

German federal prosecutor investigates blog for treason

Ulrich Rippert
1 August 2015

When the internationally renowned journalist Ahmed Mansour was detained without charge at a Berlin airport at the end of June, the Partei für Soziale Gleichheit (Socialist Equality Party, Germany–PSG) described it as an extremely disturbing and threatening incident and warned against further police state measures. The accusation of treason and investigation of the blog netzpolitik.org for publishing state secrets make clear how correct this warning was.

On Thursday evening, it was announced that the federal prosecutor in Karlsruhe, the top prosecuting authority in Germany, had begun an investigation for treasonable offences against those responsible for the blog netzpolitik.org. This was triggered by a criminal complaint filed by the federal domestic intelligence agency (BfV) with the state criminal office in Berlin (LKA).

The head of the domestic intelligence agency, Hans-Georg Maaßen, filed the complaint with LKA Berlin due to the publication by netzpolitik.org of two documents classified as internal by the BfV. Another complaint by Maaßen was lodged against the *Süddeutsche Zeitung* and two state-run TV channels that had reported on the activities of the intelligence agent operating under the alias Corelli in the National Socialist Underground (NSU), which carried out a series of terror attacks.

For the first time since the so-called *Spiegel* affair of 1962 and the *konkret* affair of 1983, an investigation is being conducted into journalists for treason, and the accusation raised that they publicised state secrets. This is a deliberate attack on press freedom. The accusations are especially severe. Paragraphs 94 (high treason) and 95 (disclosing state secrets) usually apply only to spies and involve heavy penalties up to life imprisonment. Only the attorney general has the power to initiate such proceedings.

What is also exceptional is that not only are

investigating whistleblowers who pass on secret documents being targeted, but also journalists who publish this information. If a similar procedure were implemented in the US it would mean that any journalist who wrote about the material exposed by Edward Snowden would be liable for prosecution. Any exposure of irregularities in the state apparatus would thus be rendered virtually impossible.

It is no accident that the investigation is directed against a relatively small online magazine with three editors and half a dozen volunteer workers. While the major media organisations have become increasingly co-opted and transformed into propaganda organs of government, anyone who makes available serious and independent information is to be intimidated or criminalised.

The editors of netzpolitik.org have done nothing more than make everyone aware of information and original documents online that are often available only to journalists. In addition, they are also following the meetings of the parliamentary investigatory committee into the NSU from the public gallery, which are explicitly open to the public, writing detailed descriptions of the proceedings and commenting on them.

The offensive against the journalists is being carried out with the direct involvement of the German government. Already in October last year, Chancellor's office minister Peter Altmeier complained to NSU investigation committee Chair Patrick Sensburg (Christian Democrat) about the alleged publication of documents from the foreign intelligence agency (BND) made available to the committee, and threatened criminal prosecution. At the time, some media outlets reported the minister's threat. Netzpolitik.org went a step further and published the letter from Altmeier to Sensburg online.

Netzpolitik.org has been in existence for 12 years and, according to its own description, is a blog and political platform for freedom and openness in the digital age. The

chief editor and founder, 38-year-old Markus Beckdahl, is also chairman of the citizens' group Digital Society IV, and campaigns for freedom of information and opinion. Last year, he and his collaborators were awarded the Grimme Online Award.

Beckdahl told the *Süddeutsche Zeitung* that it was odd "that the state would investigate someone because they campaign for basic rights." It is increasingly clear that the German government is "up to its neck in the swamp with the NSA and Co." "We now suspect that with such criminal complaints, they are targeting those who want to contribute to the uncovering of the greatest spying scandal in the history of humanity."

The action of the federal prosecutor was much more politically than legally motivated, Beckdahl said yesterday on the Internet platform Heise-Online. "We assume that the president of the domestic intelligence agency, Hans-Georg Maaßen, cleared the criminal complaints with Interior Minister Thomas de Maizière", he said. "And the federal prosecutor is under the responsibility of Justice Minister Heiko Maas. The German government is thus likely to be involved."

The attempt at intimidation would not work, said Beckdahl. Netzpolitik.org would publish original documents in the future. This was among its principles, he said, because freedom and democracy thrived on transparency and the most objective information possible. At the end of the interview, Beckdahl ironically thanked the federal prosecutor, because their action had produced a wave of sympathy and donations: "The original article involved did not provoke the debate within society at the time that we had hoped for. We are therefore grateful to the federal prosecutor's office and state intelligence for enabling us to make it known to a larger readership."

It is to be welcomed that netzpolitik.org is not being intimidated, and that it is winning support from young people and workers. But it would be a grave error to underestimate the fundamental attack on press freedom and freedom of speech begun by the investigation into treason and the publication of state secrets. Even if the hardliners around Maaßen, Altmeier and de Maizière are not able immediately to impose their will, they will not let it rest.

The fact alone that the domestic intelligence service, which is up to its ears in the crimes of right-wing extremist terrorism, dares to attack basic democratic rights so brazenly shows the extent of political influence already secured by the intelligence agencies.

The intimidation campaign and attacks on freedom of

opinion are directly connected with the re-emergence of German militarism and imperialist great power politics. They are part of the preparation of police state measures in Germany. For a year-and-a-half, the German ruling elite has been baying for military rearmament and preparations for war. Germany is too large and economically powerful just to comment on global events from the sidelines, declare politicians, university professors and media commentators.

The crisis in Ukraine has been utilised to intensify the conflict with the nuclear power Russia, and the Greek crisis was used to impose German hegemony in Europe. But the return of militarism and war preparations, as well as aggressive austerity measures and the diktat of Finance Minister Wolfgang Schäuble, are meeting determined and growing opposition from the population. Such measures are incompatible with press freedom and democracy. They demand the return of a police state and dictatorship.

The revival of criminal accusations of treason demonstrates that Berlin's domestic policy is ever more openly based on the darkest period of German history. The barbarism of the Nazis was prepared in the Weimar Republic with the suppression and arrest of convinced democrats and anti-militarists. The accusation of treason against political opponents was one of the most frequently used measures.

The most well-known case was Karl von Ossietzky. Already in 1931, he was sentenced to 18 months in prison because he had uncovered to the world the illegal rearming of the Reichswehr (German army). At the initiative of the Nazis, Ossietzky was detained again as an engaged pacifist and democrat in February 1933. In 1938, he died due to the brutal conditions of his detention.

The important lesson from the tragedy of the 1930s is that the attacks on democratic rights and establishment of a police state and dictatorship are directly bound up with the global crisis of capitalism and preparation for war. They can therefore only be defeated by the mobilisation of the working class on the basis of an internationalist and socialist programme.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact