

# Berlin: SPD and Left Party extend state surveillance

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While the social crisis in Berlin continues to intensify and the political alienation among the population is growing, the city senate, consisting of a coalition between the Social Democratic Party and the Left Party (formerly Party of Democratic Socialism) is expanding the powers of the police and increasing restrictions on democratic rights.

On August 21, the Berlin senate approved an amendment to the General Security and Order Law (ASOD), which now must be voted on by the Lower House. The city's interior senator, Ehrhart Körting (SPD), who introduced the legislation, has sought to present the expansion of police powers as a necessary measure: "for protection from dangers arising from terrorism and to prevent drug dealing."

His arguments have been supported by Left Party senators who are backing all the major points in the new proposed amendment.

The revised law will subject a majority of the population of and visitors to Berlin to systematic and comprehensive observation by the state. It will give the police direct access to video recordings taken on public transport (bus, train and metro), although no crime has been committed and in the absence of any evidence pointing towards a criminal offence. This measure overturns existing restrictions on police powers.

The new amendment is linked to plans for the extensive installation of cameras providing round-the-clock surveillance in all Berlin metro stations, buses and streetcars. According to previous law, videotapes were erased after 24 hours. Now police will have full access to such material. The senate plans to install cameras in all metro stations by the end of this year and cameras in all buses and streetcars by 2010.

As well as the cameras planned for public transport, the senate also plans to extend the city's existing network of video cameras monitoring "sensitive places and

institutions" in order, according to the official argument, to be able to film those preparing, or in the act of committing, a criminal offence. In fact, no criteria have been given to establish the basis for the suspicion of a criminal offence, and no authority has been identified to lay down such criteria.

The Berlin police will also be able to demand—"independent of motive"—that the organisers of demonstrations and rallies hand over video material taken during their events. The police will then be able to evaluate this material and identify anyone who is regarded to have acted in a "suspicious" manner. As a precaution, the criteria for such drag net investigations have been adapted to the general stipulations laid down by the Federal Constitutional Court.

In addition, the police can also conduct so-called random checks involving large-scale monitoring, although no suspicion of a criminal offence exists. Investigators are also authorised to take video recordings of individuals and their autos "in order to improve intrinsic security."

The new law also allows the police to locate individuals by monitoring mobile telephones. Until now, this was only allowed in cases of those suspected of committing major crimes such as murder. Now, such identification will be possible for a much broader category of persons.

The intensified monitoring requires increased personnel to enable the security forces to examine and evaluate the video recordings. In this connection, some media reports have drawn attention to the fact that Berlin police have established a so-called security partnership with private security agencies, whereby employees from such companies are used to support the police monitoring measures. The extent of the involvement of these private businesses in state surveillance remains largely undisclosed.

The only opposition against the law change in the Berlin Lower House comes from the right of the political

spectrum. For the Christian Democratic Union (CDU), the new measures to build up the state do not go far enough.

The parliamentary group of the Left Party has, however, already signalled its agreement. The deputy leader of the Left Party fraction, Marion Seelig, was involved in drafting the new law. When confronted with criticisms of the measures, she retaliated by saying that through “very long and hard negotiations,” the Left Party had been able to prevent even deeper attacks on democratic rights.

In addition, she conceded that the new law would in practice change very little because the police already employed many of the measures included in the new bill. According to Seelig: “These legal changes did not fall out of the blue. Rather, the bill reflects the actual practice already carried out by security authorities.”

In other words: instead of conducting a thorough-going criticism and calling a halt to the illegal activities of the police, the security forces and those responsible in the Interior Ministry, the Left Party sees its job as adapting the legal statutes to these abuses of state authority in the name of “protecting constitutional law.”

Such support by the Left Party for the expansion of police powers and the restriction of citizens’ rights is not merely a concession to accomplished facts or an expression of the party’s cowardice in the face of conservative forces. It corresponds in fact to its tradition and programme.

In this respect, the Left Party demonstrates its continuity with its predecessor organisation—the Socialist Unity Party (SED), the Stalinist party that governed the former East Germany. For decades, the SED operated to suppress any independent movement of the working class through a comprehensive system of control and intimidation—albeit with measures that now seem puny in comparison to those the German state has at its disposal today. The party in its modern form of the Left Party still deeply fears any popular oppositional movement. The defence of basic rights and democratic principles remains alien to the organisation.

Marion Seelig, who has sat in the Berlin senate since German reunification in 1990, typifies the political development of the Party of Democratic Socialism/ Left Party. She describes herself as a champion of the rights of East German citizens because she participated in 1990 in the East German round table as a member of the “United Left.” She then stood as a candidate for the PDS at a time when GDR prime minister Hans Modrow (currently honorary chairman of the Left Party) declared his determination to secure “law and order” on German

streets and PDS leader Gregor Gysi praised the merits of the free-market economy.

As a member of the Left Party parliamentary group executive, Seelig has given her assent to social cuts carried out by the Berlin senate over the past six years. Under the SPD-Left Party coalition, no fewer than 15,000 jobs have been axed in public service, salaries have been slashed by 10 percent, drastic reductions have been made in jobs and wages for public transport workers and university and school personnel, and fees have been increased for kindergartens and crèches.

With opposition to these antisocial policies growing, the Left Party reacts by supporting the expansion of police powers and the gradual establishment of a Big Brother state surveillance apparatus in order to counter the radicalisation of the population.

It is notable that the vote over the new amendment to the ASOD law in the Lower House comes at a time when public service workers in the capital are planning a one-day protest strike to campaign for higher wages and protest against the anti-social policies of the SPD-Left Party senate.

Despite its agreement to the expansion of state monitoring and the restriction of citizens’ rights, the Left Party still has the gall to sign the appeal for a protest demonstration “against state rearmament and monitoring madness” planned for September 22 and organised by various civil rights groups and federations of journalists. Perhaps Marion Seelig will seek an opportunity to address the rally on her favourite topic: the “defence of civil rights.” The antisocial and undemocratic character of the Left Party is only exceeded by its cynicism.



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