

Twenty thousand demonstrate in Düsseldorf, Germany against police state attacks on democratic rights

By our correspondents
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Last Saturday, 20,000 workers and young people marched from Düsseldorf Central Station to the North Rhine-Westphalian state parliament to protest the new police law planned by the state government.

The protest was directed against drastic attacks on basic democratic rights. With the amendment of the police law, the state government of the Christian Democratic Union (CDU) and Free Democratic Party (FDP) is abrogating personal liberties such as the right to self-determination over one's own data, the right to freedom of movement and establishment, and the right to strike and assembly. It is opening the door to arbitrary police action.

The colourful protest march was organized by around 200 groups and individuals, including fan groups from various football clubs. On the many self-made posters and banners, participants expressed their concern that the police state measures of a dictatorial state were being introduced, recalling the darkest chapters in German history.

For example, two participants carried a picture of Sophie Scholl with the caption, "Have you forgotten?" Sophie Scholl was a resistance fighter against the Nazi regime, for which she was executed. Other posters recalled the dystopia of a "1984" totalitarian surveillance state by George Orwell and wrote, "1984 should be a warning, not an operating manual."

Organizers of the protest march included the "sea-bridge" alliance, founded in response to the rejection of the rescue ship "Lifeline" in the Mediterranean, with 234 refugees on board, by the European authorities. Numerous participants drew attention to the mass deaths in the Mediterranean, where European police authorities are criminalizing those who rescue refugees in distress and confiscate their ships. With the internment of refugees in camps and the deportation of refugees who have been rescued, under the pressure of the German government, there are already places that exist in a legal vacuum in Europe, which serve as models for the new police laws.

The protest march itself almost became a victim of arbitrary police action. The Düsseldorf police only wanted to approve it under strict conditions. Only two loudspeaker vans were to be allowed at the beginning and at the end of the march, and overhead banners would also be banned. The ruling issued by the police stated that the protest against arbitrary police action and police state measures "poses an immediate threat to public safety and order" as "this could be used as protest against alleged police violence or police powers".

In other words, criticism of police and state power is considered a threat to public security and order, which is why fundamental rights are restricted or withdrawn by the police. It was only through an urgent application to the Münster Higher Administrative Court that the strict conditions could be largely mitigated.

Cedric and Patrick came from Gelsenkirchen for the Düsseldorf demonstration because they "do not want to allow our fundamental rights to be restricted even more than they already are. The crime rate has fallen in Germany and North Rhine-Westphalia. That's why such a law makes no sense." The police law "only serves to control us even more. We should live constantly in fear, not do anything wrong and fit into society as it is and just do or think nothing." They also said, "The problem is we are no longer listened to, our needs are no longer respected by politicians."

The demonstration was marked by an obvious contradiction. While many participants expressed their deep concern about developments towards an authoritarian state, the demonstration was organized by parties that themselves promote increasing the powers of the state. Those calling the demonstration included the North Rhine-Westphalian regional associations of the Greens and the Left Party as well as the Jusos, the youth organization of the Social Democratic Party (SPD).

While representatives of these parties feigned solidarity with the demonstrators in speeches at the opening and

closing rallies, in other states the Left Party, the SPD and the Greens are themselves working out similar far-reaching police laws. The Green-led government in Baden-Württemberg tightened the police law in November 2017 and introduced residence and contact bans and the use of electronic ankle cuffs for so-called “perpetrators”. In Brandenburg, where the SPD and Left Party form the government, a stricter police law is planned that provides for the use of electronic ankle restraints as well as widespread video surveillance.

The state executive in Dusseldorf had originally planned to rush the amendment to the police law through the state parliament before the summer break. However, at a panel organized by the state parliament’s domestic affairs committee, even the legal experts called expressed serious concerns that the bill violated the constitution and could possibly be overturned by the Federal Supreme Court.

Interior Minister Herbert Reul (CDU) then announced that the legal text would be revised again and brought to parliament in September. In an interview with the *Kölnische Rundschau* at the end of June, however, he already made clear that the cornerstones of the law would remain and only “cosmetic” changes would be considered.

At the heart of the new police law is paragraph 8. It introduces the legal concept of “imminent danger,” which is phrased so broadly that under the guise of preventing an alleged preparation of a “crime of considerable importance,” the police can be granted powers to intervene into the personal freedom of anyone long before any actual crime is committed. At the same time, the “threat of terrorist danger” is interpreted so broadly that it includes political protests against the state and the ruling elite, expressly allowing the police to snoop on people’s beliefs.

The law allows the police to conduct undercover operations and to collect all the data about people they can get hold of. A vague suspicion by the police or an informant is then sufficient to obtain judicial confirmation with which telephone calls, online chat and Internet histories can be intercepted, recorded and stored. To this end, the police are not only allowed to use a so-called “state trojan” spying software, but Internet and mobile service providers must actively declare any system vulnerabilities, in order to facilitate the police in their undercover snooping.

According to the will of the state government, persons deemed to be “perpetrators” may be detained for up to 30 days without being accused of a specific crime. The reactionary, racist ideology from which the new police law issues can be seen by the fact that the state government is undermining the presumption of innocence and considers immigrants, above all, as “perpetrators”. The 30-day limit for preventative custody was brought into discussion by the

Minister for the Family, Children, Refugees and Integration, Joachim Stamp (FDP), who said that “you have to lock up a perpetrator for 30 days before you can deport them.”

Interior Minister Reul is threatening to make the law even more stringent by introducing an “infinite detention clause” modelled on the Bavarian Police Act without a specific offence having been committed. Under the Nazis, this form of locking people away was called “protective custody”, without any charge having being laid or court judgment issued.

In addition to preventative custody, the new police law also provides for the massive expansion of residence bans and residence proscriptions. For example, persons who, according to the police, represent an “imminent danger” will be monitored by means of an electronic ankle bracelet. Almost arbitrarily, the police can force people to stop leaving a certain place. This not only contradicts the right to freedom of movement but is also a massive invasion of privacy, as the movement profiles of those affected are stored.

In addition, the police would be authorized to carry out controls on a large scale by means of a “strategic search” without needing sufficient reasons. This will not only enable so-called “racial profiling”, i.e. discriminatory police checks based on skin colour alone, but also the creation of a tight surveillance network across the entire population.

The police would also be armed with stun guns or tasers. Since tasers are classified by the police and government as “non-lethal weapons”, the threshold for using this weapon is lower than for firearms. However, they are often deadly. In the US alone, more than 800 people have been killed by police using tasers in the past 15 years. Most of the victims were unarmed and did not pose an immediate threat.

The upgrading of the security forces and the serious extension of police powers are by no means aimed at combating everyday crime, nor have the new police laws been created for this purpose. The establishment of a virtual police state in Germany serves to control the enormous opposition among workers and young people against social inequality, militarism and war and, if necessary, to brutally suppress it.

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