

German government ban on far-right *Compact* magazine paves way for further attacks on democratic rights

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4 August 2024

In mid-July, Germany's Interior Ministry banned the print and online magazine *Compact* and confiscated the assets of its associated publishing company. In the federal states of Brandenburg, Hesse, Saxony and Saxony-Anhalt, police searched 14 properties by court order, confiscating "magazines, smartphones, IT, cash, gold, data storage media, documents" as well as "stage equipment, vehicles, office furniture, company accounts and account documents."

Interior Minister Nancy Faeser (Social Democrat, SPD) told the press that *Compact* pursued an agenda "against the constitutional order" and was "the central mouthpiece of the right-wing extremist scene." The publication's websites have been blocked and social media platforms on which the organisation operates have been contacted with a view to shutting them down.

The move is a massive attack on the freedom of the press. It is not directed against fascism, but rather further weaponizes the German state apparatus, which is itself the most important breeding ground for fascist forces in Germany. By creating yet another precedent for government censorship of publications, the dictatorial powers of the state are to be extended to crack down on any genuine—i.e., left-wing—opposition.

There is no doubt that *Compact* is a mouthpiece of the extreme right. The magazine's propaganda is characterised by extreme nationalism, which manifests itself in right-wing historical revisionism, racism and agitating against immigrants and left-wingers. It systematically employs antisemitic tropes, supports US presidential candidate Donald Trump and promotes donations to the far-right Alternative for Germany (AfD). Furthermore, since the beginning of the COVID-19 pandemic, it has acted as an agitator for the official pandemic policies placing profits before lives adopted and implemented by all bourgeois parties.

At the same time, *Compact* is in favour of rapprochement with Russia and accuses the German government of ruining Germany's *Mittelstand* (small/medium-sized enterprises) with its warmongering in Ukraine. The magazine combines this criticism with the assertion that the government is a subservient vassal of the US, thus attempting to channel opposition to war and economic decline behind an extreme right-wing nationalist programme. According to research by news weekly *Der Spiegel*, *Compact* is financed by German millionaires and entrepreneurs, among others.

From Faeser's mouth, statements about "right-wing extremism" and "fundamental rights" are a hypocritical attempt to exploit anti-fascist sentiment—and are unrivalled in their cynicism. Faeser and the federal government itself are attacking democratic rights on all fronts and are increasingly implementing the programme of the extreme right. The same coalition government that is waging a murderous proxy war against Russia in Ukraine, supplying fascist forces with weapons, and has fully backed Israel's genocide in Gaza, is undermining the right to asylum at

European level and most recently has embraced Hitler's military as founders of "tradition" in today's Bundeswehr (Armed Forces).

In June, Faeser introduced a bill that would allow refugees to be deported on the basis they had "liked" social media posts the authorities deemed unacceptable. Against the backdrop of the NATO war campaign against Iran, her Interior Ministry recently had dozens of Shiite mosques and prayer centres stormed by police and confiscated—to the jeering applause of the far-right Alternative for Germany (AfD).

In an article that is still highly relevant, Leon Trotsky resolutely opposed a campaign by the Mexican Stalinists to subject the reactionary press to censorship or to ban it. He insisted that fascism could not be fought by strengthening the bourgeois state apparatus from which it grew, but only by mobilising the working class against war and capitalism:

... only those blind or simpleminded could think that the workers and peasants could be freed from reactionary ideas by the banning of reactionary press. In fact, it is only the greatest freedom of expression that can create favorable conditions for the advance of the revolutionary movement in the working class.

The main danger for the working class was not to be found in one or another fascist rag, Trotsky said, but in illusions about the bourgeois state apparatus. Anti-democratic measures taken by sections of the bourgeoisie in the name of the "fight against fascism" would inevitably fall back on the working class sooner or later, he declared:

It is essential to wage an unrelenting battle against the reactionary press. But the workers cannot leave a task they have to fulfill themselves through their own organisations and their own press, to the repressive fist of the bourgeois state. Today the government may seem well disposed towards workers' organisations. Tomorrow it may fall, and it inevitably will, into the hands of the most reactionary elements of the bourgeoisie. In this case the existing repressive laws will be used against the workers. Only adventurers who think of nothing but the moment's needs can fail to guard themselves against such a danger.

With the *Compact* ban, Faeser is creating a precedent for undermining basic democratic rights. Rights such as freedom of the press, freedom of opinion and freedom of assembly, which were enshrined in Germany's post-war constitution due to the historical crimes of the Nazi dictatorship,

would then be a waste of the paper on which they were written.

In the future, press outlets could be summarily declared “anti-constitutional associations” and banned. The ministry bases the *Compact* ban on the law governing associations and claims that it is not formally taking action against it as a press organ, but against an economic association.

While freedom of the press enjoys a high level of constitutional protection, the threshold for banning associations is extremely low. Federal or state interior ministers can ban an association by decree if they are of the opinion that its purposes or activities “contravene criminal law or are directed against the constitutional order or the idea of international understanding..” Such a ban comes into force without requiring a judicial review. Only if those affected file a lawsuit against it does it go to trial—which can take years.

The same legal instrument was already used in 2017 to ban a left-wing online platform and was also used a few weeks ago against the Islamic Centre Hamburg (IZH) to circumvent the protection of religious freedom under the German constitution.

Lawyers and even some liberal journalists have criticised this. For example, David Werdermann, a lawyer at the Gesellschaft für Freiheitsrechte (GFF, Society for Civil Liberties), emphasised to *Legal Tribune Online (LTO)* that the law on associations should be “interpreted in accordance with the constitution to the effect that bans cannot be justified solely on the basis of the content of a product of the press.”

Law professor Christoph Gusy (University of Bielefeld) said that “interventions in Article 5 of the Constitution may not be based on the Associations Act,” as freedom of the press is “absolutely constitutive” for a democracy.

Dr. Paula Rhein-Fischer from the Academy for European Human Rights Protection at the University of Cologne wrote in an article for *Verfassungsblog* that “the law on associations is superseded by press law in the case of bans primarily aimed at press products” and is therefore “not applicable” in such cases.

According to a report by *LTO*, *Compact*’s publishing company engaged a “team of more than ten lawyers” who filed a complaint with the Federal Administrative Court. This is the first and final court responsible for lawsuits against nationwide bans on associations.

The German government has already taken numerous other actions to massively curtail press freedom, starting with the down-ranking of left-wing and progressive websites such as the *World Socialist Web Site* in 2017 in coordination with Google.

In the autumn of the same year, the Network Enforcement Act was passed, which encourages social media platform operators to implement comprehensive censorship mechanisms against their users. Finally, in March 2022, the EU Commission issued a comprehensive broadcast ban against the Russian news channels RT and Sputnik. All of these steps were justified with claims of “hate propaganda” and “fake news.”

At the same time, the German government placed the Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) under secret service surveillance from 2017 as a “left-wing extremist” organisation. It declared the party’s fight “against nationalism, imperialism and militarism” and its advocacy of a “democratic, egalitarian and socialist society” to be unconstitutional. The SGP has filed a complaint with the Supreme Court against it being placed under surveillance.

The supposed crackdown on the far right, while in reality a blow against the left is being prepared, has a long and sinister tradition in Germany. After the war, in August 1956, the federal government banned and broke up the newly founded Communist Party of Germany (KPD), having previously banned the neo-Nazi Socialist Reich Party (SRP).

In April 1932—less than a year before Hitler’s appointment as Reich Chancellor and the passing of the Enabling Act granting him dictatorial powers—Reich Chancellor Heinrich Brüning issued a ban on Hitler’s SA,

which was lifted two months later.

In reality, *Compact* enjoys close links to right-wing networks within the state apparatus. This recently became clear in a friendly interview that Rupert Scholz—former Defence Minister and long-time co-author of the authoritative commentary on the constitution—gave to the publication shortly before it was banned. In it, Scholz rejected the so-called “firewall”—the fiction that other parties exclude cooperation with the AfD—and accused the President of the *Verfassungsschutz* (Office for the Protection of the Constitution, as the domestic secret service is called) of “acting unconstitutionally” against the party. Theodor Maunz, a leading constitutional commentator, had already been published in right-wing extremist newspapers in the 1990s.

By endowing the state apparatus with authoritarian powers, the ruling class is not weakening the extreme right, but rather realising its organisational political goals. The same Interior Ministry that censors the press and deports refugees for holding political views deemed unacceptable by the state plays a key role in establishing and controlling the far-right scene.

In 2003, the Supreme Court discontinued a ban procedure against the far-right German National Party (NPD) due to a “lack of distance from the state” after it became clear that several members of the party’s leadership were undercover operatives of the *Verfassungsschutz*.

In the case of the series of murders carried out by the neo-Nazi “National Socialist Underground,” it has also been proven that the murderers received support from state agents. Secret service informants led armed neo-Nazi groups, set up a Nazi internet platform or published racist pamphlets—financed with public money. More recently, it has become known that the domestic secret service maintains hundreds of social media profiles distributing right-wing extremist propaganda and that armed terrorist networks in the German armed forces were making preparations for a coup and the murder of political opponents under the watchful eye of military intelligence.

Against this background, it becomes clear that any strengthening of this state apparatus and any further restriction of democratic rights is not aimed at stopping the fascist right, but at encouraging fascist tendencies as a whole. While the ruling class is moving sharply to the right, the real target of its attacks is not the right-wing rag *Compact*, but the working class.



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