

Germany: Former SPD chairman Lafontaine defends police torture

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Oskar Lafontaine—former minister president of the Saarland, former SPD (Social Democratic Party) chairman and finance minister of the Schröder government, columnist for the *Bild* tabloid, and supporter of Attac—has publicly advocated the torture of suspects by the police.

Lafontaine made these remarks in connection with the case of Jakob von Metzler. The 11-year-old banker's son was abducted and killed two years ago. The kidnapper, a law student, had demanded ransom, but was arrested by the police. In the course of his interrogation, the vice president of the Frankfurt police, Wolfgang Daschner, threatened to subject him to “pain such as he has never experienced before” if he did not tell them where he had hidden the child. The 27-year-old then made a confession; the child, however, was already dead.

Daschner later confirmed that he would have acted upon his threat and that he had already called for a police “expert” on torture. He defended his behaviour and was supported by jurists such as the president of the Judges' Association and politicians such as Norbert Geis, the judicial expert of the Christian-Democratic Party's parliamentary faction; Volker Bouffier (CDU), the interior minister of Hesse; and Roland Koch (CDU), the minister president of Hesse. The interior minister of Brandenburg, Jörg Schönbohm (CDU), declared that he supported the use of torture in principle “if a large number of people are threatened by terrorists.”

At the time of Metzler's kidnapping, Lafontaine had already defended Daschner in his *Bild* column. The police officer had been in an “extraordinary situation,” he wrote.

Today, more than a year later, Lafontaine returned to the issue in a talk show dealing with judicial issues. If

torture was outlawed as a violation of human rights, he said, “this applies not only to the criminal, but also to the abducted child.” Going even further, he stated: “I would consider it a catastrophe for the rule of law, upon which our state is based, if this officer was punished, because I feel that he has followed the most elementary moral commandments of our state.” It was inadmissible “to let an innocent child die a horrific death just to satisfy formal articles of the constitution.”

This line of argument is thoroughly perfidious. Fundamental democratic rights have been fought for in history in order to limit the force of the state used against its citizens. This applies above all to the state's authority in relation to its enemies and toward real or supposed criminals, no matter the accusations against them. In contrast, authoritarian and fascist conceptions have always presumed that the power of the state must not be shackled by “formal articles of the constitution,” and that these do not apply to brutes or “subhumans.” Even if there were laws and constitutional rights, “moral commandments” stand higher—if it is the state that breaks the law. However, who is to judge whether the law and the constitution apply, or whether they are outweighed by “moral considerations”? Those who have the power decide.

Lafontaine very consciously made his comments in a situation where the legitimisation of torture is not a theoretical issue. For weeks, not a day has passed without disclosures about the sadistic methods employed to defend “freedom and democracy” in the “war against terror.” And if torture is acceptable in the case of a kidnapping, supposedly in order to rescue a human life, it is all the more so if a large number of lives are threatened by terrorist attacks. This was the explicit argument of Jörg Schönbohm. Lafontaine's demagogical remarks on TV follow the same logic.

It is no accident that Lafontaine has chosen this moment to reiterate them. For a considerable period of time, Lafontaine was held up by all sorts of petty-bourgeois radicals as the “last left-winger” in the SPD and as a champion of the working class. This fraud was justified by references to his advocacy of a more stringent state regulation of the economy, which he claimed would make possible certain social concessions to the population.

However, he always saw social reforms as a means to suppress social conflicts and to control, not to emancipate the workers. He was the first SPD mayor, in Saarbrücken, to introduce compulsory work programs for young social security recipients 20 years ago. Later, as minister president of the Saarland, he tried to silence his critics by introducing laws curtailing the freedom of the press. In 1993, it was Lafontaine who ensured the agreement of the SPD to the virtual abolition of the right to asylum in Germany.

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When he became the first finance minister of the newly elected Schröder government in 1998, he tried to cut back some tax privileges of big business and to introduce a new tax on the huge reserves of the energy corporations. German and international capital hit back with an aggressive campaign. Lafontaine capitulated and resigned when he found no support among the government and the ruling establishment.

A couple of years later, he declared his support for the globalisation critics of Attac. What he shares with this movement is the conception that the national state should be strengthened in order to control social antagonisms. In his remarks on the Metzler case, he articulated the anti-democratic, reactionary consequences of this perspective, which is shared by many radical groups and trade union functionaries.

In the wake of September 11, 2001, he had already made clear the close connection between strengthening the economic role of the national state and antidemocratic conceptions. At that time, Lafontaine wrote: “Open societies need a strong state. Deregulation, privatisation, the green card for engineers, pilot licences for a few dollars, the right to settle for everybody and depleted budgets undermine both domestic and international security. The ridiculing of the state must end.”

Now he has taken the next logical step. If the state is not able to solve domestic and international problems by social improvements, then the social democrat takes to brutal state repression.



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