



Lecture

Lesbian movement as the motor of the 2nd German women's movement - Lesbians in times of Self-ID - SBGG and aspects of International Law - Lesbians between adaptation and resistance

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Title

Good afternoon, dear audience, and my special regards to the lesbians present!

Today I am devoting myself to a particularly tricky topic: the special situation of lesbians in times of self-ID, which has reached its temporary climax in the so-called "Self-Determination Act", which will soon come into force.

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Structure

Before I come to the current situation of lesbians, I will look back at the significance of the lesbian movement. I then look at the legal situation under the SBGG for exclusive lesbian spaces, supplemented by aspects of international law. Finally, I draw a conclusion as to what remains for lesbians: Adaptation or resistance. I argue in favor of resistance!

I. The lesbian movement as the motor of the 2nd German women's movement

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We lesbians are looking back at a proud history: in 1972, lesbians in West Berlin founded the women's group of HAW (Homosexual Action West Berlin), which had been in existence since 1971. They did public relations work, initiated the annual Lesbian Pentecost (later Spring) meeting in 1973, participated in two television films, founded music bands, celebrated "rock parties" - and were instrumental in founding the first women's center in 1973.

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This was followed by many projects, the exhibition "Radical - Lesbian - Feminist" at the Schwules Museum Berlin in 2018, which documented the lesbian movement since the 1970s, followed by the founding of LAZ reloaded e.V. in 2018/19 to counter so-called "queer feminism", and the celebration of "50 years of the lesbian movement" in Berlin in 2022 with around 200 lesbians.

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The umbrella organization "**Deutscher Lesbenring e.V.**", founded in 1982, is also worth mentioning. At its peak, well over 900 fellow women enabled the association to carry out a large number of autonomous activities through their contributions.

Finally, **SAFIA e.V.**, "Selbsthilfe alleinlebender Frauen im Alter" (Self-help for women living alone in old age) was founded in 1986. It is considered the oldest lesbian network in Germany and has around 400 members.

Rad und Tat (RuT) e.V., "Open Initiative of Lesbian Women", founded in 1989, emerged from the lesbian movement with the aim of providing a refuge for older and disabled lesbians.

II The situation of lesbians in times of Self-ID

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However, queer feminists and trans activists increasingly gained influence and the "woke zeitgeist" took hold: lesbians were no longer "in", with their exclusive sexual orientation they no longer fitted into the "genderfluid" mainstream of the big cities. Violent attacks on CSDs, cancel culture and hate attacks became more frequent. "TERFs are Assholes" was a banner at the Dyke March(!) in Berlin in 2018.

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And that's not all: the post with the labrys on X from LAZ reloaded had been deleted. We successfully have defended ourselves.

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A particular expression of the Berlin Senate's hostility towards lesbians is the awarding of the prize for lesbian visibility with a gender star; this means that men could also be awarded this prize.

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That was too much even for the Berliner Zeitung. After an interview with the speaker, the author wrote a critical article on this discriminatory policy of the Berlin Senate.

III The legal situation

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Germany

With the SBGG, we will soon have a law that creates many problems for lesbian women due to the blurring of gender and gender identity through the arbitrary change of gender.

With regard to sex-specific rooms (single-sex toilets, changing rooms and single-sex saunas), the legislator has come up with a special coup: it refers to the domiciliary right and the general statutory autonomy of legal entities. The General Equal Treatment Act would sort it out, because:

Discrimination against a trans-identified man with a female gender entry could be justified if there is an objective reason, such as the '**need to protect privacy or personal safety**'. **However**, a refusal of access cannot be based on **gender identity** across the board.

This apparent "solution" to a problem that first arose through the conflation of sex with gender identity does not hold water. Minority rights are to be enforced at the expense of lesbians/women's rights. If the operators of saunas and other single-sex premises defend themselves in individual cases, these "discrimination cases" are likely to end up in court. Women would have the burden of proof that men are disturbing their privacy or threatening their personal safety. The risk of legal costs would be on top of this for women.

Lesbians might even have an advantage over heterosexual women in this legal situation: They could point to their homosexuality to assert their claim to exclusive spaces. Although trans-identified men also refer to themselves as "lesbians", a trans-identified man who is attracted to women is still heterosexual by virtue of his sex. Moreover, lesbians could claim a threat to their personal safety, as their homosexuality is called into question by the presence of a trans-identified man and there is also a risk that male perpetrators of violence will try to gain access to lesbian spaces by using the female gender entry. This is already a problem in the lesbian scene (LGB Alliance Germany, 27.11.2021, <http://lgballiance.de/2021/11/27/stellungnahme-zum-koalitionsvertrag/>).

All this violates the rule of law and the democratic principle, because in the case of **competing fundamental rights** for trans persons and lesbian women, the legislator is obliged to make the necessary regulations itself and not to shift them to other powers (the judiciary).

Incidentally, on June 13, 2024, **Reem Alsalem**, Special Rapporteur on violence against women and girls at the Office of the High Commissioner for Human Rights at the United Nations, sent an official letter to the German Foreign Minister denouncing the SBGG as incompatible with Germany's obligations under international law in terms of its impact on codified lesbian women's and girls' rights. The response from Germany's Permanent Mission to the UN culminated in the assertion that strengthening the rights of trans-identified persons would also benefit women and girls, as the cause of discrimination against both groups of people is rooted in patriarchy.

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International law

Under international law, lesbians are protected by various conventions. The legal bases include the

- **Women's Rights Convention 1979 (CEDAW)** and
- **International Convention on Civil and Political Rights 1966 (ICCPR)**

with the corresponding General Comments (GC).

One example is the spectacular case of a lesbian activist from Sri Lanka who was subjected to political and criminal persecution in her country because of her homosexuality (Rosanna Flamer-Caldera, **CEDAW/C/81/D/134/2018**).

Reem Alsalem is also particularly active on behalf of lesbians. In the first legal dispute in the Western world - **Lesbian Action Group (LAG) vs. Australian Human Rights Commission**, Matter No. 2023/8450, which concerns lesbian spaces, Reem Alsalem intervened on behalf of the plaintiff, who is fighting for lesbians to be allowed to meet exclusively in the publicly funded LGBTIQ Center in Melbourne (<https://feministlegal.org/wp-content/uploads/2024/08/Submission-REEM-ALSALEM.pdf>).

Reem Alsalem's arguments:

- International law allows biological women, including lesbians, to gather in public without such exclusivity constituting discrimination. The criteria for this are reasonable and objective and aim to achieve a purpose that is legitimate under the International Covenant on Civil and Political Rights.
- In cases where the right to non-discrimination on the basis of sex and the right to non-discrimination on the basis of gender identity compete with each other,

international human rights law does not allow the right to sex equality to be interpreted as subordinate to other rights.

The case is currently at the appeal stage and the verdict of the Australian Administrative Appeals Tribunal is still pending.

If a similar process were to take place in Germany, it can be assumed that we would have Reem Alsalem on our side.

IV. Lesbians between adaptation and resistance

Mutation of lesbian women's movement projects into "trans-inclusive" ventures

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BEGINNE's "door policy": This "women's pub", which supports itself, emerged from the autonomous lesbian women's movement in 1986. Today, it operates as a trans-inclusive women's pub and - when this was not yet so clear - made it unmistakably clear to the participants of the LAZ reloaded Regulars' table in 2023, who objected to intolerable "mansplaining" by a trans-identified man in the BEGINNE, that they were only welcome if they "observe(d) the rules (of trans inclusivity)". Since then, LAZ reloaded has been looking for new, lesbian-exclusive spaces.

The "**Spinnboden Lesbian Archive**", which emerged from the lesbian movement in the 1980s and preserves, for example, the documents of the Lesbian Action Center (LAZ) e.V. from the 1970s and 1980s, now calls itself the "lesbian-feminist queer archive". Lesbian historiography is reinterpreted there. One example is the book "Mit schwulen Lesbengrüssen" (With gay lesbian greetings), published by a former employee of the Spinnboden - Lara Ledwa - which falsifies the aim, purpose and activities of the former LAZ e.V. in "queer-theoretical" terms. Since then, LAZ reloaded has embarked on a search for a feminist archive that stores documents of the lesbian movement safely and authentically.

The **Lesbenfrühlingstreffen (LFT)**, an annual event organized by the lesbian movement at various locations since 1973, is on its way to becoming trans-inclusive. At a meeting at the LFT 2024 in the state of Brandenburg, a motion was made to only allow "lesbians born as girls" to attend the LFT 2025. This motion was rejected by a majority. LAZ reloaded is considering organizing an alternative event to the LFT in 2025 with other lesbian groups.

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Rad und Tat (RuT) e.V. has developed into a trans-inclusive institution over the past few years due to the influence of a green politician who became its managing director. Their "inclusive housing project and cultural center for lesbians and other women of all generations", funded by the Berlin Senate, is intended to accommodate lesbians and members of the "queer community ("LGBT*I)" once completed.

This year, the **traditional lesbian party** at the Berlin CSD has morphed into the "**Lesbian FINTA Pride Party**" (FINTA = women, intersexual, non-binary, trans, asexual), i.e. a trans-inclusive party.

Finally, the newly invented so-called "**Butch*Walk**", a fashion show, also gives a stage to trans-identified lesbians who are not afraid to expose their breast-amputated upper bodies.

About the **Lesbian Ring**: The pitiful remnants of the association were taken over by a group of intersectional lesbians in 2019. The statutes, which were amended in 2021, state:

"LesbenRing e.V. aims to make the broad spectrum of lesbian lifestyles and ways of loving visible. This also includes bi- and pansexual cis- and trans* women as well as non-binary and queer people."

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Lesbians fight back I

In 2022, the women of the Lesbian Caucus of WDI USA drafted the "**Lesbian Bill of Rights**". The "**Lesbian Bill of Rights International**" (LBORI) was launched on July 4, 2023 with LAZ reloaded as a founding member. Other member organizations come from New Zealand, Australia, Norway and Italy. LBORI has

- drafted public statements on issues such as lesbian spaces, hate speech and hate crime laws, and banning conversion therapy,
- supported the Lesbian Action Group (LAG) Australia in its legal dispute by means of a letter to the opposing Human Rights Commission Melbourne for the holding of a public lesbian assembly,
- Press statements issued to the United Nations and the signatories of the WDI,
- Co-signed letter of protest against statements/guidelines of UNAIDS and UN Women that are hostile to lesbian women,
- spoke at an international WDI conference and
- has recently joined X (Twitter), @lesbian_bill

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Lesbians fight back II

Demonstrations

LAZ reloaded was instrumental in **organizing** radical feminist demonstrations against the planned SBGG on **15.12.2023** and **12.04.2024** in Berlin. Participants came from all over Germany, radical feminist and lesbian groups protested and members of the Bundestag gave speeches.

And: Our association took part in "**The Real Dyke March**" on **23.06.2023**. The need to initiate a "real" Dyke March, a demonstration by lesbians for lesbian visibility, arose from the experiences of the Dyke*Marches in Cologne, Hamburg, Bremen and Berlin in recent years. The 1st "The Real Dyke March" was registered as a demonstration in Berlin. It was held under police protection.

Criminal complaint

A queer online magazine (queer.de) reported on 'The Real Dyke March' and described the representatives of LAZ reloaded as "**Hitler worshippers**". A criminal complaint filed in response has been with the public prosecutor's office since January 2024.

Legal opinions

LAZ reloaded has prepared critical legal opinions on several laws or draft laws (e.g. SBGG, Sanctions Act, Act on the Prohibition of Conversion Treatments), also with a view to the particularly precarious situation of lesbians and published them on websites including those of the Federal Government.

Lobbying with CDU/CSU politicians

LAZ reloaded has held talks with CDU/CSU politicians on the planned SBGG and discussed possible legal action against it. At State level, LAZ reloaded took part in a panel discussion organized by the LSU (Lesbian and Gay Union) and FU (Women's Union).

Media relations: interviews (TV, press), information (press kits)

LAZ reloaded has given interviews to television and the press about the SBGG and lesbian visibility and informed about all new developments in the field of transgender ideology.

Events on lesbian topics from a radical feminist perspective

LAZ reloaded organizes events on lesbian issues from a radical feminist perspective at least once a month. Particularly noteworthy is the presentation of a worldwide scientific study by two Scottish scientists (Dr. Lorraine Douglas and Jenny Willmott) on the coming out of lesbians, a lecture on the role of Stormé de Laverie in the Stonewall uprising in New York in 1969, a reading on the book "Trans" by Helen Joyce, and last but not least, living wills and health care proxies for lesbians in old age.

Cooperation with SAFIA e.V.

A cooperation with the only remaining radical feminist-lesbian organization SAFIA e.V. is planned.

Regulars' table for lesbians, lesbian spaces

Finally, LAZ reloaded organizes monthly get-togethers for lesbians living in Berlin and is still looking for a suitable pub. The search for exclusive lesbian spaces continues (see above).

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Lesbians fight back III

In search of archiving of lesbian legacies and estates, Christiane Härdel of LAZ reloaded has found what she was looking for! Over the last few months, with the active support of Monika Mengel (former singer of Flying Lesbians), talks have been held with representatives of the FrauenMediaTurm in Cologne. The details for the storage of documents from the lesbian movement are still being negotiated, but LAZ reloaded has been given green light for the time being. Thank you, dear Alice!

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Lesbians fight back IV

LAZ reloaded is considering the creation of a **register** to document the negative consequences of Self-ID for lesbians and tomboys, following various (publicly funded) registers, to be a necessary strategy after SBGG has come into force.

This is supported by the fact that

- the CEDAW Committee calls on member States to collect sex-specific data to prevent violence against lesbians/women and girls;
- in her letter to the German Foreign Minister, Reem Alsalem explicitly calls on Germany to collect such data in view of the unforeseeable consequences of the SBGG for lesbians/women and girls.

- a) The **medium** for this register could be a publicly funded website;
- b) **examples** of such reports could include verbal abuse, physical assaults, criminal charges and the presence of trans-identified men in exclusive lesbian spaces;
- c) the "**register**" should be a joint task of several lesbian organizations.

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Thank you for your attention!

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Member of the Board

LAZ reloaded e.V.