

German court and state prosecutor ignore evidence of far-right terrorist network in Lübcke trial

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The trial triggered by the neo-Nazi murder of Kassel district president Walter Lübcke continued at the Frankfurt Regional High Court on Monday. It was the tenth day of proceedings. Lübcke was executed in cold blood on the terrace of his home in the early hours of June 2, 2019.

While all of the focus is currently on Stephan Ernst, the confessed killer, who offers up one version of events after another, the background to the killing and other suspects are being left in the dark. Yet there is much to suggest that a far-right terrorist network with extensive ties to the state apparatus was involved in the murder.

In his first confession, Ernst presented himself as a lone wolf. Dirk Waldschmidt, a lawyer associated with the far-right milieu who immediately contacted Ernst after his arrest, reportedly advised Ernst to admit his guilt, due to traces of his DNA at the scene, but not to implicate his friend and co-accused Markus Hartmann, and another friend from the fascist NPD. In exchange, the friend would “support” his family.

His subsequent lawyer, Frank Hannig, who is associated with the far-right Pegida movement, advised him to retract his admission so as to “start the matter afresh.” In his second version of the attack, Ernst claimed that Lübcke’s death was not the intended outcome. Together with Hartmann, he went looking for Lübcke on his terrace. The fatal shot was then unintentionally fired from Hartmann’s gun, Ernst claimed.

Hannig has since been dismissed. Ernst is now represented by the Cologne-based lawyer Mustafa Kaplan and provided his third version of events last Wednesday. According to the latest account, Ernst and Hartmann had decided to threaten Lübcke, give him a “shakedown,” but not to kill him. He said that he had fired the fatal shot after the row with the politician escalated.

By Friday it was already clear that this could not be true. Ernst then admitted on Monday that he carried out surveillance on Lübcke’s home with Hartmann in 2016. Following the AfD demonstration in Chemnitz in 2018,

where witch-hunts against foreigners were launched, the pair decided to physically attack Lübcke. The decision to kill him was taken in April 2019.

On the tenth day of the trial, Ernst was also questioned about Hartmann, who has refused to make any statement. Hartmann is currently only accused of assisting a murder. He is suspected of putting Ernst in contact with the arms dealer who supplied the murder weapon and providing “psychological assistance” for the carrying out of the killing.

Ernst reported that Hartmann’s apartment was full of Nazi memorabilia. Under questioning, he confirmed that Hartmann had an original Zyklon-B canister on his desk. Zyklon-B was used to gas millions of people to death in the Nazis’ concentration camps.

Hartmann called the Holocaust into question, according to Ernst. He brought a shooting target with the face of German Chancellor Angela Merkel to their local shooting club, and to shooting practice in the forest. Both men went regularly either alone or together to AfD social gatherings.

Ernst’s questioning also revealed that he had written approvingly of the right-wing extremist Karl Heinz Hofmann. Hofmann was the leader in the 1970s of the Military Sport Group Hofmann, where Gundolf Köhler, the terrorist who carried out the Oktoberfest bombing, was trained. In 1980, Köhler’s bomb was responsible for the deadliest right-wing extremist terrorist attack in the Federal Republic up to that time, killing 13 and injuring over 200 people.

The extended preparation of Lübcke’s murder and the close ties of Ernst and Hartmann to the violent neo-Nazi milieu strongly suggest that others participated in or had knowledge of the crime. Both were active members for decades of the relatively small neo-Nazi milieu in Kassel, which consisted of never more than about 50 people. One of the organisations they were involved in was the Free Comrades of Kassel. Both also met with the now prohibited group Combat 18.

In 2004, Hartmann posted in a neo-Nazi forum, “One needs to be a werewolf!” The “Werewolf” organisation was established by Reichsführer Heinrich Himmler near the end of the Second World War. Small special commandos were supposed to operate underground in the areas occupied by the Nazis and carry out acts of sabotage and murder behind enemy lines. Many far-right terrorist groups have drawn on the “werewolf” ideology of the Nazis since the Second World War.

The neo-Nazi milieu in Kassel has been proven to have maintained close ties to the National Socialist Underground group. Hartmann originally comes from Rudolstadt, the same area in Thuringia as the NSU. Between 2000 and 2007, the terrorist group carried out nine racist-motivated murders, including the killing of Halit Yozgat in Kassel in 2006, and murdered a police officer.

In 2006, the Hesse state intelligence service had at least seven informants active in Kassel’s neo-Nazi milieu. The informants were managed by Andreas Temme, an official with the Hesse state intelligence agency. Temme was present at the crime scene during Yozgat’s murder and was later transferred into Lübcke’s government department.

Hartmann is himself suspected of being an informant who was possibly managed by Temme at an earlier point in time. Asked at a meeting of the parliamentary committee for internal affairs in January whether Hartmann was an informant, Cornelia Zacharias of the federal state prosecutor remarked that while she knew the answer, she did not have the authorization to testify on the matter, according to the anti-fascist website Exif.

A representative of the state prosecutor commented in response to the question of whether Stephan Ernst was a spy by saying that for his office’s part, this possibility could be categorically excluded. “This statement was not made with regard to Markus Hartmann,” noted Exif.

On Friday, there was brief mention of another person who may have known about the attack. Ernst’s lawyer requested an interruption in proceedings, because if Ernst had admitted that there was a third person with knowledge of the attack, the 5th senate of the criminal court would have been compelled to determine whether the men were guilty of forming a terrorist organisation under paragraph 129 of the Criminal Code.

The 30-year-old neo-Nazi Alexander S. was a member of the violent Free Comrades milieu for four years, and also an NPD activist. Hesse’s public broadcaster (HR) reported that he recently turned towards the AfD.

On the afternoon of June 1, 2019, just hours before Lübcke’s murder, Hartmann telephoned S. for four-and-a-half minutes. According to HR, S. practiced sharpshooting skills with Hartmann. The trio once travelled together to an

AfD demonstration in Erfurt, the report added.

Shortly after Lübcke’s murder, Ernst and Hartmann deleted chats from their phones with S. in the Threema app, an encrypted messenger service. After consulting with his lawyer, Ernst told the court that they were only talking about studying. But this contradicts his previous statement that his first lawyer had advised him not to implicate S.

Precisely because all indications point to a carefully planned assassination backed by a far-right terrorist network with close ties through Temme to the state apparatus, the evidence is being left out and ignored by the investigative authorities, the state prosecutor, and the court under the chairmanship of judge Thomas Sagebiel.

Ernst has stated many times that in his initial confession, he played the “psycho-Nazi” so as not to create the impression that a far-right network in Kassel with ties to the NSU was involved.

According to the *Süddeutsche Zeitung*, Hartmann asked with astonishment when he was arrested why he was not being arrested for membership in a terrorist group, but “only” for assisting a murder. The newspaper added that this had raised suspicions for the investigating judge.

When it comes to foreign and left-wing groups, state authorities and courts rapidly reach for the law criminalising “membership in a terrorist organisation” (paragraph 129 of the Criminal Code). But with regard to right-wing groups, even when clear evidence of a terrorist organisation is presented, this is denied. This is primarily because sections of the security apparatus were involved and were potentially pulling the strings, which has been the case from the Oktoberfest attack through the NSU murders to the assassination of Lübcke.

This is also why according to an order from Hesse’s state government, files from the state intelligence service that could reveal the background to the Lübcke murder must remain under lock and key for decades. The right-wing extremist expert professor Hajo Funke, who taught at the Free University of Berlin until his retirement in 2010, wrote last year that this “is evidence that information is being consciously concealed” that “could have prevented the murder of Walter Lübcke.”



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