

German bestiality ban: time the US changed some archaic sex laws

America is no longer the beacon of freedom and tolerance – it's way behind nations like Germany on sexual liberalism



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An American soldier kisses an English woman on VJ Day in 1945 ... 'I'm familiar with the [second world war] idea of America as having the freedom and tolerance lacking in places like Germany.' Photograph: Hulton-Deutsch Collection/Corbis

There's a vulgar joke about a man who complained of a double standard between himself and his fellow villagers: "My neighbour went bungee jumping. Once. And nobody calls him Bertram the bungee jumper. My other neighbour went to the beach. Once. Yet nobody calls him Gunther the beachgoer. But me? I shag just one goat ..."

Whatever reputation the man would have acquired in Germany, he would at least have avoided legal repercussions – until now. Germany is banning bestiality, which has been legal there since 1969. The problem is consent – animals can't give it.

Zoophiles, people who have sex with animals, are suing the German government, however, demanding the continuation of their right to practise bestiality. Speaking as an American citizen, this amazes me. I always thought "people demanding legal sex with animals" were like dragons – imaginary bogeymen invented to frighten gullible people. That's how it works in the US, anyway; look for a politician speaking on the record about human/animal canoodling, and you'll find some Rick Santorum-esque jackass braying about how he thinks gay marriage and man-on-dog unions are practically the same thing.

How does that compare with the US? We didn't even get around to decriminalising "sodomy" until 2003, in the supreme court's Lawrence v Texas decision – until nine years ago, not just homosexuality but also oral and anal sex, and even the traditional heterosexual missionary position (if performed between unmarried people) were illegal in various US states.

Though unenforced, such laws often remain on the books – [just take a look at this map](#). And more than a few state-level Republican parties have called for them to be reinforced again – the supreme court's decision be damned – as part of the GOP's continuing effort to abandon its old-school principles of small government, personal freedom and fiscal responsibility in [favour of obsessing over non-procreative sex](#). Not that Republicans have a monopoly on punitive American prudery. Germany, for example, deals with the social problems surrounding prostitution by legalising and regulating it; the US chooses instead to imprison prostitutes (and if they die of dehydration while there, the guards [who refuse to give them water](#) won't even face any consequences).

If you live in the US and have cable TV, as I do, there's rarely an hour of the day or night when you can't find some second world war documentary to watch. That war's pretty popular over here, probably because it's the last one where we were undeniably both "the winners" and "the good guys" (even though [we weren't always good](#)). Between the documentaries and my grandfather's old war stories, I'm familiar with the idea of America as having the "freedom" and "tolerance" lacking in places like Germany. But that narrative's almost 70 years old now. A lot of the old narratives are outdated – I can remember when apartheid still existed and now, [even South Africa](#) beat us to the punch on gay marriage.

Germany is now so far ahead of us in matters of sexual tolerance that, while some states in the US [still prohibit the sale of sex toys](#), they decided to cut back, just a little, on sexual permissiveness – anything's fine between consenting adults, they figure, but bonking animals goes too far.

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