon im Januar seine Pforten öffnen," *Der Tagesspiegel*, December 4, 1978; "Zweites Frauenhaus noch ohne finanzielle Hilfe," *Morgenpost*, January 24, 1979; FDP Pressemitteilung, Nachrichtenspiegel, January 25, 1979, B Rep 002/12504, LAB; Brief von Senatsverwaltung an den RBm, 26.3.1979, B Rep 002/12504; Brief von Frauenselbsthilfe e.V. an den Petitionausschuss, 29.3.1979, B Rep 002/12504, LAB.

⁴²³ Report from the Senator for Youth, Family and Sport regarding arguments for and against the financing of women's shelters through Federal Social Welfare Act, 1.4.1979, B Rep 002/12504, LAB; Brief von Frauenselbsthilfe e.V. an den Petitionausschuss, B Rep 002/12504, LAB.

⁴²⁴ Ausschuss für Familie und Jugend, 29.9.78, B Rep 002/12504, LAB; "Abgeordnete aus allen Fraktionen für das zweite Frauenhaus," *Der Tagesspiegel*, June 28, 1979.

to come up with alternatives that did not draw on the Federal Social Welfare Act, only to face continued criticism from activists, increasingly committed to self-funding, and the finance office, who did not want to draw from state funds. By Spring 1979, the Senator for Family, Youth and Sport proposed a smaller second shelter – limited to one floor, with rent and costs capped at 120,000 DM per year and a modest sum allocated in the budget for initial provisions – as a way of reducing costs. Although the shelter group agreed to consider this alternative, the finance ministry maintained its reservations with respect to these suggestions, preferring instead to wait until the results of the study of the model project were released by the Federal Government. The Senator for Family, Youth and Sport continued to negotiate, unsuccessfully, with the shelter group, ordering a study into how women's shelters throughout the Federal Republic were financed and requesting a legal opinion from the German Association for Public and Private Welfare on whether the Federal Social Welfare Act could be used to fund domestic violence shelters. The results of these studies ultimately supported financing both the first and the second shelter through the West Berlin state budget, following the examples of state-funded shelters in Hamburg, and by July 1979 the West Berlin Senate had promised 400,000 DM for the renovation of a shelter in Spandau.

Although one wing of the second shelter opened on September 1, 1979 and funding was guaranteed through the state budget, this was not necessarily a victory for feminist politics. The Senate disagreed with the women's critique of the Federal Social Welfare Act, but were forced to find alternatives given the widespread opposition to the Act and the recognition that a second shelter was urgently needed. Instead the Senator for Family, Youth and Sport justified the decision on the basis of legal definitions, claiming

that shelter residents did not fit the parameters of “social difficulties” outlined in §72.

The activists’ argument that using the paragraph was a form of victim-blaming was totally denied. What these competing politics highlight is how, although the West Berlin government may have taken up the liberal cause of gender equality and the fight against violence against women, they did so without coming to terms with the kinds of everyday inequalities that bring about these imbalances in the first place.

Even though by the time the second shelter was opened there was clearly strong political support for domestic violence intervention among conservative and liberal politicians alike, the process of opening this shelter raised several popular concerns surrounding the status of these institutions as female-only spaces. Following the letters of Herr Scheuneman, complaints regarding the model shelter focused on noise pollution, as neighbours grumbled about the sounds of children playing. These complaints had mostly stopped by late 1977, following an open-house invitation and group discussion for those living in the surrounding area.⁴²⁵ For the most part, then, it seemed as though popular attitudes had come to accept the need to address domestic violence; the shelter movement was spreading throughout West Germany and other social welfare organizations were getting involved in combating violence against women, with organizations such as Wildwasser and Frauenzimmer e.V. opening throughout the 1980s.⁴²⁶

However, the feminist orientation of the shelters continued to remain problematic for some; in particular men took issue with their exclusion from the shelter space. Built

⁴²⁵ Landespresso Dienst aus dem Abgeordnetenhaus, Berlin, Kleine Anfrage, 31.5.1978, B Rep 002/12504, LAB.

⁴²⁶ Other smaller services opened during the 1980s include: Emergency housing through Brunhilde e.V., Zuffs Kreuzberg/Neukölln and Zuffs Tempelhof. See: A Rep 400 Berlin 1.20-1.23 ohne 1.26.8b.6, FFBIZ; Jent and Wyss, *Selbstverteidigung für Frauen*.

on the principles of empowerment and women's self-help, no men were allowed within the shelter building, including the older sons of the residents.⁴²⁷ Although this policy served the goal of the feminist movement, the shelter's status as a hybrid public-private space brought forth anxieties about male authority and the extent to which a public space, and the family itself, could be closed off to men and the law. Fears about the lack of male presence within the shelter first garnered public attention after male journalists were prevented from entering the shelter at a press conference on the model project held in 1977, but were soon expressed throughout the public discussion on women's shelters in West Germany. Throughout the late 1970s and early 1980s both conservative and liberal members of parliament raised concerns publicly and within party meetings, fearing what an absence of men would mean for the women and children in the shelter. Newspapers echoed these concerns, fearing the creation of a generation of children born to hate men, and a neighbour of the shelter even spoke about this to the *Stuttgarter Zeitung*.⁴²⁸

While Ilse Reichel, the Senator for Family, Youth and Sport during the model phase of the shelter, responded to early criticisms by suggesting that the male journalists who were prevented from entering the shelter revisit the issue after considering the ban on female membership to the Berlin Press Club, for the neighbour and conservative members of the Senate the shelter's policy represented a slight on men, who were being painted as uniformly violent.⁴²⁹ This was even more problematic given what the

⁴²⁷ Hagemann-White et al., *Hilfen*.

⁴²⁸ 51. Sitzung der Berliner Senat, 10.3.1977, B Rep 002/12504, LAB; Arbeitskreis Emanzipation, Protokoll der Sitzung vom 16.12.81, FDP LV Berlin, AK Emanzipation, 16850 AdL; Ausschuss für Familie und Jugend, 29.9.78, B Rep 002/12504, LAB; *Bild* article, 4.7.1978 in B Rep 002/12504, LAB; "Manche Frauen bleiben Monate, manche nur Stunden," *Stuttgarter Zeitung*, November 5, 1977; "Kinder verlassen tagsüber das überfüllte Frauenhaus," *Der Tagesspiegel*, February 7, 1978.

⁴²⁹ "Manche Frauen bleiben Monate, manche nur Stunden"; 51. Sitzung der Berliner Senat, 10.3.1977, B Rep 002/12504, LAB; Ausschuss für Familie und Jugend, 29.9.78, B Rep 002/12504, LAB.

neighbour saw as the “asocial” demeanour of the shelter’s residents: not only were the children being taught to hate men, but they were being exposed to unstable – if not criminal – mothers.

These concerns would reach a head in April 1981, where events at the Second Autonomous Women’s Shelter in Berlin captured the attention of the West Berlin government. At around 10am on the morning of April 18, a male bailiff, Herr Küfner arrived at the house accompanied by someone described in the material as an “Arabic” or “Lebanese” father.⁴³⁰ The men were there to execute a custody order, as it was suspected that the man’s wife and child had taken up residence in the shelter. Despite being told that neither the mother nor child were living in the house, the bailiff demanded he be let in, and resorted to calling both a locksmith and the police to gain entry to this female-only space. Following the arrival of the police, access to the house was granted, and what followed was a thorough search of the premises by both the bailiff and the father, including both men going through the shelter records. While the accounts of the women in the shelter differ from those of the bailiff, we do know that five women were arrested for resisting the search.

The negotiation of this matter highlights how anxieties around male authority, in particular what was felt to be the decreasing importance of male presence in the heteronormative family ideal, were negotiated by the state and by activists. Ultimately, they were dealt with in ways that never actually challenged gendered power imbalances.⁴³¹ In Küfner’s report of the search, his major concerns focus on gendered

⁴³⁰ For the details of this event see the material held in Senatsverwaltung für Justiz, B Rep. 005/2021, LAB.

⁴³¹ On fatherhood in the postwar era see: Biess, *Homecomings*; van Rahden, “Demokratie und väterliche Autorität”; van Rahden, “Wie Vati die Demokratie lernte”; van Rahden, “Fatherhood, Rechristianization,

assumptions about the kinds of women in the shelter and feminism as a whole: he continuously refers to the female residents as incompetent and liars, and suggested that they were hiding the child on purpose. He ends his report by criticizing the feminist organization of the shelter, saying that workers are encouraged to create “opposition at any cost, in order to raise awareness about women's issues.”⁴³²

In responding to this issue, a division between the Senator for Family, Youth and Sport, and the shelter movement developed. The press release issued by the shelter argued that the police action on the house was a political attack, reflecting the systemic gender imbalance present both throughout society and the criminal justice system. The primary concern for the Senate Office for Family, Youth and Sport, meanwhile, was that the privacy of shelter residents be maintained and that state authorities respect the law; in a stern letter to the Director of the Spandau Magistrate’s court the Senator stated that a “legal search warrant against a single resident of a women’s shelter does not give one the right to violently gain entry to the shelter and then search through all the rooms.”⁴³³ By emphasizing the legality of the search warrant, the Senator was able to support domestic violence intervention, while also downplaying the feminist politics of the shelter. Consequently, the views espoused by Herr Kühner, and the base inequalities feminists thought were at the heart of systemic violence, were at best ignored, and at worst upheld.

By the 1980s domestic violence shelters were an established part of the West

and the Quest for Democracy”; Fehrenbach, *Cinema in Democratizing Germany*; Ute G. Poiger, “A New, “Western” Hero? Reconstructing German Masculinity in the 1950s,” *Signs* 24 (1998): 147-162; Robert Moeller, “‘The Last Soldiers of the Great War’ and Tales of Family Reunions in the Federal Republic of Germany,” *Signs* 24 (1998): 29-145; Robert Moeller, “The ‘Remasculinization’ of Germany in the 1950s: Introduction,” *Signs* 24 (1998): 101-106.

⁴³² Kühner an Dir/AG Spandau, B Rep 004/2021, LAB.

⁴³³ Brief von der Senatsverwaltung Familien, Jugend und Sport an den Amtsgerichtsdirektor, 23.4.1981, B Rep 004/2021, LAB.

German welfare system. While left-wing parties, such as the FDP and SPD had long supported the cause in West Berlin, by the opening of the second shelter, the CDU was also on board, as women's projects aimed at ongoing counselling for abuse survivors received cross-partisan and popular support and the anxieties of the early period ebbed.⁴³⁴ What the story of the first two domestic violence shelters in West Berlin shows is how the liberal project of implementing gender equality, drawn in large part from other western examples, was contingent on both institutional and societal change, as politicians, activists and everyday Germans negotiated definitions of authority and privacy and contested legitimacy. Indeed, the controversies over the construction and feminist-orientation of the shelter highlight the connection between anxieties about the family and female-independence and the effort to enshrine democracy and liberal values in West German society. The kinds of discussions provoked by the shelters, surrounding the role of the paternal authority and the legitimacy of feminism, actually encouraged the kind of "clumsy" democratic development as West Germans moved towards an affirmation of common moral values through the negotiation of the freedom of the private sphere and the need to intervene.⁴³⁵ These conversations not only demonstrate how the changes taking place after 1968 were traversed, but also fit within a longer discourse on the role of the family in the German state. Dealing with domestic violence then, was much more than just discussing methods of intervention and the allocation of state funds, but by provoking discussions about gender roles, class and the public sphere, women's shelters encouraged Germans to engage in a conversation about the future of

⁴³⁴ Inhalts-Protokoll Ausschuss für Frauenfragen 13. Sitzung, 3.11.1982, "Besprechung über Arbeit und Förderungsmöglichkeiten für die Arbeit der Frauenhäuser," B Rep 002/12505, LAB.

⁴³⁵ Till van Rahden, "Clumsy Democrats: Moral Passions in the Federal Republic," *German History* 29 (2011): 485-504.

democracy. However, the resolution of many of these anxieties through the dilution of feminist politics that politicians thought was a necessary rejoinder to the institutionalization of protecting women from violence meant that liberalism was constructed on normative ideals, as gendered power imbalances were left intact.

A Community Wanting Something Different

In comparison to the collaboration fostered between shelter activists and the state in West Germany, the relationship between those citizens seeking to address violence against women and the East German regime was far more strained. Indeed, when Joachim joined Caritas as a young and unskilled worker in 1986 in East Berlin, it was not for the money. Instead, he wanted to belong to a community, in this case a Catholic social welfare organization that wanted to do “something different.”⁴³⁶ During his time with the group, he was part of the opening of the first official crisis shelter in the Democratic Republic: East Berlin’s Caritas House for Protected Living (*Caritas-Haus. Wohnen für Menschen in schwierigen Lebenssituationen*). Along with other young volunteers, social workers and a psychologist, Joachim worked in the shelter, which unlike the women’s houses in West Germany, was open to all those – men and women – in need of social assistance. Originally planned as a crisis centre to assist with the widespread issues of homelessness, drug and alcohol addiction across East Germany, Joachim recalls being “absolutely surprised” at the number of women who came looking for help and protection from their

⁴³⁶ Interview with “Joachim,” January 30, 2014. Although Caritas is a Catholic organization, research has shown that the role of religion in the East German Caritas organization was muted, and rather allowed people to “invoke Christian charity without speaking.” See: Josef Pilvousek, “Caritas in SBZ/DDR und Neuen Bundesländern,” in *Religion und Kirchen in Ost (Mittel) Europa: Deutschland-Ost*, eds. Karl Gabriel et al. (Ostfildern 2003), 50-62. See also: Christoph Kösters, ed., “Caritas in der SMZ/DDR, 1945-1989” (Paderborn: Ferdinand Schöningh Verlag, 2001) and Esther Peperkamp and Małgorzata Rajtar, eds., *Religion and the Secular in Eastern Germany, 1945 to the Present* (Leiden: Brill, 2010).

abusive partners. Like the West Berlin shelters, the Caritas house was trying to provide an alternative to state-based social services.

However, whereas the activists in the West accomplished this by working ‘from within’ to change the system, the East German shelter group, while appeasing the regime, constructed themselves in opposition to what they understood as a government that had failed its people. The regime, at the same time, remained distrustful of non-state organizing and closely monitored groups agitating for change. In both East and West, however, we see the regime struggling to adapt to changing social arrangements, as citizens on either side of the Wall became active in fomenting social change. But, while West Germany adapted and institutionalized these changes, the SED maintained their hostility towards activist groups. In this way, unlike liberal development in West Germany, which relied on a deradicalization of feminist politics, the East German case provides a glimpse into a different process of liberalization, based more on social change than institutional. Just as the West German shelter movement contributed to the making of the post-1945 state by working to institutionalize liberal values of equality, even if it meant draining the movement of some of its feminist principles, it was by embracing non-state organizing that this small group of workers helped to ‘un-make’ East Germany by exposing the state’s flaws and providing both a space and discourse outside of socialism for the discussion of social issues.

Although there was a flurry of efforts to open domestic violence shelters over 1989 and the early post-reunification era, one project was completed prior to this transformation: Caritas House in Berlin-Hohenschönhausen. Similarly to the way creating shelters in the West produced popular anxieties on women’s changing roles, the

opening of this shelter in the mid-1980s brought about fears, both perceived and real, of what non-state organizing and engagement would mean for the SED regime, underscoring just how contentious addressing and publicizing social issues was in the GDR.⁴³⁷ For the SED, domestic violence, along with other social issues, represented an aberration of socialist norms, significant for what they revealed about the extent to which socialist ideology had, or more accurately, had not been taken up in everyday life. As we have seen earlier, the general approach to violence in the family was to focus on the ‘immoral’ actions of the parties and reaffirm the importance of the ideological goals of socialism, often in ways that put women at further risk of violence. Indeed, any form of deviance from the socialist norm was investigated, surveilled and dealt with, as an entire infrastructure was built up to ensure conformity. As Greg Eghigian demonstrates, from the 1950s onwards:

a host of experts and practitioners from the legal, forensic, psychological and pedagogical sciences and from medicine, psychiatry, psychotherapy, public policy, and social services became involved in monitoring, assessing, and managing individuals who deviated...from official ideals of behaviour⁴³⁸

Within this framework, all forms of therapy and rehabilitation were subsumed under the auspices of the state and their pedagogical mission of crafting socialist citizens – even suicide hotlines were monitored by the secret police.⁴³⁹ Despite some official interest in combating abuse towards the late 1980s, as one activist so eloquently put it, “it was always clear to me, that something like a women’s shelter was out of the question here in

⁴³⁷ The Caritas house was the only official crisis shelter opened in East Germany. Anecdotally, however, there were isolated safe houses for women leaving abuse in some municipalities. See: Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*; Ferree, *Varieties of Feminism*.

⁴³⁸ Eghigian, “Homo-Munitus,” 45.

⁴³⁹ Interview with “Joachim,” January 30, 2014. See also records on the “Telefon des Vertrauens” in BV Bln Abt XX 4318, BStU.

the East”: domestic violence simply was not a topic for public consumption while the SED still held power.⁴⁴⁰ As a result, when a group of Caritas workers decided that there was a significant need for a crisis shelter in East Berlin in the early eighties, they had to proceed carefully.

The entire process of setting up what would become the only crisis shelter in East Germany was framed around placating the regime.⁴⁴¹ In a similar process to the West Berlin shelters, Caritas workers in East Berlin negotiated with the state on their terms as a way of getting official approval. Despite having decided to open a shelter in 1981, it was not until 1984 that a crisis counselling and emergency housing centre was opened in a former vicarage on the edge of Berlin, with counselors living alongside their clients in this grassroots operation. This project did not last long, however, and it was soon determined that more than just temporary housing was needed. After finally getting a building in 1986, the house was able to start taking clients in 1987. In establishing the shelter, the group, composed of professionals including social workers, psychologists and therapists, alongside young interns, framed their project in the language of the regime, using the term “protected living” to describe the shelter, instead of ‘crisis’. ‘Crisis’ was deemed by the activists as too contentious within the socialist worldview, and alternative descriptors were used as a way of ensuring there would be no problems with the application process.

In spite of these efforts, the shelter is still believed to have raised some eyebrows. In reflecting on his time at the crisis shelter, Joachim remembers four ‘observations’ by Stasi officers he experienced while at the house, noting that the men would park their

⁴⁴⁰ Private archives of “Jennifer.”

⁴⁴¹ Interview with “Joachim,” January 30, 2014.

Lada in front of the shelter and watch from the outside, especially in cases where the shelter had taken in someone “politically explosive.”⁴⁴² He also recalls being approached by a former client at the shelter’s summer party, wanting to atone for spying on the shelter and being responsible for the relocation of other clients. At the same time, however, Joachim acknowledges that no bugs were found at the shelter and that there was nothing on the organization at the Stasi archive when he visited in the early 1990s. Whether these stories of surveillance are true or not, they indicate that it was believed that this was the kind of association that would cause sufficient controversy to result in Stasi observation, underscoring, in a way, a perception that addressing social problems in this grassroots manner was seen by the regime as problematic and dangerous.

Indeed, if the SED-state did not find these activists threatening, they should have. Just as the West German movement defined their approach in opposition to the official welfare services, the Caritas house workers saw themselves as an alternative to what they saw as a compromised regime that was too concerned with crafting socialist citizens to acknowledge the issues facing everyday East Germans. The Caritas group challenged this welfare system by providing an external alternative aimed at assisting, rather than shaping individuals. However, whereas the Western shelters eventually moved into formal welfare channels, the Caritas shelter remained outside of the state’s pedagogically driven social programs, and the workers were not just critical of the regime as they were in the West, but were opposed to it. Despite officially abstaining from the term ‘crisis’, it continued to be used subversively by the shelter workers as a *Kampfbegriff* or battle cry, to indicate their position against the regime. Moreover, their approach to intervention was

⁴⁴² Interview with “Joachim,” January 30, 2014.

framed in contrast to the pedagogical and medicalized approach of the state, looking instead at the systemic and social issues, such as the limited housing options, that brought about violence and addiction. In doing so, these shelter workers paralleled the other forms of activism, discussed in Chapter Two, where women activists began calling for new ways of thinking about and defining violence, offering new discursive and legislative frameworks.⁴⁴³

Significantly these women activists were closely monitored by the secret police.⁴⁴⁴ Already by late 1987, women were advocating for the Caritas house as a shelter where women experiencing abuse could find safety, and calling for similar organizations to be opened by municipalities and welfare organizations.⁴⁴⁵ By opening up these new spaces, groups like the Caritas shelter and women activists undermined the SED's approach to gender roles and social welfare, exposing the flaws in the system.⁴⁴⁶ In doing so, as I also argue in Chapter Two, they demonstrated a new form of liberal civic engagement with the state, showing how people could organize outside of the auspices of the party and work to address the issues the regime refused to acknowledge. As historians Donna Harsch and Eli Rubin have shown these kinds of everyday acts of resistance cannot be discounted for their role in the destabilization and ultimate collapse of the regime; while institutional and social change were mutually reinforcing to the liberal

⁴⁴³ Kenawi, *Frauengruppen*; Programm zum 3. Dresdener Frauenfest, 1987, RHG/G2/A1/2359; 3. Dresdener Frauenfest: Gewalt gegen Frauen (02.-04.10.87), RHG/A1/0300; Brief an Herrn Scholz, Betreff „Gewalt gegen Frauen“, RHG/A1/2524; Frauen und Macht, RHG/G2/A1/1290; Vergewaltigung, RHG/G2/A1/1232; Fragebogen zum Thema Vergewaltigung, RHG/G2/A1/1250.

⁴⁴⁴ „Einschätzung: Entwicklung und Entstehungsgeschichte des „Frauenzentrums“,“ 30.9.1987, HA XX 11843, BStU; Frauen für den Frieden, BV Bln AKG 4005, BStU.

⁴⁴⁵ Christiane Dietrich, “Gewalt gegen Frauen: Berliner Haus der Caritas bietet Hilfesuchenden Schutz,” *Glaube und Heimat*, October 25, 1987, RHG A1/0300; Marinka Körzendörfer, “Zwanglos über Zwänge reden,” UNION, October 24/25, 1987, RHG ZA/17.

⁴⁴⁶ Harsch, *Revenge of the Domestic*; Rubin, *Synthetic Socialism*.

project in the Federal Republic, in East Germany, the relationship of citizens to the state and their liberal demands brought about the collapse of socialism.

This active citizenship carried over the fall of the Berlin Wall, as women became increasingly politicized, ensuring their voices were heard over the *Wende*.⁴⁴⁷ Groups like the UFV and New Forum (*Neues Forum*) opened spaces for women to come together, forge connections and get engaged in issues that mattered to them as women, and the period of reunification saw the start of many projects aimed at assisting women in violent living situations. This great sense of do-it-yourself translated over to shelter projects, as one activist attending an open meeting of the UFV, was told by Ina Merkel, a spokesperson for the UFV, that there was no plan for a shelter, instead “you have to do it yourselves.”⁴⁴⁸ Encouraged by this attitude, this activist would go on to organize the first autonomous women’s shelter in former East Berlin.

However, unlike the struggles to get domestic abuse taken seriously in West Germany, intervention schemes were taken up with much less fuss in the former East Germany.⁴⁴⁹ In the stories of activists, memories of the support for women’s projects during and after 1989 are contrasted with the impossibility of such organizing under socialism, meaning that stories of the difficulties encountered often take a back seat to the overall successes of the shelter projects. Indeed, by the time of reunification, addressing domestic violence and the institutionalization of shelter work – after almost 15 years of activism – was already firmly integrated into West German political life, and East

⁴⁴⁷ Kenawi, *Frauengruppen*; Young, *Triumph of the Fatherland*; Anne Hampele, “Ein Jahr Unabhängiger Frauenverband – Teil II: Frauenbewegung und UFV im letzten Jahr der DDR,” *Berliner Arbeitshefte und Berichte zur sozialwissenschaftlichen Forschung* 48 (1990).

⁴⁴⁸ “Rede 20jähriges Jubiläum.” Private archives of “Sophie.”

⁴⁴⁹ See for example: 12. Sitzung Stadtverordnetenversammlung von Berlin, 19.9.1990, C Rep 100-01/241, LAB; Magistratsbeschluss, Nr. 49/90 vom 3. Juli 1990, C Rep 100-05/2218, LAB.

German activists were able to benefit from this. Not only could these activists draw on the experiences and strategies of other West German shelters, but they could use these connections and the support from western feminists to legitimize intervention work at a time when the socialist state was losing legitimacy. However, the implementation of institutionalized support services in the former East also meant the watering down of those principles of equality and rights that had originally activated the dissident movement.

The stories of the First Autonomous Women's House in Leipzig, founded by the group Women for Women (*Frauen für Frauen e.V.*) and the Hestia Women's Shelter, founded by the Association for the Protection of Physically and Psychologically Threatened and Abused Women and their Children (*Verein zum Schutz physisch und psychisch bedrohter und misshandelter Frauen und ihrer Kinder*) in East Berlin reflect the very different way that domestic violence projects were taken up in East Berlin and the new *Bundesländer*. Like the West German shelters these were organized following the feminist principles of self-help and empowerment, and they followed the Western definitions of violence against women and models of intervention closely. One of the founders of the Leipzig group, Jennifer, worked as a nurse in a women's ward under socialism, and during this time saw many young women who, seeing no other way out of their abusive relationships, had attempted suicide. Although she felt that a shelter or similar organization would be impossible under the SED, Jennifer slowly started becoming active, following coverage of the opening of shelters in West Berlin in the East German media and getting friends in Cologne to send her literature on domestic

violence.⁴⁵⁰ By 1989, political developments enabled Jennifer to start work on a refuge for women; in August of 1989 she was able to travel to Cologne and meet with shelter workers there, and by November she, along with three other women, got together to do something concrete for women in crisis situations. This group, formed following a women's meet-up organized by the political group New Forum, would meet every week, and by early December 1989 they had submitted an application to the City Planning Commission, demanding that an unoccupied house be made available for the construction of a women's shelter.⁴⁵¹

Following a similar trajectory, Sophie the founder of what would become the Hestia shelter in Berlin, was a volunteer with Child and Youth Services under socialism and had encountered many young people and mothers who were experiencing violence in the home. In late 1989, she joined a group of 20 women, all from different social backgrounds who had either had experience volunteering in social fields or had first-hand experiences of the issue of violence against women. In comparison to the professional team composing the West Berlin house, none of this group were trained social workers. Like the Leipzig activists, the East Berlin women formed an Association in February 1990, and then began making contacts with various political bodies, such as the town council of Berlin and the regional Round Tables in hopes of being granted one of the many empty properties left behind following the overthrow of the SED. Similarly to the efforts of the West German activists in the mid-1970s, for both groups the second stage of their activism was to work with the media to break the taboo on domestic violence, forwarding copies of their proposal to regional newspapers and publishing statistics and

⁴⁵⁰ Interview with "Jennifer," 17 October, 2013 and her private archives.

⁴⁵¹ Private archives of "Jennifer."

data on violence against women under socialism.⁴⁵²

Just as the West Berlin initiative group linked their work to the refuges in England as a way of legitimizing feminist approaches to domestic violence, by emphasizing the way that domestic violence was stigmatized and privatized under socialism and by drawing from the work done in the Federal Republic these activists were able to take advantage of and contribute to the growing delegitimization of the SED state. During the *Wende* there were many media reports on the gravity of domestic violence, and how under socialism it had been a taboo that “contradicted the official ideal of the intact family.”⁴⁵³ Newspaper articles and radio shows, both mainstream and feminist oriented, focused on women’s stories of abuse and the task of opening shelters, highlighting the SED’s failure to protect women, repeating popular feminist critiques of domestic violence as a “social problem” based in “patriarchal structures and the real discrimination of women in the home and at work.”⁴⁵⁴ Even social researchers started collecting statistics on violence against women, with the first statistics on rape and domestic violence in the East German criminal justice system published in 1990.⁴⁵⁵ At the same time, public events were held to raise awareness about violence against women: in 1989 the Leipzig women’s festival brought many new volunteers to the Leipzig shelter project’s efforts and the newly installed City Commissioner for Equal Opportunity in

⁴⁵² “Rede 20jähriges Jubiläum,” private archive of “Sophie”; Private archives of “Jennifer.”

⁴⁵³ “Gewalt und Angst in den Familien darf keine private Angelegenheit mehr bleiben,” *Berliner Zeitung*, April 25, 1990, 9; “Wer gibt schon gern zu daß alles kaputt ist?”, *Neue Zeit*, June 1, 1990, 3; “(K)eine Chance für längst notwendige Frauenprojekte?,” *Berliner Zeitung*, June 20, 1990, 7; “Männerfrage wird gestellt,” *Berliner Zeitung*, June 4, 1990, 7; “Irgendwo im Ostteil der Stadt —Frauenhaus „Bora,“” *Neues Deutschland*, September 6, 1990, 7; “‘Asyl’ für mißhandelte Frauen,” *Neue Zeit*, September 6, 1990, 7; “Gewalt gegen Frauen,” *Neue Zeit*, September 17, 1990, 9; “Zufluchtswohnungen für Frauen in Berlin,” *Die Tageszeitung*, July 24, 1990; “Leipziger Frauenhaus öffnet seine Türen,” *Neues Deutschland*, October 8, 1990.

⁴⁵⁴ “Gewalt und Angst in den Familien,” 9.

⁴⁵⁵ Winkler and Bayer, *Frauenreport ’90*.

East Berlin was able to host a hearing on the issue of violence against women in September 1990, where the film *The Power of Men is the Forbearance of Women (Die Macht der Männer ist die Geduld der Frauen*, 1978), based on stories of the first shelter in West Berlin was screened. Although these stories of domestic violence led some observers to conclude either that domestic violence did not exist as widely under socialism or that the political upheavals had brought about a massive increase in abuse, they did not create the same widespread doubts over domestic violence or questioning of shelter projects as was the case in the West and the cause of domestic violence intervention was quickly taken up.⁴⁵⁶

The popular disavowal of socialism and the SED during reunification provided activists with a platform to frame their projects: the proposals of both the Leipzig shelter and the first autonomous shelter in East Berlin underscored that under socialism “there were no social or legal regulations” addressing violence in the family.⁴⁵⁷ Positioning their efforts in this manner allowed these projects to garner support by casting their work in opposition to the illegitimate SED regime and speaking to an established West German system of support. Indeed, the projects in Leipzig and East Berlin were soon embraced by the new political organizations of the *Wende*, both receiving funding and property within a year of application. By early 1990, the Leipzig District Assembly had concluded that a women’s shelter was needed in the city after a draft resolution was brought by members of the Party of Democratic Socialism (*Partei des Demokratischen Sozialismus*, PDS) and

⁴⁵⁶ Dodds and Allen-Thompson, *The Wall in My Backyard*; Schröttle, *Politik und Gewalt*; Pressemitteilung zur Vorlage 49/90, Tagesordnungspunkt 11 der Magistratssitzung vom 3.7.1990, C Rep 100-05/2218, LAB.

⁴⁵⁷ Private archive of “Jennifer.” See also: Wir fordern den Berliner Runden Tisch auf, den o.g. Verein beim Aufbau eines autonomen Frauenhauses zu unterstützen, RHG/A1/2836; Beschluss/Vorlage der Magistrat der Stadt Magdeburg beschliesst: Ausbau und die Einrichtung eines Frauenhauses für die Stadt Magdeburg, RHG/A1/1542.

DFD and in the summer of that same year they were given a former Stasi building by the District Administration.⁴⁵⁸ With space for 24 women and children, the shelter, opened on November 2, 1990, was full immediately. Soon thereafter the group was given a start-up grant of 50,000 DM from the East German Ministry for Family, Youth and Sport after writing to the Minister, Christa Schmidt. By 1991 the shelter was funded through the city budget and in 1993 they were granted a larger house, to help with overcrowding, which then opened in 1994.

A similar process took place in East Berlin as the initiative group worked to establish a women's shelter and what is clear is that both projects in Leipzig and East Berlin received a lot of political support. Before even receiving funding for the project, the initiative group were granted a former residence of the National People's Army (*Nationalen Volksarmee*, NVA) through the activism of a citizens' initiative in early 1990.⁴⁵⁹ Although the possession of this building would cause some difficulties, with the title only being passed on to the Municipal Authorities in East Berlin from the former Ministry for Disarmament and Defence in late September of 1990, the official backing the proposed shelter received from political authorities in both East and West meant that by this stage the shelter was fully funded. Only a few months after being given the residence, the initiative group met with the West Berlin Senator for Construction and Living, who promised 331,200 DM for the renovation of the NVA building, with the money due to come from the 25 million DM fund for the reconstruction of East Berlin. In addition, following a proposal by Eva Kunz, the City Commissioner for Equal Opportunity, by July 3 the East Berlin Municipal Authorities had agreed to provide

⁴⁵⁸ Private archive of "Jennifer."

⁴⁵⁹ "Rede 20jähriges Jubiläum," private archive of "Sophie."

628,800 DM over two years for renovation and the furnishing of the shelter, and by September 1990 the Federal Ministry for Women had provided enough money to pay the salaries of four shelter workers. Although their shelter would not open until May 19, 1993 (due to lengthy renovations), in the meantime the group organized a Contact Office for Women in Crisis (*Kontaktbüro für Frauen in Krisensituationen*) where women in abusive relationships could find support and legal assistance; they leased 12 emergency apartments throughout Berlin; and, finally, on January 1, 1992 they took over a shelter in Marzahn, which had previously been supported through the local authorities, all before their initial project had even opened.⁴⁶⁰

While we might wonder whether the processes of opening these two shelters was this straight-forward, or if it is simply a function of memory and the delegitimization of the GDR, what is clear is that the shelters received overwhelming support in ways that shelters in West Berlin did not in the early years of domestic violence activism.⁴⁶¹ Unlike how West Berlin activists had to struggle for legitimacy, by the time reunification came, addressing domestic violence had become a part of political life, if not also a foundation of West German state legitimacy. Eva Kunz, the East Berlin Commissioner for Gender Equality wrote the Municipal Chambers in June 1990, urging them to sponsor the East Berlin shelter project proposed by the Association for the Protection of Physically and Psychologically Threatened and Abused Women and their Children, because in her view “we cannot politically afford to have this project die in administrative channels!”⁴⁶² That domestic violence was a serious issue and that feminist approaches were a legitimate

⁴⁶⁰ Private archive of “Sophie.”

⁴⁶¹ For an in-depth examination of post-reunification feminist projects see: Katja M. Guenther, *Making Their Place: Feminism after Socialism in Eastern Germany* (Stanford: Stanford University Press, 2010).

⁴⁶² Brief von Eva Kunz an die Magistratskanzlei 22.6.90, C Rep 100-05/2218, LAB.

framework for tackling violence against women were not questioned in the same way, and the relative ease with which many of the early East German shelter projects gained political traction, highlights the success of the West German shelter movement in getting violence against women on the political agenda. Of course, this institutionalization of feminist politics came at a cost. Shelter activism in the West was deradicalized and gendered power imbalances were left largely unaddressed. As the next chapter shows, this would have important consequences for the ongoing discussion and development of women's rights after reunification.

Conclusion

In both halves of divided Berlin, domestic violence shelters were loci of state-making and citizenship formation, and looking at the process of opening shelters, first in West Berlin, and then in the East tells much about the kinds of negotiations and interactions that have gone into the path of divided German state-making, un-making and re-making. By bringing about an institutional and social reckoning with the role of gender under liberalism, the project of constructing strategies for dealing with domestic violence in West Berlin resulted in a mutually reinforcing process of 'learning feminism', whereby political acceptance of the seriousness of violence against women went hand-in-hand with societal development as principles of equality were co-opted into the liberal framework. As activists worked with the government, their cause was slowly taken up, with support moving from the left of the political spectrum, so that by the 1980s domestic violence projects had cross-partisan support. At the same time, everyday Germans negotiated the changing gender regime, and over the course of the 1970s and 1980s

complaints and inflammatory accusations at the shelter lessened as intervention strategies became more popular. However, this new form of liberal citizenship had its limits, as Chapter Three shows the feminist attempt to engage neighbours in the private lives often fell on deaf ears.

By the time of the *Wende*, domestic violence activism and the protection of women from violence were well-established principles in the West German political system. For activists in the East, this meant that not only could they benefit from the example and experiences of their western sisters, but that they could draw from the political legitimacy of their work. As the examples of the East Berlin and Leipzig shelters show, state funding came quickly as domestic violence intervention was framed in contrast to the taboo and stigmatized nature of violence in the home under the illegitimate SED regime.

But domestic violence activism began earlier than 1989, and the stories of the Caritas project, in particular its observation by the Stasi, underscore the significant role these forms of non-state organizing played in undermining the authority of the socialist state. The grassroots activism of the Caritas group and other anti-violence workers shows the development of an engaged citizenship, in contrast to the stagnant political order. In comparison to West Germany, where liberal forms of citizenship developed alongside, and were encouraged by institutional change, in East Germany state and political growth only arrived after forms of citizenship had begun to change.

However, as the debates surrounding the shelters reveal, the processes of ‘learning feminism’, and integrating domestic violence activism into the political order were not seamless. The anxieties of men like Herr Scheunemann and Herr Küfner, among

others, highlight the way addressing domestic violence raised a host of concerns regarding authority, legitimacy, the public and private divide, and patriarchal authority. Dealing with these issues, and placating those critical of shelters was often part-and-parcel of getting support, both political and popular, for the intervention projects. The trade-off for this support, however, was the dilution of those feminist critiques of gendered power structures put forward by shelter activists. Indeed, West German liberal development relied not only on a process of learning liberalism, but was also predicated on a deradicalization and institutionalization of feminist politics and projects, a relationship which transferred to the former East following reunification. This meant that the very dynamics thought to bring about violence against women were often ignored in order to get support for the schemes aimed at combating it as normative ideals structured the liberalization of Germany.

On the one hand the institutionalization of domestic violence activism has meant that generally women are now entering shelters much quicker, rather than living with physical abuse for years, if not decades as many of the earliest residents of the Berlin shelter had.⁴⁶³ On the other hand, although violence against women and sexual violence is uniformly condemned, there is still hesitation to intervene within the private sphere, leaving violence against women as a “private issue, then as now taking place behind closed doors.”⁴⁶⁴

⁴⁶³ Interview with “Dagmar,” August 5, 2013.

⁴⁶⁴ Barbara Kavemann et al., *Modelle der Kooperation gegen häusliche Gewalt* (Stuttgart: Verlag W. Kohlhammer, 2001), 22.

5 Gender and Reunification: Abortion, Domestic Violence and Women's Autonomy

On the twentieth anniversary of the reunification of Germany, the *New York Times* published an article profiling the differences between women of the former East and West Germanys. Despite two decades of living under one state, the piece highlights that division still separates women's lives in Germany. While the fall of the Berlin Wall had a disproportionate impact on women of the former East – they lost jobs, childcare and maternity benefits – it is these same women who are now better off than their western sisters. Women from the east of Germany, the article argues, “are more self-confident, better-educated and more mobile...They have children earlier and are more likely to work full time. More of them are happy with their looks and their sexuality, and fewer of them diet.”⁴⁶⁵ Further still, although wages are lower in the East, the pay gap between men and women is only 6%, as opposed to 24% in the west. Citing examples like Chancellor Angela Merkel and the deputy leader of the opposition SPD, Manuela Schwesig – who both grew up in the former GDR – the article shows that while “West German women wobble...Eastern women have no fear.”⁴⁶⁶

⁴⁶⁵ Katrin Bennhold, “20 Years After Fall of Wall, Women of Former East Germany Thrive,” *New York Times*, October 2, 2010. Accessed October 20, 2015, http://www.nytimes.com/2010/10/06/world/europe/06iht-letter.html?_r=0.

⁴⁶⁶ Ibid. Of course, what remains undiscussed in the article is the issue of increasing male unemployment in the former East, which has surpassed female unemployment. See: Anne Goedicke, “A ‘Ready-Made State’: The Mode of Institutional Transition in East Germany After 1989,” in *After the Fall of the Wall: Life Courses in the Transformation of East Germany*, eds. Martin Diewald, Anne Goedicke and Karl Ulrich Mayer (Stanford: Stanford University Press, 2006), 44-64.

Discussions like this are relatively common in Germany.⁴⁶⁷ Frequently joked about in the media, television shows like *Frauentausch* (the German version of the American/British reality show *Wife Swap*) even rely on the drama of swapping a western *Hausfrau* with an eastern *Powerfrau*, playing on tropes of intra-German gender differences. More often than not, these differences are attributed to the legacy of division and the different socialization and position of women under socialism, as opposed to those in the liberal capitalist west. Unlike the expectations of motherhood and single-income families that predominated in the Federal Republic, women in the GDR were officially expected to work, get an education and have a family. On top of which they also had to ‘make do’ with limited economic and material resources.

While these are certainly important differences, what happens if we look deeper at the position of women in reunified Germany? Specifically, how does the story change if we look at the development of formal equality after reunification, rather than at issues of everyday gender differences? The last two chapters focused on the processes of social and institutional change in East and West Germany, highlighting the way creating equality between men and women was made a women’s duty, as grassroots and institutional approaches to domestic abuse made them responsible for combatting gender violence. I have argued that in doing so patriarchal authority in both states was left largely intact, as feminist politics, at least in the West, were co-opted and diluted of much of their meaning. Despite the development of services in the West and legal mechanisms

⁴⁶⁷ See for example: “Einmalig großflächiges Frauendefizit” in Ostdeutschland,” *Die Welt*, July 22, 2015. Accessed October 20, 2015, <http://www.welt.de/politik/deutschland/article144309049/Einmalig-grossflaechiges-Frauendefizit-in-Ostdeutschland.html>; Ingrid Weidner, “Frauen aus Ostdeutschland fällt Karriere leichter,” *Zeit Online*, June 12, 2014. Accessed October 20, 2015, <http://www.zeit.de/karriere/beruf/2014-06/karriere-frauen-ost-west-vergleich>; Michael Schlieben, “Frauenmangel im Osten,” *Zeit Online*, October 2, 2009. Accessed October 20, 2015, <http://www.zeit.de/online/2007/22/abwanderung-ostdeutschland>.

in the East to assist women with leaving a violent spouse, the issue most fundamental to addressing domestic violence – namely, what allows men to hit women in the first place – was left unexamined by the state.

In this chapter, I look at what happens to women’s activism and women’s rights over the course of and following the reunification of Germany in 1990. Typically, narratives of gender and feminist activism over reunification emphasizes women, and women’s rights, as the “losers” of the fall of socialism.⁴⁶⁸ Focusing on issues of the feminization of unemployment, and the failed attempt of East and West German activists to extend the socialist abortion law into the new German state, scholars, writing both at the time and after, have taken a very narrow view on the negative impact of reunification on women.⁴⁶⁹ While German women did lose out on a full-scale revision and liberalization of reproductive rights, the same cannot be said for domestic violence activism.⁴⁷⁰ In marked contrast to abortion reform, reunification revitalized work against gender violence. Indeed, some of the biggest developments in domestic violence activism

⁴⁶⁸ Hanna Behrend, “East German Women – Chief Losers in German Unification,” in *Family, Women, and Employment in Central-Eastern Europe*, ed. Barbara Lobodzinska (Westport: Greenwood Press, 1995), 113–122; “Frauen befürchten historischen Rückschritt,” *Die Tageszeitung*, May 2, 1990. See also the discussion of representations of East German women in: Elizabeth Mittman, “Gender, Citizenship, and the Public Sphere in Postunification Germany: Experiments in Feminist Journalism,” *Signs* 32 (2007): 759–791.

⁴⁶⁹ Wuerth, “National Politics/Local Identities”; Behrend, “East German Women”; Young, *Triumph of the Fatherland*.

⁴⁷⁰ While on-demand abortion was available from 1972 in East Germany, in the West, despite a brief liberalization in 1974, women could only access a first trimester abortion after 1976. Under this law, abortion was still illegal, but could be performed in the first trimester if a doctor certified that there was a valid reason for an abortion. This could include medical danger; social difficulties for the mother; or if the pregnancy was the result of rape or incest. In addition, the woman had to receive counselling from a state-recognized counsellor, after which a second doctor could perform the abortion. The costs of the procedure were not covered by health insurance. Following reunification, a new abortion law was introduced in 1992. Although abortion remains criminalized, women can now access a first trimester abortion, subject to counselling and a three-day waiting period. A late-term abortion can also be performed if the physical or mental health of the woman is endangered. This law also allows abortion to be covered by insurance. See: *Strafgesetzbuch 1871* (Germany), §218; Funk, “Abortion and German Unification”; Karcher, “German Court.”

since the opening of the first shelter in 1976 came about as a result of East-West collaboration following the *Wende*. In particular, the creation and ongoing support for the model intervention project Berlin Initiative Against Violence Towards Women (BIG e.V.) and the introduction of the Protection from Violence Act, alongside the criminalization of rape in marriage made Germany into a European leader in the protection of women's rights to freedom from violence.⁴⁷¹

I begin this chapter by examining the established narrative of gender and German reunification. In particular, I focus on the strained relationship between East and West German women activists, who struggled to work together to decriminalize abortion. This endeavour has largely been cast as a failure, particularly for the East German activist and political group, the UFV who fought to assert that “Without Women You Cannot Make a State.”⁴⁷² This inability of activists from either side of the Wall to work together stands in marked contrast to the effort to combat domestic violence, which was the site of a more successful and ongoing collaboration. As discussed in the previous chapter, one of the main reasons for the success of East German shelter projects was that unlike the fight for reproductive rights, domestic violence intervention and prevention were already a firm part of West German liberalism by the time of reunification. Furthermore, whereas abortion activists were attempting to protect a right that existed in the increasingly delegitimized GDR, domestic violence activism was about extending West German

⁴⁷¹ *Aktionsplan der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen*.

⁴⁷² For a brief overview of the founding of the UFV see Anne Hampel, “The Organized Women’s Movement in the Collapse of the GDR: The Independent Women’s Association (UFV),” in *Gender Politics and Post-Communism: Reflections from Eastern Europe and the Former Soviet Union*, eds. Nanette Funk and Magda Mueller (New York: Routledge, 1993), 180-193; Daphne Hornig and Christine Steiner, *Auf der Suche nach der Bewegung. Zur Frauenbewegung in der DDR vor und nach der Wende* (Hamburg: Frauen-Anstiftung eV, 1992).

practices to the East and implementing liberal values within a state that had failed to protect its female citizens.

However, following reunification, not only were a variety of shelters and women's centres opened in the East, but there was also a push to re-examine institutional and service-based approaches to domestic violence, including the question of the utility of legal reform and the extent to which the current system and social attitudes made women vulnerable. This is the focus of the second half of this chapter where I examine the way post-1990 activism drew from the traditions of organizing in the West, and to a lesser extent the East. Examining domestic violence activism after reunification in this way not only shows the successes of an East German women's movement that has often been cast as a failure, but also demonstrates that a modicum of closure was achieved in the long-ranging discussion on the role of the German state in the private lives of its citizens. By enacting legislation founded on the principle of "*wer schlägt, der geht*" ("whoever hits must leave"), the Federal Government took a principled stance that the right to women to be free from violence must trump the protected status of the family.

The creation of services and laws has significantly helped address the difficulties of women and children experiencing violence. But it is also important to ask why certain women's issues, like domestic violence, found political traction, where others, in this case reproductive rights, did not, and what this means for women's rights in contemporary Germany. Indeed, it is in the success of domestic violence activism that we can see the costs of the co-optation and deradicalization of feminist approaches to violence against women. Namely, I argue that the failed attempt at abortion reform and the advancement of domestic violence projects points to the political success of a certain

ideal of womanhood, in which motherhood forms a foundational role. It further suggests that the official support of domestic violence projects, and the creation of laws to protect women from violence are less about defending women's rights to bodily integrity, and more about restricting and controlling male access to women's bodies. By looking at what women's issues were taken up by the German state and how they were addressed then, I seek to reveal what reunification meant for the role of women, activism and social change in Germany.

Women and *die Wende*

On October 3, 1990, Germany officially reunited, and the division that had separated East and West since 1949 came to an end. This event marked the culmination of a series of social and political changes within East Germany and the Soviet bloc that ultimately brought about the fall of the Berlin Wall in November 1989. Fueled by the failures of the regime to meet the needs of the people and the expectation of change signaled by the implementation of *perestroika* and *glasnost* in the Soviet Union, the origins of the collapse of the Berlin Wall lay in the dissident movement growing throughout the 1980s in East Germany.⁴⁷³ However, it was the precipitous developments of 1989/90 that led most clearly to reunification, changes which are encapsulated in the German term '*die Wende*', or 'turning-point' commonly used to refer to the historical transition from divided to reunified nation.

⁴⁷³ Harsch, *Revenge of the Domestic*; Mary Fulbrook, *A History of Germany, 1918-2008: The Divided Nation* (3rd ed.)(Oxford: Wiley-Blackwell, 2009). For an overview on the literature on the collapse of the GDR see: Eckhard Jesse, "Friedliche Revolution. Deutsche Einheit. Vereinigtes Deutschland?," *Politisches Vierteljahresschrift* 52 (2011): 537-555.

The process of transformation in East Germany began to accelerate following the dismantling of the Hungarian border from May 1989 and the collapse of the socialist government in Poland in August that same year. This not only allowed many East Germans holidaying in Hungary to escape to the West via Austria following the opening of the border in September 1989, but the policy of non-interference introduced in the ‘Sinatra Doctrine’, which guaranteed that the Soviet Union would not intervene in the politics of other socialist states, meant that both Hungary and Poland could implement these changes without fear of Soviet reprisal.

Drawing courage from these examples, dissent and protest in East Germany grew and by late August 1989 the ‘gentle revolution’ (*sanfte Revolution*) was well underway.⁴⁷⁴ This revolution was marked on the one hand by mass protest and the creation of autonomous political groups, like New Forum, and on the other by an increasing official acceptance of the need for change. Not only was police suppression and the use violence against protesters eased, but there were attempts at reform from above, including major purges of the SED elite and Politburo.⁴⁷⁵ By early November 1989, the government and Politburo resigned, and on the evening of the ninth, following a remark at a press conference on the immediate introduction of visa free travel to West Germany, the media declared that the border was open, resulting in the now iconic scenes of jubilation as Germans hugged and rejoiced across the Wall.

The opening of the border marked the beginning of an almost year-long process of reunification that was ultimately driven by West Germany. Prior to the fall of the Berlin Wall, many intellectuals hoped that the collapse of state socialism would lead to a

⁴⁷⁴ Fulbrook, *History of Germany*.

⁴⁷⁵ Ibid.

‘third path’ of democratic socialism. However, it soon became clear that reunification would be the only path. In the last independent election held in East Germany in March 1990, the people voted for a rapid reunification, enabled through Article 23 of the West German Basic Law, which provided for the absorption of new territory into the West German state.⁴⁷⁶ As a result, reunification was less of a true coming together of East and West and more the imposition of West German law and institutions onto an increasingly delegitimized East.

This approach led the narrative and process of reunification to be increasingly defined in “exclusively West German terms,” which had important consequences for women.⁴⁷⁷ Indeed, drawing from an established postwar discourse that connected anticomunism with the enshrinement of the patriarchal family unit in West Germany, socialist policies that encouraged women to enter the workplace by providing childcare and social benefits for working mothers were “held up as examples of the Communist state’s moral corruption” by the governing CDU.⁴⁷⁸ Instead, political developments encouraged – if not forced – women to take on patriarchal gender roles, as once again the stability of German society was founded on the basis of a ‘return to the family’. This discourse was clearly evident in the abortion debate. Reflecting upon this, Annette Niemeyer, an East German activist from the UFV, argued that:

The social development [German reunification] clearly takes the direction of convincing women to accept exclusively the role of mother, homemaker, and appendage to men. Our critique [is directed] toward the employment offices

⁴⁷⁶ Stefan Brockmann, “Introduction: The Reunification Debate,” *New German Critique* 52 (1991): 3-30; Ferree, “‘The Time of Chaos was the Best’,” 607.

⁴⁷⁷ Wuerth, “National Politics/Local Identities,” 604.

⁴⁷⁸ Ibid; Moeller, *Protecting Motherhood*.

which not only let women be pushed out of the labour market, but actively support it.⁴⁷⁹

Within this context women's issues came to the fore, as activists from the East, and to a lesser extent West, attempted to wedge a space for women's voices and women's rights in the new state. This activism was particularly important for East German women given the decidedly gendered impact of transition. The destruction of the socialist centralized economy and the introduction of a free market led to high unemployment in the former East, due to the closing of unprofitable businesses and the disappearance of three million jobs.⁴⁸⁰ While both men and women in the East faced unemployment, as a group East German women were the fastest growing unemployed population. By September 1990, 53.2% of women in the former East were unemployed, a figure which had risen to 70% by the end of 1993.⁴⁸¹ Similarly, the loss of social benefits that allowed mothers to work, such as 12 to 18 months paid maternity leave and free childcare, forced many women to leave paid employment to care for their children.⁴⁸²

In the face of such adversity, East German women began to mobilize, giving voice to women's issues over reunification. One such organization formed during this time was the UFV, which was initially created as an umbrella organization for the various women's groups established during the liberalization of socialism in 1989. At their first meeting, held only a month after the Wall fell, 1200 women, some of who had been active in women's groups like those discussed in Chapter Two, gathered and organized

⁴⁷⁹ Qtd in Ingrid Sandole Staroste, *Women in Transition: Between Socialism and Capitalism* (Westport: Praeger, 2002), 44.

⁴⁸⁰ Lobodzinska, *Family, Women, and Employment*, 102.

⁴⁸¹ Nanette Funk et al., "Dossier on Women in Eastern Europe," *Social Text* 27 (1990): 91; Brockmann, "Introduction."

⁴⁸² "Frauen befürchten historischen Rückschritt."

under the slogan “Without Women You Cannot Make a State.”⁴⁸³ This slogan was a direct challenge to another East German citizen group, New Forum, whose slogan proclaimed “The Country Needs New Men.”⁴⁸⁴ In contesting the patriarchal hierarchy presented by New Forum – much like the actions of women in the *Tomatenwurf* of 1968 – the UFV were forcing people to recognize the important role women play in the nation, and in doing so wedged a role for women’s activism.⁴⁸⁵ Over the course of reunification the UFV not only focused on local issues, such as establishing battered women’s shelters, but they also tackled national politics, through lobbying and running in elections, even fielding candidates in the last East German elections held in March 1990.⁴⁸⁶ None, however, were successful, as voters leaned towards the kind of speedy reunification advocated by the CDU.⁴⁸⁷

For the UFV, these election results signaled an opportunity to begin working with West German feminists to ensure women’s issues would be addressed over reunification.⁴⁸⁸ Abortion, in particular, was an issue of mutual interest, as West German feminists sought to liberalize the existing law and East German women fought to protect their reproductive rights. In May 1990, women affiliated with the UFV established the Working Group on Self-Determined Pregnancy of the Women’s Political Round Table, a broad coalition of women working to represent women’s issues during reunification. The

⁴⁸³ Young, *Triumph of the Fatherland*; Hornig and Steiner, *Auf der Suche nach der Bewegung*.

⁴⁸⁴ Ferree, “The Time of Chaos was the Best,” 605.

⁴⁸⁵ Hampele, “The Organized Women’s Movement”; Cordula Kahlau, ed., *Aufbruch! Frauenbewegung in der DDR: Dokumentation* (Munich: Frauenoffensive, 1990).

⁴⁸⁶ Bericht über geleistete Arbeit der AG „Gleichstellung“ und des UFV und DFD am Runden Tisch Berlin in der Zeit von Dez. 1989 bis Mai 1990, RHG/A/0012; Ost-West Kongress 27-29.4.1990, RHG/A/0076.

⁴⁸⁷ Ferree, “The Time of Chaos was the Best”; Myra Marx Ferree, “The Rise and Fall of ‘Mommy Politics’: Feminism and German Unification,” *Feminist Studies* 19 (1993): 89-115.

⁴⁸⁸ Wuerth, “National Politics/Local Identities.”

Round Table organized letter writing campaigns, teach-ins and mass protests.⁴⁸⁹ The first large-scale demonstration held by the Working Group occurred in the week prior to official reunification on October 3, and was organized around the refrain of “self-determination.”⁴⁹⁰ However, abortion was an issue that proved to be so tendentious that it threatened to derail the entire process of reunification, with the popular German magazine *Der Spiegel* arguing that “the fight over abortion is dividing the nation just before its unification.”⁴⁹¹ While CDU politicians debated the meaning of abortion – whether it was a women’s right or was legislated murder – the overall trend was to back away from a clear decision on the matter.⁴⁹² Due to this ongoing conflict, it was determined that after reunification there would continue to be separate abortion laws for East and West, with a final decision on the matter to be made by the end of 1992. This gave the UFV more time to mobilize resistance.

In spite of this, following reunification, the collaboration between East and West German activists dwindled, as did the strength of the UFV. Many West German feminists backed away from their initial demands for the continuation of the East German abortion law, instead looking to settle for a compromise, reflecting the established pattern of cooperation between feminist activists and the state in the West. This was not the case for East German UFV activists, as “the right to abortion was both fundamental and highly symbolic of East German women’s defense against a hostile West German system.”⁴⁹³ These different positions led to increasing tensions between women, which were made

⁴⁸⁹ Ibid.

⁴⁹⁰ Ibid.

⁴⁹¹ “Die sind tierisch hinterm Mond,” *Der Spiegel*, May 14 1990), 70.

⁴⁹² Ibid.

⁴⁹³ Wuerth, “National Politics/Local Identities,” 613.

apparent at the 1991 conference on abortion organized by the Women's Political Round Table. One of the UFV representatives complained that the conference was “too West-heavy” and there was little East German female representation.⁴⁹⁴ As a result of these difficulties between the two groups, the monthly Working Group meetings were mainly attended by UFV women and other East German activists. Finally, on June 25, 1992, the German Federal Parliament passed the new abortion law, known as the Compromise Agreement. In this amendment to the criminal code, abortion remained criminalized, but was permitted within the first trimester on the basis that the woman receive counselling and go through a three-day waiting period prior to the procedure. A late-term abortion could also be performed if the physical or mental health of the woman was endangered.⁴⁹⁵ Importantly, the only two feminist parliamentarians to vote against the new law, on the grounds that the law did not respect women’s right to self-determination and that the pro-life counselling was designed to influence women’s decision, were from East Germany.⁴⁹⁶

This narrative is a very typical account of gender and reunification, emphasizing the loss of women’s rights, the reassertion of patriarchal gender roles and delegitimization of East German women’s policies, and, significantly, the inability of activists from either side of the Wall to work together. Indeed, a 1992 article in the feminist *WeibBlick* magazine perfectly captured the difficulties facing East and West German women:

At every opportunity we reconfirm that we have trouble getting along. We continually renew our prejudices about each other: Western women are arrogant,

⁴⁹⁴ Ibid, 615.

⁴⁹⁵ *Strafgesetzbuch* 1871 (Germany) §218.

⁴⁹⁶ Wuerth, “National Politics/Local Identities,” 606.

think they know it all, hate children and men, are dogmatic and intolerant. Eastern women are conformist, middle-brow mommies, fixated on men and not the least bit radical. We consider the respective ‘others over there’ to be less emancipated and independent than we are.⁴⁹⁷

Discussing this confrontation between East and West German women’s rights activists, Elizabeth Heineman highlights how the systems present in each state shaped expectations and visions of emancipated womanhood. Whereas in the West, with limited childcare or social support mechanisms, women had to choose between political involvement and having a child, in the East the entire system was set up for women to maintain a ‘triple burden’ of paid employment, motherhood and work for the party.⁴⁹⁸

While accounts like that presented in Heineman help to explain the tension between women activists over reunification, if not also contemporary differences between the success of women from eastern Germany vis-à-vis women from the west, they do not explain why domestic violence activism was not only revitalized following the *Wende*, but was the site for successful cooperation between East and West. As discussed in the last chapter, shelters found immediate support in the East because domestic violence intervention and prevention were a firm part of West German liberalism. Furthermore, while abortion activists were attempting to protect a right that existed in what was increasingly seen as an inhumane state, domestic violence activism was about building up a system of established and professionalized social service practices in the East. At the same time, the socialist state’s failure to assist women living with a violent partner only fed in to the growing delegitimization of the SED: whereas

⁴⁹⁷ Ulrike Helwert, “Abschied vom feministischen Paradies – Zu den Schwierigkeiten der Annährung zwischen Ost- und Westfrauen,” *WeibBlick* 2 (1992) quoted in Heineman, *What Difference Does a Husband Make?*, 239.

⁴⁹⁸ Heineman, *What Difference Does a Husband Make?*

abortion rights activists had to contend with accusations of the immorality of socialism, in particular its exploitation of women's (re)productive labour, activists working against domestic violence could capitalize on them as a way of getting support for their projects.

On the one hand, the growth of domestic violence support services shows the success of one facet of women's rights activism post-1990. On the other, in the context of the failed abortion reform, it also shows how certain ideals of womanhood were gaining traction. The delegitimization of the East German regime not only involved denouncing the control and violence of organizations like the Stasi, but, as made clear in the abortion debate, was also about condemning the vision of womanhood promoted under socialism and replacing it with long-standing ideals of stay-at-home mothers that were more closely aligned with the West German system.⁴⁹⁹ Projects that sought to address domestic violence fit more snugly with this ideal – not only did they speak to the illegitimacy of socialism, but they also reflected images of women as vulnerable and in need of protection that were not present in reproductive rights activism. While the contemporary differences between eastern and western German women might suggest that on the level of everyday life the implementation of West German gender roles was unsuccessful, in the following section I examine their continued expression in the ongoing support for domestic violence projects and legal reform.

Domestic Violence Activism after 1990

Writing in 2012 to celebrate the ten-year anniversary of the introduction of the Protection from Violence Act, BIG e.V. argued that “the achievement of a law, which makes it clear

⁴⁹⁹ Wuerth, “National Politics/Local Identities.”

that the abuser must go, was long overdue. It has not only led to better protection for women and children confronted with domestic violence, but also to a change in social perceptions.”⁵⁰⁰ Here, BIG e.V. is referring to the provisions set out in the Act that allow a court to order the temporary removal of abusive persons from the homes of the individual they are harming. The court can also order that the perpetrator confine themselves to a particular part of the apartment, or that they refrain from contacting or coming within a certain distance of the injured party.⁵⁰¹ Introduced in 2002, the Protection from Violence Act was a watershed in ensuring the security of women in abusive relationships: no longer would they be forced to leave their homes while their abuser was allowed to stay. Instead, the law signalled an attempt to acknowledge the power imbalances present between men and women in abusive relationships and rectify the system, which for so long had left women living with a violent partner vulnerable. But, what exactly are the “social perceptions” that have changed? And what value is this law protecting? Only by placing the post-reunification revitalization of domestic violence activism in the context of the failed reform of reproductive rights do we see both the long-term successes of the reunified women’s movement, and also the limits of women’s rights in reunified Germany.

What later became BIG e.V. began life as a working group of men and women from both West and East Germany. Comprised of members of the women’s movement, shelter and crisis centre workers, counsellors, and activists from anti-violence projects, the focus of this group was to create a different strategy for assisting those living with

⁵⁰⁰ BIG Koordinierung, *10 Jahre Gewaltschutzgesetz* (Berlin: BIG e.V., 2012), 6.

⁵⁰¹ *Gewaltschutzgesetz* 2002 (Germany); BIG Koordinierung, *10 Jahre; BIG e.V., Gewaltschutzgesetz. Kurzfassung für Nichtjuristinnen* (Berlin: BIG e.V., 2001).

abuse, one that did more than just provide services for women and actually tackled the root causes of violence itself.⁵⁰² Examining anti-violence work and best practices for addressing domestic abuse within Germany and abroad, they concluded that “effective protection for women and children who are being abused can only be achieved when domestic violence is firmly condemned by society, which includes the criminal justice system.”⁵⁰³

According to the group, the best way to achieve this kind of societal change was to follow the example of the Domestic Abuse Intervention Project pioneered in Duluth, Minnesota. What was particularly important for the working group was both the overall success of the Duluth model and its stress on the importance of collaboration between projects, social services, and state institutions.⁵⁰⁴ If the working group wanted the criminal justice system to take domestic violence seriously, they knew they would need the help and cooperation of the police and the courts. Further still, they believed that any reform could not just offer increased services to women and children, but also needed to address the perpetrator, and hold them accountable for their actions.⁵⁰⁵ Supported by the Berlin Senate Office for Employment, Education and Women, and the Federal Ministry for Family, Seniors, Women and Youth, then, the group began working with the police, the legal system, the Foreigner’s Office and Youth and Social Services to create a broad and long-lasting alliance against domestic violence. In 1994, this working group formally

⁵⁰² BIG e.V., *Berliner Interventionsprojekt gegen häusliche Gewalt*.

⁵⁰³ Ibid, 5.

⁵⁰⁴ According to BIG e.V. the “most decisive” factor leading them to use the Duluth model was the fact that 80% of women who had used the services of the Project stated they had not experienced further abuse. See: BIG e.V., *Berliner Interventionsprojekt gegen häusliche Gewalt*. For more details on the Duluth model see: Domestic Abuse Intervention Programs, Home of the Duluth Model, accessed October 28, 2015, <http://www.theduluthmodel.org/>.

⁵⁰⁵ BIG e.V., *Berliner Interventionsprojekt gegen häusliche Gewalt*.

became BIG e.V., and, starting in 1995, they received four years of Federal and Berlin State funding as a model project for domestic violence intervention.⁵⁰⁶

The project proceeded in two phases: planning and organizing. The planning phase, from 1995 to 1996, focused on building connections between institutions and projects. During this time, round tables and working groups were formed by BIG e.V. not only to bring the various organizations and bodies together, but also to discuss the major issues they faced when addressing domestic violence.⁵⁰⁷ As a result, seven key areas were identified where improved work and cooperation was needed. These included: police intervention, criminal law, civil law, support services for women, migrant women, training/education for abusers, and children and youth. These issues then became the focus for work during the three-year organization phase, as the approximately 150 people involved divided into working groups to draft plans for the creation of practical steps for improving the way these concerns were addressed in domestic violence intervention.⁵⁰⁸

At the end of this phase, the working groups had made significant achievements that were starting to be noticed throughout Germany. Not only had they drafted a manual for police intervention in instances of domestic violence and a proposed law for improving women's protection in civil law, which in turn created the impetus for the Protection from Violence Act, but they also developed the first set of guidelines for supporting female migrants who were living with an abusive partner, the first Germany-wide domestic violence hotline and the first video on the situation of children experiencing or witnessing domestic abuse. Finally, they also developed an educational

⁵⁰⁶ Ibid.

⁵⁰⁷ Patricia Schneider et al., *Von 1995 bis 2005. 10 Jahre BIG, Berliner Interventionszentrale bei häuslicher Gewalt* (Berlin: BIG e.V., 2005).

⁵⁰⁸ Ibid; BIG e.V., *Berliner Interventionsprojekt gegen häusliche Gewalt*.

program for the perpetrators of domestic violence. Labeled by the Federal Minister for Family, Seniors, Women and Youth as one of the most significant pilot projects supported by the Federal Government, the model of cooperation and intervention established by BIG e.V. has since spread throughout Germany and resulted in both federal legal reform and improved police responses to domestic disturbances.⁵⁰⁹

The work undertaken by BIG e.V. to address domestic violence clearly highlights the success of East/West collaborations to ensure women's rights in the wake of reunification. At the same time, it also shows the way women's activism against domestic violence had developed and changed since the opening of the first shelter in 1976. There are certainly several parallels to the initial shelter project: both were model projects that received Berlin State and Federal funding and were evaluated by an external research team. Indeed, many of the researchers involved in examining BIG e.V. had also contributed to the report on the Berlin model shelter. Further still, like the connections between the shelter movement and Chiswick Women's Aid, BIG e.V. drew legitimacy for their work from an established international approach to domestic violence, and in both cases the people involved in the shelters were professionals who had firsthand experience supporting those living with domestic violence.

However, there are also significant differences, which suggest an East German influence on the activism of BIG e.V. One of the biggest differences between women's activism in the East and the West was the involvement of men: whereas the West German women's movement was, and to a certain extent still is, intensely separatist, East German women, as I have argued in Chapter Two, were open to the inclusion of men in their

⁵⁰⁹ Dr. Ursula von der Leyen, Federal Minister for Family, Seniors, Women and Youth, qtd in Schneider et al., *Von 1995 bis 2005*, 9.

work.⁵¹⁰ In a similar vein, by addressing the perpetrators of violence and seeking to rehabilitate and educate them BIG e.V. has grown away from the women's-centred approach of early activism.⁵¹¹ By including men in their work, whether as activists or as clients, BIG e.V. has deviated from the traditional approaches of West German feminist activism, and, in doing so, acknowledged the limitations of expecting women to bear the prime responsibility for dealing with domestic violence. Additionally, the push for legal reform also suggests an eastern influence. As the example of the Weimar Women's Tea Parlour shows East German groups were far more open to pushing for legal reform, whereas the West German movement was firmly determined to work outside of the auspices of the state.

Indeed, the work of BIG e.V. to bring about greater legal protection for women reflected a broader trend of legislative reform that sought to address issues of familial violence beginning in the late 1990s, pointing to a much more active role of the German state in combatting violence against women. Not only was rape in marriage criminalized in 1997, but as discussed in Chapter One, in 1999 the four-year residency requirement for migrant women living in Germany under a family visa was reduced to two, and migrant women living with an abusive husband could use the "hardship clause" to separate from their husband while maintaining residency. Significantly, both these reforms had long been actively fought for by activists and politicians: while much of the work to amend the residency legislation began in the 1980s, the first call to amend the West German rape law came in 1972 when the Social Democrats proposed an amendment to the criminal code, a call which would be repeated throughout the 1980s by both the Social Democrats

⁵¹⁰ Ferree, *Varieties of Feminism*; Young, *Triumph of the Fatherland*.

⁵¹¹ Kavemann et al., *Modelle der Kooperation*.

and the Greens.⁵¹² In stark comparison to the 25 years of activism calling on the criminalization of rape in marriage, the legislation drafted by BIG e.V. during its model period from 1995 to 1999, quickly found political traction, with the Protection from Violence Act enacted in 2001, and coming into effect in 2002.

BIG's proposal was aimed at ending the current system that required women and children to flee, while their abuser remained at home. This meant improving both the law and legal process. For example, prior to the Protection from Violence Act, there was no grounds for the allocation of an apartment in instances of violence between de facto/common law couples. In cases of married couples, the person seeking the apartment on the basis of abuse had to meet a high threshold of "extreme hardship" (*schweren Härte*).⁵¹³ As a result, the BIG proposal recommended that a basis of claim for abuse be established in the Civil Code, which provided a foundation for claims to the allocation of the shared living space and for the application of a restraining order. Furthermore, they called for the burden of proof to be placed on the abuser in instances of repeated abuse. In May 1999, this proposal was presented at a conference organized by the Federal Ministry of Family, Seniors, Women and Youth on the possibilities of improving protective measures for women living with abuse available in civil law. The first action plan on combatting violence against women arose from this conference, and was closely followed by a draft proposal for a "Law for the Improvement of Civil Law Protection in Instances

⁵¹² "Endlich: Vergewaltigung in der Ehe gilt künftig als Verbrechen," *ZEIT-Online*., 18 May, 1997. Accessed October 30, 2015, <http://www.zeit.de/1997/21/ehe.txt.19970516.xml>; "German Law Criminalizes Marital Rape," *Ms. Magazine*. Accessed October 29, 2015, <http://www.msmagazine.com/news/uswirestory.asp?id=4131>. On other legislative attempts at criminalizing rape in marriage, see: Gerhard Schröder, "SPD strebt besseren Schutz für Opfer von Sexualdelikten an," *SPD informiert*, February 17, 1984; *Gesetzesantrag Fraktion der Grünen zum §177 StGB*, A Rep 400 BRD 22.5 (2) 1980-2005, FFBIZ; *Gesetzentwurf, der Fraktion Die Grünen. Entwurf eines Strafrechtsänderungsgesetzes (StrÄndG)*, Deutscher Bundestag, 10. Wahlperiode, November 2, 1983.

⁵¹³ BIG Koordinierung, *10 Jahre*.

of Violence, as well as the Simplification of the Allocation of Marital Homes.”⁵¹⁴

Although this proposal took up many of the issues presented within the BIG reform agenda, it called instead for the creation of specific law, rather than an amendment to the Civil Code.⁵¹⁵ This proposal was then passed through the Bundestag in 2001, with the Protection from Violence Act coming into force in 2002. As a result, when police now intervene in domestic disputes in Germany they are able to take the keys away from the abuser, and order them to leave for a certain period of time.⁵¹⁶

Of course there are several reasons why the Protection from Violence Act was so swiftly taken up. Not only was it initially proposed by a project sponsored in part by the Federal Government, but the 1990s witnessed an international acknowledgement that violence against women was an issue of human rights.⁵¹⁷ In 1994, the United Nations General Assembly adopted a Declaration on the Elimination of Violence against Women, which had been on the agenda since the 1985 Nairobi World Conference to Review and Appraise the Achievements of the United Nations Decade for Women. In this Declaration the Assembly affirmed that “violence against women constitutes a violation of the rights and fundamental freedoms of women.”⁵¹⁸ Two years later, the Commission on Human Rights issued a report on domestic violence, which clearly labeled it as a human rights

⁵¹⁴ Ibid. See also: *Aktionsplan der Bundesregierung zur Bekämpfung von Gewalt gegen Frauen*.

⁵¹⁵ BIG Koordinierung, 10 Jahre; Bundesministerium für Justiz, *Entwurf eines Gesetzes zur Verbesserung des zivilgerichtlichen Schutzes bei Gewalttaten und Nachstellungen sowie zur Erleichterung der Überlassung der Ehewohnung bei Trennung* (Stand 13.12.2000).

⁵¹⁶ Bundesministerium für Familie, Senioren, Frauen und Jugend/Bundesministerium für Justiz, *Mehr Schutz bei häuslicher Gewalt: Informationen zum Gewaltschutzgesetz* (2003), accessed October 29, 2015, http://www.bmfsfj.de/RedaktionBMFSFJ/Broschuerenstelle/Pdf-Anlagen/Mehr-Schutz-bei-h_C3_A4uslicher-Gewalt.property=pdf,bereich=bmfsfj,sprache=de,rwb=true.pdf.

⁵¹⁷ Donert, “Whose Utopia?”, Donert, “Women’s Rights in Cold War Europe.”

⁵¹⁸ United Nations, General Assembly Resolution 48/104, *Declaration on the Elimination of Violence against Women*, A/Res/48/104 (23 February 1994). Accessed October 29, 2015, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/48/104&Lang=E&Area=RESOLUTION.

violation.⁵¹⁹ At the European level, the late 1990s also saw several important steps to address violence against women in Europe: in 1996 the first European Union (EU) policy regarding human trafficking was enacted with the Incentive and Exchange Programme for Persons Responsible for Combating Trade in Human Beings and the Sexual Exploitation of Children, and in 1997 an EU resolution called for the creation of a “zero tolerance of violence against women” campaign.⁵²⁰ Also significant for the German case was the introduction of the Federal Law on the Protection of the Family against Violence in Austria in 1997.⁵²¹

Within this context, it is no surprise that Germany became much more active in creating legislative reform to address gender violence. At the same time, however, the legislative energy that culminated in the introduction of the Protection from Violence Act in Germany also suggests that the role of the state was changing. This is particularly poignant in the example of rape within marriage, which Germany was comparatively slow to criminalize and had been fought over in Germany for 25 years.⁵²² Although research suggested that already in the 1980s a majority of West Germans thought rape in marriage should be considered a crime, legislative responses were much slower to

⁵¹⁹ United Nations, Economic and Social Council, *Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 1995/85*, E/CN.4/1996/53 (5 February 1996). Accessed October 29, 2015, <http://www.awf.or.jp/pdf/h0003.pdf>.

⁵²⁰ European Commission, Joint Action, Incentive and exchange programme for persons responsible for combating trade in human beings and the sexual exploitation of children (STOP) [1996] OJ L 322. Accessed October 29, 2015, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:I33015>; Sophie Jacquot, *Transformations in EU Gender Equality. From Emergence to Dismantling* (New York: Palgrave Macmillan, 2015).

⁵²¹ *Bundesgesetz zum Schutz vor Gewalt in der Familie* 1996 (Austria). The Austrian law also played a large role in the initial reform platform proposed by BIG e.V. See: BIG Koordinierung, *10 Jahre*.

⁵²² In the Western hemisphere, rape within marriage was predominantly criminalized in the late 1980s/early 1990s: 1983 in Canada; 1985 in New Zealand; 1989 in Scotland; 1989 in Austria; 1991 in England; 1991 in Australia (although it had been criminalized in New South Wales since 1981); 1992 in France; 1993 for all 50 states in the US. Many socialist states had legislated against rape in marriage much earlier, which could potentially explain West Germany’s hesitancy to enact such reform.

develop as politicians attempted to reconcile the role of the state in the bedrooms of the people.⁵²³ Much like the discussion on domestic violence shelters, and the role of the state in family matters discussed in the previous chapter, the question of criminalizing rape within marriage touched on the issue of the constitutional status of the family as a protected entity. Postwar Germany had been built on the ideal of the family, and the importance of patriarchal authority, values which had long been contested by feminist politicians and women's rights activists.⁵²⁴ Seemingly then this discussion, which not only shaped the debate on rape within marriage, but also the way domestic violence shelters were understood and negotiated was reconciled as the reunified German government began taking a more active role in shaping and protecting citizens from violence within the family.

Conclusion: What is being Protected?

Although the shelter projects that began in the former East during the *Wende* benefitted from the activism of the West German women's groups, not all feminist concerns received the same support. The fight for reproductive rights, specifically for the extension of East German abortion law into the newly reunified state, was one such example. While it initially received strong support from women from both sides of the Wall, cooperation between East and West German activists broke down as separation and preconceived ideas divided them, and the attempt at reform ultimately failed. At the same time, a Western drive for a 'return to the family' delegitimized the gender policies that had

⁵²³ A study from 1986 showed that 27% of people surveyed thought that charges should be pressed "in every case" of rape in marriage. 53% thought that charges should be pressed when the rape is ongoing. See: "27 Prozent für eine Anzeige," *Taz*, May 22, 1986.

⁵²⁴ Moeller, *Protecting Motherhood*; Heineman, *What Difference Does a Husband Make?*

allowed women in East Germany to combine employment and motherhood, leading many scholars to label women as the “losers” of reunification. However, when this is placed alongside the revitalization of domestic violence activism, which was the site of a successful East/West collaboration, a very different story emerges. Not only are East German activists central for transforming patterns of western feminist organizing, but the enactment of legislative reform suggests that the postwar struggle over the position of the family had seemingly found a modicum of reconciliation.

Despite the significance of this legal reform for providing protection for women and children living with violence and for taking a political stance against domestic abuse, it is also important to interrogate the values and principles that underpin the legislation. Namely, we must ask what is “wrong” with domestic violence? What is the harm being done, and why hasn’t this been recognized?⁵²⁵ One answer might be that domestic violence represents a violation of women’s rights as human beings to bodily integrity and physical autonomy, and that by enacting the Protection against Violence Act and supporting women’s shelters women’s the German government has enshrined these principles in law. However, if this was the case, why are women’s reproductive choices limited?

Campaigns for women’s rights like these cannot be seen in isolation, but rather must be put into conversation. Why certain issues do, or do not, find political traction underscores the ways in which normative gender roles are envisioned, constructed and constantly reinforced by the state. The failure of the *Wende* abortion reform movement firstly suggests that the recognition of women’s rights to physical autonomy in Germany

⁵²⁵ In asking this question, I follow an established tradition of feminist legal scholarship. See: Dorothy E. Roberts, “Rape, Violence, and Women’s Autonomy,” *Chicago-Kent Law Review* 69 (1993): 359-388.

are limited and secondly that the legislative action on domestic violence is about more than just providing women with bodily security. Instead, I would argue that the Protection from Violence Act also functions as a mechanism for regulating heterosexual relationships and male access to women's bodies. In this way, the German legislative reform is less about enshrining women's rights, and more about regulating a heteronormative male citizenship and women's reproductive citizenship as a corollary.⁵²⁶ It would seem then that cost of the institutionalization of feminist practices represented in the official adoption of domestic violence activism has been the entrenchment of a limited vision of women's rights, one that acknowledges a right to bodily integrity only so far as to protect women from male violence, but not one that grants women a right to self-determination. Women then, whether as German citizens or human beings, have no *a priori* right to physical autonomy. Instead their personhood is only deemed worthy of protection on the basis of normative ideas of gendered vulnerability, highlighting the precarious position of women's rights in reunified Germany.

⁵²⁶ Several authors have highlighted how heteronormative ideals structure domestic violence intervention, even in cases of gay and lesbian couples. See: Poon, "Beyond Good and Evil"; Buzawa and Buzawa, "The Increased Policy Preference for Arrest" and "No-Drop Policies" in *Domestic Violence*, 125-161 and 194-203.

Conclusion

I want to return to the stories of Frau A. from Leipzig and Monika from West Berlin. Both women lived with violent partners and turned to the official mechanisms available in each state in an attempt to end the violence. Frau A. first reported her husband for assault in 1986, and her experiences with the police, health care services and the legal system clearly demonstrate a systemic support for patriarchal authority in the home and the denial of women's right to personal safety.⁵²⁷ Indeed, when she attempted to divorce her husband – against the advice of the police, who did not believe her story – the court told her she would need a doctor's certificate. When her doctor refused this on the basis that her injuries could have been sustained by falling down the stairs, her divorce was denied, and she was required to attend two reconciliation sessions with her husband. Monika from West Berlin had similar experiences, as social services and neighbours ignored her cries for help. Child welfare, having heard Monika's stories of abuse in the home, sided with the husband, with a social worker even advising Monika to look into medication to help with stress.⁵²⁸ As Monika's homelife deteriorated, she attempted suicide, only to be scolded by her female neighbour for shirking her familial responsibilities.

Looking at these similar experiences highlights how in both East and West Germany, women were disbelieved, as their stories of abuse were dismissed as harmless private affairs by the police, social services, neighbours and family. Furthermore,

⁵²⁷ Eßbach and Fünfstück, *Frauen mit Gewalterfahrung*, III.

⁵²⁸ Hagemann-White et al., *Hilfen*.

women's ability to leave their husbands was circumscribed by a variety of other factors, including prevailing patriarchal attitudes, legal stumbling blocks and class factors. These common experiences challenge a clear division between liberal and socialist citizenship, pointing instead to a far more fundamental issue with the extension and protection of women's rights to bodily integrity and self-determination across the Berlin Wall.⁵²⁹ Indeed, the similarities between East and West suggest that fostering gender equality in postwar Germany was not just about ideological differences or access to an open public sphere and free market. Rather it was also about how the state positioned itself vis-à-vis social change.

Despite different sites for the discussion of domestic violence, the net effect was often the same: women were responsible for addressing violence in the home. As I have shown throughout this dissertation, state inaction in the West meant that women had to drive domestic violence activism – opening shelters, campaigning for public funding *etcetera*. Indeed, the state relied on these active female citizens, be they activists, neighbours, family or the women living with abuse themselves, to foment gender equality. In the East meanwhile, mechanisms of state power functioned on the assumption that socialism had created equality between men and women. Consequently, women could not challenge patriarchy in the same way, although, like their Western sisters they too remained responsible for leaving abuse and dealing with its consequences.

⁵²⁹ Weeks, “The Sexual Citizen”; Lister, *Citizenship*; Yuval-Davis “Theorising Gender and Nation.” For gender and citizenship in divided Germany see: Timm, *The Politics of Fertility*; Evans, “The Moral State”; Eghigian “Homo-Munitus”; Heineman, *What Difference Does a Husband Make?*; Herzog, *Sex After Fascism*; Herzog, “Syncopated Sex.”

In spite of this, activists in the East – both men and women – organized against domestic violence, and were able to do so outside of the auspices of the state. The Caritas shelter, alongside the efforts of the Weimar Women’s Tea Parlour, worked against the SED, highlighting how it had failed its citizens. By contrast, the shelter movement in West Berlin was closely monitored and regulated by the state, as the co-optation of domestic violence intervention hampered a more thorough reckoning with structural gendered power imbalances. The proximity of East German developments with the fall of the Berlin Wall and reunification means that we will never know how this different relationship between activists and the state would have affected processes of social change. Instead, the West German system, where a mainstream and diluted feminist politics guided domestic violence activism, was transferred to the East, as the liberalization of Germany continued to uphold heteropatriachal norms.

By placing the stories of East and West together, these kinds of networks of similarities and differences in approaches to domestic violence activism, and what they meant for women’s lives, become visible. As Chapter One shows, the process of addressing domestic violence in West Germany centred on constructing an emancipated womanhood through the enactment of feminist principles in women’s shelters. In doing so, however, the shelter system moved away from its roots in the women’s movement, towards a more professionalized and specialized welfare service. Despite improving its program of support, the initial goal of emancipating women from the gender imbalances that enable violence against women remained elusive.

In contrast, the East German legal system’s “*erzieherische Funktion*,” discussed in Chapter Two, concentrated on crafting better male citizens. Domestic violence, like

skipping work, theft or poor hygiene, was defined by the courts as an example of a failed socialist development. As a result, domestic violence was not an issue *per se*, but rather for what it indicated about men's embodiment of socialist principles. This approach left women particularly vulnerable to violence, which was only reinforced by the limited material situation. Although from the late 1970s improved divorce procedures enabled women to separate from violent spouses more easily, a lack of housing, and private telephones, meant that women not only had to continue living with their abusive ex-husbands after divorce, but that they often had to rely on a neighbour to call the police. Only in the mid-1980s would women in East Berlin have access to crisis housing.

These different approaches to domestic violence reveal important information on the positioning of women's rights in divided and reunified Germany. Firstly, as I have shown in Chapters Three and Four, in both East and West, the state and government prioritized *de jure* equality over *de facto*, with the consequence that creating everyday equality between men and women was left to a bottom-up transformation in gender relationships. This was certainly the case in the GDR, where official visions of equality between men and women played a central role in legal determinations on domestic violence. In the West, however, the tension between everyday and legal equality highlights the long shadow cast by the conservatism of the Adenauer era. Indeed, the struggle for women's rights, discussed in Robert Moeller's analysis of the constitutional debates on equality and the status of the family from the 1950s, continued well into the 1970s and 1980s.⁵³⁰ Discussions on the construction of women's shelters spoke to these very same issues, as the public and politicians negotiated the role of the state in the

⁵³⁰ Moeller, *Protecting Motherhood*.

private sphere, weighing up women's right to protection against the constitutional guarantee of the family as a "protected institution."⁵³¹

Secondly, while the women's movement in the West fought to 'make the private, public', in the East the private sphere only became more private over the course of division. As Paul Betts has convincingly shown estimations of the private sphere played a central role in the tacit social contract negotiated between the SED and the East German citizenry in the late 1960s/early 1970s.⁵³² Although increased access to a private sphere was important for personal growth, if not also the fomentation of dissidence, we also cannot lose site of the danger the private sphere represented for women living with abuse. Indeed, as I have argued, by shoring up the public/private divide, addressing violence against women was made more difficult, as a discursive space for ignoring cries for help was created.

Finally, despite turning to issues of *de facto* equality in the 1990s, what has been enshrined in law is not physical autonomy or self-determination for women. Rather, enabled by a system where the dilution of feminist politics and consolidation of normative gender roles were constituent elements of liberal development, the principle that underpins legislative reform, like the Protection from Violence Act, is the regulation of appropriate intimate relationships between men and women. By speaking to ideas of gendered vulnerability, domestic violence activism found political traction in ways that abortion reform did not, suggesting that the acknowledgement of women's rights is only possible when they conform to established visions of gender.

⁵³¹ Ibid.

⁵³² Betts, *Within Walls*.

Although the efforts of BIG e.V. to make violence against women into an issue that concerns both women and men have significantly changed the landscape of gender violence activism in Germany, it is worth reflecting on the initial goal that framed the women's shelter movement: the empowerment of women. Women remain in a relatively precarious position in Germany: there are fewer women than men in the workforce, over 45% of who are in part-time employment; women are overrepresented in traditionally 'female' sectors of education and underrepresented in decision-making positions; finally, on average, they are paid 23.1% less than men, almost 7% higher than the EU average.⁵³³ Furthermore, one in four women in Germany will experience violence at the hands of an intimate partner.⁵³⁴

As Joan Scott has argued, we must look at how this kind of gendered marginalization is historically constituted.⁵³⁵ Violence against women is an important, yet largely unaddressed, aspect of this history. By examining how not only abuse, but official responses to it, constructed gendered forms of citizenship, we can see how women's marginalization has been consistently reinscribed during attempts to forge equality in both East and West Germany. So often people ask why women do not simply leave an abusive husband, but in light of the systemic and structural ways women are made vulnerable as male authority in the home is entrenched, perhaps the best question to ask is what is it that makes women stay. Responsibility for violent homes and women's equality cannot solely be on the shoulders of women, but rather must be shared by the state and

⁵³³ European Commission, *The Current Situation of Gender Equality in Germany*, 2012. Accessed November 26, 2015, http://ec.europa.eu/justice/gender-equality/files/epo_campaign/country-profile_germany_en.pdf.

⁵³⁴ BIG e.V. "Über uns," accessed November 19, 2015, <http://www.big-berlin.info/node/22>.

⁵³⁵ Scott, "Gender."

the community. Future research into the history of postwar Germany needs to take this into account, as its economic and political ‘successes’ have come alongside the violent and oppressive marginalization of women and others.

Appendix

Ethics Clearance Form

 Carleton
UNIVERSITY
Canada's Capital University

Carleton University Research Office
Research Ethics Board
1325 Dunton Tower
1125 Colonel By Drive
Ottawa, ON K1S 5B6 Canada
Tel: 613-520-2517
ethics@carleton.ca

Ethics Clearance Form – Clearance Renewal

This is to certify that the Carleton University Research Ethics Board has examined the application for ethical clearance. The REB found the research project to meet appropriate ethical standards as outlined in the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Human, 2nd edition*, and the *Carleton University Policies and Procedures for the Ethical Conduct of Research*.

Original Date of Clearance: May 28, 2012
Renewal Date of Clearance: May 12, 2014
Researcher: Jane Freeland (Student Research: Ph D. Student)
Department: Faculty of Arts and Social Sciences\History (Department of)
University: Carleton University
Research Supervisor (if applicable): Jennifer Evans
Project Number: 11737
Alternate File Number (if applicable): 13-0101
Project Title: Domestic violence in divided Berlin, 1969-1990 (working title)

Clearance Expires: May 31, 2015

All researchers are governed by the following conditions:

Annual Status Report: You are required to submit an Annual Status Report to either renew clearance or close the file. Failure to submit the Annual Status Report will result in the immediate suspension of the project. Funded projects will have accounts suspended until the report is submitted and approved.

Changes to the project: Any changes to the project must be submitted to the Carleton University Research Ethics Board for approval. All changes must be approved prior to the continuance of the research.

Adverse events: Should a participant suffer adversely from their participation in the project you are required to report the matter to the Carleton University Research Ethics Board. You must submit a written record of the event and indicate what steps you have taken to resolve the situation.

Suspension or termination of clearance: Failure to conduct the research in accordance with the principles of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, 2nd edition and the Carleton University Policies and Procedures for the Ethical Conduct of Research may result in the suspension or termination of the research project.


Andy Adler
Chair, Carleton University Research Ethics Board


Louise Heslop
Vice-Chair, Carleton University Research Ethics Board

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Interviews

All interviewees have been fully anonymized.

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“Sophie,” social worker, Berlin, February 4, 2014.

“Dagmar,” sociologist, Osnabrück, August 5, 2013.

“Joachim,” social worker, Berlin, January 30, 2014.

Archives

Archiv des Liberalismus, Gummersbach (AdL)

Bundesarchiv, Berlin (BArch)

Bundesarchiv, Koblenz (BArch-K)

Bundesfilmarchiv, Berlin (BArch-Film)

Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik, Berlin (BStU)

FFBIZ, Berlin

Grünes Gedächtnis Archiv, Berlin (GG)

Landesarchiv Berlin (LAB)

National Archives and Records Administration, College Park (NARA)

Papiertiger, Berlin

Robert Havemann Gesellschaft Archiv, Berlin (RHG)

Spinnboden Archiv, Berlin

Stiftung der Parteien und Massenorganisationen der DDR, Bundesarchiv, Berlin
(SAPMO-BArch)

United Nations Archive, New York (UN-Arch)

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