

# Germany: Arab students witch-hunted

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In the name of the “fight against terrorism” and “internal security” the German state is increasing its powers at both national and regional level. The first to feel the effects of this are students from Arab countries. Following the terrorist attacks in New York and Washington they are to be regarded with “general suspicion”.

Since Monday, a profiling system has been used to comb the country for alleged terrorists. Interior Ministers at federal and state level agreed this measure last week. Fritz Behrens, the Interior Minister of North Rhine Westphalia (Social Democratic Party, SPD) explained they had agreed common criteria for the countrywide search.

The searches rely on computerised profiling methods, which were originally developed in Germany in the 1970s under the then head of the Federal Criminal Investigation Office (BKA) Horst Herold in the course of the hunt for members of the Red Army Faction (RAF). Searches using this method ignore all considerations of data privacy. Not only do such searches compare data from different official bodies, such as the residents registration office, alien affairs, social security and traffic department, but they review data from sources that state agents would not normally have access to, such as the health insurance companies, the customer records of real estate agents, builders and utility companies.

Among the criteria used for searches in the 1970s was whether someone had paid the rent, water and electricity bills in advance and in cash, but had actually used little electricity and water. Data about hundreds of thousands of innocent people was studied. Twenty-five years ago the suspension of data security provisions and the right to privacy, with anyone who did not fit into the “normal pattern” being suspect, was justified by extolling the fight against the terrorism of the RAF.

However, the legal basis for searches based on profiling methods was only laid in 1992 in Paragraph 98a of the criminal code. Since then profiling is permitted, if there are “sufficient factual reference points to show that a

substantial criminal offence was committed”. Moreover, the arrangements must be presented to a judge.

The Interior Ministers’ conference also agreed uniform procedures in this regard. As Interior Minister Behrens indicated, one police station in each state will submit a request to the responsible court on Monday to organise a search based on profiling methods. Furthermore, the governing Social Democrats in Lower Saxony and Schleswig-Holstein plan to change state laws as soon as possible, in order to be able to use profiling, as this method was not included in their previous state constitution.

Immediately after the terrorist attacks occurred in the USA and the first clues pointed to Hamburg University, the majority of Germany’s 16 states began inquiries based on the racial profiling of Arab students. Beside Hamburg, the Berlin city government, presently headed by an SPD-Green Party administration, also introduced profiling. In Berlin, the state criminal police agency called for data on 400 students at the Technical University. Police officers also visited the Free University and the Humboldt University.

Information that was checked included students’ addresses, their occupation and residency status as well as their religion. A Berlin district court revealed that these records were to be compared with other data: such as information from power utilities, “atomic energy installations”, “institutions that used dangerous chemical, biological and/or radiological materials”, and also airlines and elsewhere.

The students concerned all have one thing in common: They are all male and originate from one of 14 specific Arab states or Pakistan. While student representatives justifiably spoke angrily of a “witch-hunt” and “liability based on kinship”, Berlin’s Justice Senator, Green Party member Wolfgang Wieland, tried to calm things down saying he thought that use of the term profiling in this case was “unfortunate”.

Wieland’s position is not exceptional. There was not a single word of protest from any state legislature, whether

under the control of the Christian Democratic Union/Christian Social Union (CDU/CSU), the Free Democrats (FDP), the Greens, the SPD, or the Party of Democratic Socialism (PDS, successors to the former ruling party in East Germany).

Recent events show quite clearly that a witch-hunt is being pursued. Last week Lower Saxony's Interior Minister Heiner Bartling (SPD) described the criteria, which in his opinion should be employed in combing data for alleged terrorists. "Young Muslim men, who are probably predominantly foreigners and are living in Germany legally, were here to study at university or technical college, who possessed certain technical abilities and had contacts with foreign countries", he said. Such a profile could apply to a large section of the over 40,000 students who originate from countries where the majority follow the Islamic faith.

Horst Haug, spokesman for the state criminal police agency in Baden-Wuerttemberg, reduced these criteria to the simple formula, the "terrorists" were "extremely inconspicuous," because those concerned were "sleepers", those who did not appear suspicious should be suspected. Moreover, Haug named the following "reference points" for suspicious behaviour: Those who constantly received visitors in the evening, who creep along the stairway without being heard, who park their car around the corner, so that it cannot be seen.

The *Sueddeutsche Zeitung* commented: "These days, it is enough to be of Arab origin to come into the sights of the terrorist hunters from the FBI, or [Germany's] Federal Criminal Investigation Office and secret service."

The creation of such an atmosphere towards foreigners opens the door for hysteria and denunciation. Karl-Heinz Weber, deputy leader of the state criminal police agency in Rhineland-Palatinate provided a further insight: All leads provided by the general population are being "investigated with the utmost care". Weber said this creates a lot of work for the state police, because the information provided was "multi-faceted". The authorities were receiving statements from the public such as, "this person seems suspicious to me", but were also being given "concrete clues". For example, one person reported seeing three men of Arab origin, who stood at a street corner and gesticulated violently, which Weber said "we would then investigate something like that."

The September 25 edition of the *Sueddeutsche Zeitung* reported the search of an apartment of a student in Muenster conducted by the state agencies there, because building workers said they had seen a Palestinian flag and

headdress, as well as photos and the Koran. No connections were confirmed between the "suspicious" tenant and the terrorists who had flown the planes in the US.

Nevertheless, the search of this particular student's flat had consequences for some 2,500 other foreign students living in the 23 student hostels in Muenster. Staff from the student administration checked the names of all the inhabitants over the following days, comparing names on mailboxes and doorbells with the tenant register. According to the student administration, whose constitution binds it to "neutrality concerning the views of political and religious groups", events have shown the dangers of anonymous blocks of flats, which must sweep aside any accusations of prejudice or even xenophobia.

So far, several arrests made in Germany over the last week have not produced any leads in the investigations being made into the terrorist attacks in the USA. Three alleged Islamic fundamentalists from Turkey and the Yemen were arrested in Wiesbaden, accused of belonging to a terrorist organisation. "Present knowledge confirms the original suspicions that the accused had intended to prepare and execute future attacks in Germany", the Federal Prosecutor's Office claimed.

Another preliminary investigation was initiated into a group of people of Arab origin living in Hamburg. However, in this case as well, no connection has been shown to those responsible for the terrorist attacks. It is claimed that the suspicion exists that one or more of the group belong to a terrorist organisation, but more exact information, regarding which group or what actions were being planned, was not given.



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