

# No to the ban on Palestine Solidarity Duisburg! Stop the moves to a police state in Germany!

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The Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) strongly condemns the banning of Palestine Solidarity Duisburg (PSDU) by the North Rhine-Westphalia state Interior Minister Herbert Reul on May 16, 2024. The extremely far-reaching ban criminalises any criticism of the Israeli genocide in Gaza and the German government’s pro-war policy. It is the blueprint for a police state and harks back to the repressive methods of the Kaiser’s Empire and the Nazi dictatorship.

The ban is supported by a broad coalition: while Reul belongs to the Christian Democrats (CDU), Federal Interior Minister Nancy Faeser of the Social Democratic Party (SPD) is just as ruthless in her crackdown on dissent. And the SPD parliamentary group spokesperson on domestic policy in the Düsseldorf state parliament, Christina Kampmann, has praised the ban in the highest terms.

Palestine Solidarity Duisburg has been banned despite not being accused of any criminal offences. It was criminalised because it would not submit to German state policy in its stance on Israel and protested—peacefully and verbally—against the murder of Palestinians in the Gaza Strip.

The North Rhine-Westphalia interior ministry even cites positions that are shared by the majority of UN members and the International Court of Justice (ICJ) as grounds for a ban, even though Germany officially recognises the jurisdiction of the highest UN court. The interior ministry could not show more clearly that the ban is an act of arbitrary state actions, censorship and repression.

When the Verfassungsschutz (Germany’s domestic intelligence service) included the Sozialistische Gleichheitspartei in its 2019 annual report as an allegedly “left-wing extremist” party, opening up the party for state surveillance, the SGP warned that this would prepare the ground for criminalising “booksellers who distributed Marxist literature, workers who strike for higher wages or peace activists with the stroke of a pen.” This is now confirmed by the banning of Palestine Solidarity Duisburg.

## The false accusation of antisemitism

The state interior ministry’s ban is based on the International Holocaust Remembrance Alliance’s (IHRA) definition of antisemitism, which categorises criticism of the Israeli state and its ideological basis, Zionism, as antisemitism. The ruling states: “The term ‘Zionist’ can be understood here as a cipher for ‘the Jews.’” The “disrespectful and hostile use of the term ‘Zionism/Zionist’ by PSDU and its functionaries” constitutes “an antisemitic narrative.” The “narrative” that “unilaterally assigns responsibility for the Middle East conflict to the state of Israel” is also antisemitic.

The IHRA definition is rejected by numerous experts and academics. In 2021, 200 well-known Holocaust researchers from Israel, the United States and Europe proposed a different definition in a “Jerusalem Declaration,” which explicitly excludes criticism of Zionism and calls for a boycott of Israel from the accusation of antisemitism. In December last year, 14 prominent German lawyers criticised the IHRA definition in a statement to the Bundestag (federal parliament) because it would lead to “far-reaching constitutional distortions,” “completely unforeseeable” consequences for the practice of the authorities and foreseeable violations of the right to freedom of expression.

However, state Interior Minister Reul is not impressed by such scientifically and legally sound expert opinions. The prohibition order is teeming with untenable and sometimes absurd accusations. For example, it claims that calling Israel an “apartheid state” puts it “on a par” with “historically proven unjust states/regimes in which individual population groups have been oppressed and disenfranchised.” This was an “unsubstantiated and generalised assertion” that also fulfills the IHRA’s definition of antisemitism.

In the meantime, in a legal finding, the ICJ has expressly confirmed that Israel is illegally occupying the Palestinian territories and pursuing a policy of apartheid there. According to the court’s finding, Israel is not only violating the Palestinians’ right to self-determination, but also the prohibition of violence and Article 3 of the Racial Discrimination Convention, which prohibits racial segregation and apartheid.

However, apartheid is now also the legal norm within Israel itself. The Nation-State Law passed in 2018, which Prime Minister Benjamin Netanyahu regards as a “key moment in the history of Zionism and the State of Israel,” demotes Arab Israelis to second-class citizens and enshrines human rights violations in constitutional law. Israel is the “nation state of the Jewish people,” states the first of eleven articles. The right to national self-determination is reserved solely for people of the Jewish faith.

Amnesty International and Oxfam openly accuse Israel of apartheid. Will Reul and Faeser therefore also ban these human rights organisations in the near future?

## Israel’s right to exist as a matter of German state policy

The German government declared the defence of Israel’s “right to exist” to be a “matter of German state policy” in 2008 at the latest. It understands this to mean the defence of the state of Israel in its current form, as a military bastion armed to the teeth, which intimidates its

neighbours, oppresses and—as has been the case in Gaza since October 7—seeks to exterminate the Palestinians. Anyone who opposes this position and stands up for a more democratic, secular and peaceful state in Palestine, including many Jews, is defamed as an “antisemite.”

This attitude has nothing to do with the protection of Jewish life and reparations for the Holocaust. Like the US and other European states, Germany uses Israel as a bridgehead for its own imperialist interests in the Middle East, which it uses to threaten and intimidate the entire region. This is why Washington and Berlin are financing Israel with billions, arming it and supporting the genocide of the Palestinians. If Berlin were to find a more reliable ally in the region, the “state policy” would be forgotten overnight.

This attitude is also reflected in the prohibition order. The Interior Ministry has summarily labeled Palestine Solidarity Duisburg’s advocacy of a state that “grants equal rights to all citizens regardless of religion, ethnicity, etc.” as “not very credible.” Rather, the one-state solution under “the slogan ‘From The River To The Sea’ is evidence of the organisation’s anti-Israeli stance.”

### **The “unproven genocide”**

It is remarkable how brazenly the Interior Ministry lies. The prohibition order speaks of “unproven genocide,” although the Israeli army has since destroyed large parts of the Gaza Strip and, according to an estimate by the medical journal the *Lancet*, killed 186,000 people.

The ICJ considers South Africa’s complaint accusing Israel of genocide to be “plausible,” and the chief prosecutor of the International Criminal Court has requested an arrest warrant for war crimes and crimes against humanity against Prime Minister Benjamin Netanyahu and his Defence Minister Yoav Gallant. But in Germany, the mere utterance of these charges leads to the banning and confiscation of assets.

The history of the Palestine conflict is also completely ignored by the censors in the North Rhine-Westphalia Interior Ministry. This did not begin on October 7, 2023, but with the violent expulsion of over 700,000 Palestinians on the occasion of the founding of the state of Israel in 1948. Since then, Israel has been at direct or indirect war with the Arab population and its neighbouring states.

It was clear within a few days that Israel would use the attack by Hamas on October 7, which it deliberately allowed to happen by withdrawing all security forces, to commit genocide.

After just three weeks, the head of the New York office of the UN High Commissioner for Human Rights, Craig Mokhiber, resigned from his post in protest at the “total failure” of the United Nations to protect the Palestinian civilian population. In an open letter to the UN, he wrote: “This is a textbook case of genocide.” This has since been confirmed week after week, month after month.

### **The Palestinian resistance**

The ban equates protest against the crimes of Israel and its army and the labeling of Palestinian resistance against them as “legitimate” with support for Hamas and therefore with support for terrorism.

The following quote shows just how far the Interior Ministry goes in this regard: “On October 19, 2023, the association published a post on its Facebook page... In it, the Palestinian resistance is described as ‘legitimate.’ Due to the temporal proximity to Hamas’ terrorist attack on

the state of Israel, this refers in particular to violent resistance.”

The equation put forward by the authors of the ban is simple: anyone who resists Israeli—and imperialist—violence in general is engaging in terrorist resistance. Anyone who describes the resistance of the oppressed as “legitimate” is a supporter of terrorism.

### **“Offence against the idea of international understanding”**

Obviously realising the weak factual basis of the ban, the Interior Ministry also uses the alleged “violation of the idea of international understanding” on the part of the PSDU. In Article 9 of the German constitution, which proclaims the right to form associations and societies, this is added as a reason to revoke this right.

This justification had already been used in the past to ban the Kurdish PKK and, most recently, Hamas and the Samidoun organisation. In the case of the PSDU, the Interior Ministry was not in a position to assume an actual connection to Hamas or another resistance group labelled as terrorist. The ban is based solely on the alleged “moral support” of Hamas: “In particular, the moral support of Hamas impairs the peaceful coexistence of peoples.”

The Interior Ministry is deliberately not being so precise. This is because the PSDU has never explicitly defended Hamas—and even less so terrorist attacks—either in substance or policy. It defends “resistance in all its forms,” including the armed struggle against the Israeli army.

The PSDU regarded itself as a “solidarity network,” the banning order attests. However, it was “irrelevant” whether the organisation understood its actions to be contrary to international understanding or believed that it was acting for “higher legal, political, religious or moral reasons.” “Such convictions” did not exonerate, “but are merely an expression of a way of thinking that deviates from the constitutional requirements.”

Finally, the ban is justified with the danger that “words can quickly turn into deeds.” Individuals could use the PSDU’s statements as an opportunity to commit acts of violence against “Jews and/or Israeli citizens.” “This has been shown by the radicalisation biographies of recent years, for example the rampage at a synagogue in Halle in 2019.”

The PSDU, which has always taken a clear and explicit stance against antisemitism, is being held responsible for future acts of violence by right-wing extremist Jew-haters.

### **Consequences of the ban**

The ban on Palestine Solidarity Duisburg shows once again how thin the democratic façade is over the authoritarian core of the German state apparatus. The ban is only the last link in a whole chain of intimidation, repression and prohibition measures against all those who do not conform to official German state policy.

Pro-Palestinian demonstrations are banned, harassed and subjected to Kafkaesque censorship regulations; artists who express critical views are sanctioned. Even academics have to fear for their funding if they express their opinions too openly.

The Verfassungsschutz, (literally: defence of the constitution) a state agency with no democratic legitimacy, which was headed for eight years by right-wing extremist Hans-Georg Maassen and increasingly resembles the Stasi in the former East Germany, spies on members of the opposition and rises to the level of a political inquisition.

According to Interior Minister Reul, the Verfassungsschutz is said to

have initiated the ban on the PSDU, and those affected suspect it also formulated the ban order. Simply being named in the Verfassungsschutz report is enough to make it difficult for an organisation to gain access to public spaces, supporters or bank accounts.

Support for Israel and its genocide in Gaza is only the superficial reason for this growing repression. The deeper reasons are decades of social polarisation, the growth of poverty on the one hand and immeasurable wealth on the other, the return to militarism and war and the growing opposition to it.

Those in power fear a social explosion. The more they lose support—the European elections were a disaster for all three parties forming the German government—the more openly they rely on state repression. The SPD, the Greens and the Liberal Democrats (FDP), who used to claim to be defenders of democracy, have become the most vicious agitators.

Every now and then they ban a right-wing extremist organisation such as *Compact* magazine. But this will not stop the right-wing extremists, on the contrary. The establishment parties have long since adopted the programme of the extreme right in terms of refugee policy, internal rearmament and militarisation. Such bans create legal precedents for taking even tougher action against left-wing organisations.

The shift to the right in bourgeois politics, the transition to ever more open forms of repression, is an international phenomenon. Trump in the US, Meloni in Italy, Le Pen in France are an expression of this. And everywhere, all other establishment parties are reacting by moving further to the right themselves.

The reason for this is the advanced crisis of the capitalist profit system, to which the rulers have no other answer than war, intensified exploitation and dictatorship. Only an independent movement of the working class and youth that combines the struggle against social inequality, war and dictatorship with the struggle against their cause, capitalism, can stop this spiral into barbarism.



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