

Socialist Equality Party files lawsuit against German secret service

By the Sozialistische Gleichheitspartei
12 March 2019

The Socialist Equality Party (Sozialistische Gleichheitspartei, SGP) has filed a lawsuit against the Federal Office for the Protection of the Constitution, Germany's domestic secret service, in the Berlin administrative court.

The SGP calls on all individuals, organizations, and institutions that uphold democratic rights to support the suit, and support the SGP against the secret service's attacks.

The slandering of the SGP by the domestic intelligence agency is a transparent attempt to intimidate everyone struggling against the danger posed by the far-right, and right-wing extremist cliques in the state apparatus in particular. The SGP is neither "left-wing extremist" nor "anti-constitutional"—as alleged in the secret service's official annual report last year—but revolutionary and socialist. The party is part of the global Trotskyist movement, and a firm opponent of the return of militarism, fascism, and war.

The naming and observation of the party by the secret service represents a major assault on democratic rights, and is the first step to a potential banning of the party. "The naming of a person or group of persons in the secret service report is at the same time in effect the issuing of an order to the public not to support this group of persons, not to join the group, and not to accept its offerings—whatever they may be," wrote Pier Stolle, the SGP's lawyer, in the suit, which was filed on 24 January and subsequently published on the World Socialist Web Site. With regard to the upcoming European election, in particular, it is clear that the naming of the SGP is aimed at "detering eligible voters from backing the party."

The intelligence agency has absolutely no legal basis for this attack on the SGP. It does not even attempt to prove that the SGP engages in violent activity or is anti-constitutional. In its report, the secret service even explicitly acknowledges that the SGP pursues its goals by legal means, writing, "It seeks to obtain publicity for its ideas by participating in elections and organising lecture series."

Its sole justification for naming the SGP is that it advocates a socialist programme, criticises the capitalist system, and opposes all of the establishment parties, including the trade unions. The secret service's report states, "The SGP directs its programmatic agitation against the existing state and social order invariably slandered as 'capitalism', against the EU, supposed nationalism, imperialism, and militarism, as well as against Social Democracy, the trade unions, and the Left Party."

Stolle argues in the suit that this does not meet the preconditions for being mentioned in the secret service's report. "Neither 'capitalism', nor the EU, nationalism, imperialism, militarism, the Social Democracy, trade unions, or the Left Party are constitutionally protected legal entities in the spirit of paragraph 4 1c) i.V.m. paragraph 2 BVerfSchG. The advocacy of a democratic, egalitarian, socialist society does not contradict the Basic Law's core values."

"There is also no indication in the conducting of meetings, documenting of reports and analyses, and the participation in federal and European elections of behaviour directed towards the goal or purpose of

overthrowing or transforming the state and social order to establish an order that is incompatible with the free-democratic principles of the constitutional order," the suit goes on to state.

In reality, the intelligence service wants to stigmatise and criminalize any socialist criticism of capitalism. This is made clear if one briefly examines the introduction to the chapter in the report entitled "Left-wing extremism."

The "ideological basis" for "left-wing extremists," it states, "is the opposition to the 'capitalist system as a whole', because for left-wing extremists, 'capitalism' is more than just an economic form: it serves both as the basis for and guarantor of the 'relations of bourgeois rule' through repression at home and aggression abroad. According to this, 'capitalism' is responsible for all social and political ills, including social injustice, the 'destruction' of housing, wars, right-wing extremism, and racism, as well as environmental catastrophes."

According to the secret service, such a criticism of capitalism, which is shared by millions of people, is an attack on "our state and social order, and therefore on freedom and democracy." Anyone who bases themselves on "Marx, Engels, and Lenin" as "theoretical guides," or anyone who "believes 'revolutionary violence' by the 'oppressed against the rulers' is in principle legitimate," is a "left-wing extremist" and "opponent of the constitution," according to the secret service.

The secret service is drawing on a tradition of suppressing socialist parties that has a long and infamous history in Germany. In 1878, Bismarck adopted the notorious socialist laws against the "extremely dangerous strivings of Social Democracy," which forced the SPD underground for 12 years. In 1933, Hitler first destroyed the Communist Party, followed by the Social Democrats, in order to pave the way for the Nazi dictatorship, World War II, and the extermination of the Jews.

The grand coalition and its intelligence service are now preparing a third edition of the socialist laws. They are adopting the Alternative for Germany's (AfD) policies, and threatening anyone who criticises this right-wing extremist party with prohibition.

The secret service and the AfD

It is significant that the secret service does not mention the AfD once in the chapter "Right-wing extremism," even though the party's leading personnel regularly agitate against immigrants, promote racism, glorify Hitler's Wehrmacht, and trivialise the crimes of the Nazis. The representatives of the AfD's volkish-nationalist "Flügel" (Wing), the networks of the new Right and the xenophobic Pegida, which enjoy intimate ties with the AfD, also go unmentioned in the report.

By contrast, the chapter "Left-wing extremism" refers to the AfD repeatedly—as the victim of alleged "left-wing extremists"! Anyone who protests against or gathers information about the AfD and right-wing extremists is deemed a "left-wing extremist" by the secret service. The report refers to protests against AfD party congresses, the "sustained 'struggle' against right-wing extremists," and the "collection of

information about alleged or actual right-wing extremists and their structures” as evidence of the existence of “left-wing extremist” conceptions.

Large portions of the secret service’s report read as though they were authored in the AfD’s party headquarters—and this is no mere coincidence. It has since come to light that former secret service head Hans-Georg Maassen met with AfD representatives on numerous occasions, and discussed the contents of the report with them. Maassen was ultimately forced to resign after he supported an AfD demonstration in Chemnitz, which included right-wing extremists who hounded immigrants through the streets and targeted a Jewish restaurant.

The secret service has close ties to the fascist swamp. Fifteen years ago, the Constitutional Court rejected a ban on the right-wing extremist NPD on the basis that there were so many secret service informants in its leadership that it was “an organisation of the state.”

Several dozen informants from the secret service and police operated in close proximity to the right-wing terrorist group NSU, which was responsible for the murders of nine immigrants and a police officer. An employee of the Hesse state intelligence agency was even at the scene when one of the murders took place, but apparently noticed nothing untoward. The Thuringia Home Guard, out of which the NSU emerged, was established with financial support from the secret service. A substantial portion of the AfD’s leading personnel also have backgrounds in the intelligence agencies, the judiciary, police and military.

Defend the SGP

Since the secret service decided to mention the SGP in its report, several attempts have been made to accuse the party of violence. Right-wing extremists repeatedly attacked SGP members in an attempt to provoke violence that could then be blamed on the party. Members of the identitarian movement and the AfD sought to disrupt meetings organised by the SGP’s youth organisation at the University of Dresden and Humboldt University in Berlin. This was followed by daily attacks on IYSSE members during the campaign for the student parliament elections at Humboldt University. After these efforts proved fruitless, unknown individuals circulated a fake IYSSE leaflet calling for acts of violence to be carried out against people with opposing views. The IYSSE has therefore filed legal complaints over the falsification of documentation and malicious defamation.

In contrast to the lies spread by the secret service, the SGP opposes individual acts of violence and unconditionally defends democratic rights. However, the fundamental rights guaranteed in the Basic Law—the right to the free expression of one’s personality, to life and bodily integrity, equality before the law, freedom of conscience, opinion, and assembly, freedom of the press, freedom to choose one’s profession etc—remain empty phrases and are transformed into their opposite if the economic fundamentals of society remain under the death grip of private capital. A socialist programme is the precondition for the realisation of genuine democracy.

As a section of the International Committee of the Fourth International, the SGP not only stands in the tradition of the struggle against fascism, but also against Stalinism. During the 1930s, the Trotskyist movement waged a determined fight against the rise of the Nazis. Leon Trotsky’s analysis of National Socialism, his warnings about its consequences and his criticisms of the disastrous policies of the Stalinist KPD, which refused to distinguish between the Social Democrats and the Nazis, and fight for a united front, remain immensely relevant to the present day.

This is why the Trotskyists were brutally persecuted by the Gestapo. In 1937, a court in Danzig sentenced 10 Trotskyists in a remarkable trial to lengthy prison sentences. The Trotskyist victims of Nazi rule included Abram Leon, who authored a Marxist work on the Jewish question and carried out illegal socialist work in Belgium and France before being

gassed at Auschwitz. The fact that the Trotskyists are being persecuted once again, and that this takes place in the wake of the entry of a right-wing extremist party into parliament for the first time since the end of World War II, underscores the dangerous implications of the ruling elite’s shift to the right.

The secret service’s attack on the SGP is a fundamental assault on democratic rights. It is a component of government policy that is increasingly based on authoritarian forms of rule and the reliance on right-wing extremist forces so as to enforce militarist policies, the strengthening of the repressive state apparatus and attacks on social spending, and to suppress all opposition that emerges.

It recalls the Weimar Republic, when the intelligence agencies, judiciary, and police ruthlessly persecuted socialists and pacifists while strengthening the Nazis. While Hitler spent nine months in prison following his failed coup in 1923, where he wrote “Mein Kampf,” the judiciary sent Carl von Ossietzky, the editor of the left-wing magazine *Weltbühne*, to prison for twice as long for his opposition to militarism. He was later tortured to death. When Hitler was appointed Chancellor by means of a conspiracy surrounding President Paul von Hindenburg, the state apparatus seamlessly fell into line behind the Nazis.

The SGP is in the secret service’s crosshairs because it uncompromisingly advocates a socialist programme, and opposes all forms of militarism, state repression and xenophobia.

Its critique of the right-wing extremist historian Jörg Baberowski, who defended Nazi apologist Ernst Nolte and told *Der Spiegel* that Hitler was not vicious, provoked a storm of outrage from the media. The *Frankfurter Allgemeine Zeitung* accused the SGP of “bullying” and complained about its “effectiveness.” The presidium at Humboldt University backed the right-wing extremist professor and declared all criticism of him to be “intolerable.” But Baberowski’s right-wing proclivities can no longer be denied. Even *Die Zeit* reported that he has founded a salon in Berlin where right-wing extremist figures meet.

While almost all media outlets attacked the SGP and the vast majority of professors either backed Baberowski or remained silent, the SGP received tremendous support from workers and young people. In the student parliament elections at Humboldt University, the IYSSE obtained close to 7 percent of the vote. Several student councils and other student representative bodies declared their solidarity with the IYSSE, and criticised right-wing and far-right professors. The secret service responded with its attack on the SGP.

We demand that the secret service halts its observation of the SGP and all other left-wing organisations. We appeal to all who want to fight the rise of the far right, including serious-minded members of the Left Party, SPD, and Greens—and urge them to protest the secret service’s attacks, defend the SGP, and donate to support our lawsuit.

To contact the WSWS and the
Socialist Equality Party visit:

<http://www.wsws.org>