

Punk band files lawsuit against surveillance by German intelligence agency

By Martin Nowak
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Last week, the German punk band Dr. Ulrich Undeutsch filed a lawsuit against the Saxony State Office for the Protection of the Constitution (the German domestic intelligence agency at the state level, LfV). The injunction seeks to ensure that the 2018 intelligence agency report, which lists the band in the category “left-wing extremist music scene,” “can no longer be published in this form.”

The band, based in the eastern German state of Saxony, justified its lawsuit by arguing that it was not clear “how our music infringed on the freedom of art and made us enemies of democracy.” The band also states in its press release: “What is obvious, however, is that this classification criminalises us and will be used by the authorities to make it harder for us to obtain venues, hosts and concert promoters.”

The press release refers to the disproportionate deployment of police at the band’s concerts and the fact that organisers are pressured on a regular basis to cancel concerts by Dr. Ulrich Undeutsch, or concerts are cancelled for no good reason. This took place most recently in Leubsdorf, near where the band is based in Grünhainichen, when the Christian Democratic Union (CDU) mayor canceled an entire Alternative Rock Night concert.

The LfV has included the “left-wing extremist music scene” in its reports since 2015. In the current report, eleven bands are named. Dr. Ulrich Undeutsch was first mentioned in 2017. The LfV in Bavaria also listed the band for the first time in its 2017 report, although it has only played two concerts in the south German state.

The Saxon “constitution protection” report for 2018 had already hit the headlines prior to the punk band’s lawsuit, after it accused the organisers of an anti-Nazi concert, attended by 70,000 people in Chemnitz following riots by far rightists, of giving left-wing

“extremists” a platform to spread “their extremist ideology to non-extremists.” The report cited as proof for its claims shouts by the crowd of “Alerta, alerta Antifascista.”

In a similar manner, the report indicts Dr. Ulrich Undeutsch for its anti-fascist stance, its opposition to repression and its alleged “rejection of the democratic constitutional state.” The report offers as evidence lyrics from the song “Punk” from 2017 (no longer on the market) which ended: “I hate the system. I hate this state.”

“Upon closer examination of the individual who is president of the Saxon State Office for the Protection of the Constitution, Mr. Gordian Meyer-Plath,” the band writes, “it quickly becomes clear why above all in Saxony, there is alleged to have been an above-average growth of left-wing extremist music. The former undercover agent in charge of the NSU [neo-fascist National Socialist Underground] supporter Carsten Szczepanski, alias Piatto, remains up until today one reason why a thorough and proper review of the NSU murder series seems almost impossible.” Between 2000–2007 the National Socialist Underground carried out a series of ten murders and numerous bank robberies under the noses of and possibly in collaboration with German intelligence agencies.

The fact that the LfV president Meyer-Plath is also a member of the Marchia fraternity, which until 2011 was affiliated to the far-right umbrella organisation, German Fraternity, the band points out, demonstrates that he “is not exactly a democratic role model.”

The public prosecutor in Potsdam is currently examining whether to take action against the Saxon LfV president for making false statements. Meyer-Plath, who had previously worked for the Brandenburg state intelligence agency, was interviewed

in April 2018 by the NSU investigation committee of the Brandenburg state parliament regarding his role in the case of

neo-Nazi and undercover agent Szczepanski.

The Left Party chairman of the investigation committee, Volkmar Schöneburg, accuses Meyer-Plath of having helped the neo-Nazi, who has been convicted of attempted murder, to produce a magazine for the militant Nazi scene while in prison. Meyer-Plath denied the claim that he had exchanged mail with relaxed safety rules with “Piatto.” Schöneburg told the *Tagesspiegel* newspaper that Meyer-Plath’s version of events had been refuted by documents and statements by prison staff.

Szczepanski, a former functionary of the neo-Nazi National Democratic Party (NPD), also participated in establishing the Ku Klux Klan in Germany. Meyer Plath is alleged to have passed on information to Szczepanski relating to weapons procurement and raids planned by the NSU terror gang. In order to protect his undercover agent, Meyer Plath allegedly did not forward this same information to the police.

The action undertaken by the state office of constitution protection against Dr. Ulrich Undeutsch is an attack on basic democratic rights and, above all, on the freedom of expression and art. The band’s lawsuit should be supported.

The Socialist Equality Party (SGP) is suing the Federal Office for the Protection of the Constitution, which illegally classified the party in its 2017 report as “left-wing extremist” and therefore subject to surveillance. The criminalisation of antifascism, criticism of capitalism and state repression, as the SGP writes, 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.”

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