

No new anti-socialist laws! Defend the SGP against the German secret service!

Sozialistische Gleichheitspartei

27 October 2021

On November 18, the Berlin Administrative Court will begin hearing the case of the *Sozialistische Gleichheitspartei* (Socialist Equality Party, SGP) against the Federal Republic of Germany. The SGP is defending itself against being subject to surveillance by the secret service and being named as “left-wing extremist” in the secret service annual report.

The case is of extraordinary significance. In its grounds for placing the SGP under surveillance, the federal government is justifying a kind of *Gesinnungsjustiz* (justice based on opinions), which follows directly in the traditions of Bismarck’s anti-socialist laws and the *Gesinnungsstrafrecht* (legal prosecution of opinions) of the Nazis. Every positive reference to Marx and Engels, every criticism of militarism and war, and even every class analysis of society are declared unconstitutional.

This is directed not only against the SGP. As the “profits before lives” policies in the pandemic increasingly expose the bankruptcy of capitalism, as more and more workers are taking up a struggle against wage theft and mass sackings, and as opposition to the horrendous military buildup grows, all those who point to the massive levels of social inequality and argue for the abolition of capitalism are to be intimidated and silenced. The anti-democratic arguments developed against the SGP have long been used against other left-wing groups.

This fundamental assault on democratic rights by the German government must be fiercely rejected. We call on all those who defend democratic rights and want to oppose the far right to sign the SGP’s petition on change.org. Post statements of support, pictures and videos on social media with the hashtag #DefendSGP.

What the federal government wants to ban

The secret service first called the SGP “left-wing extremist” in its annual report in the summer of 2018. It did

not accuse the party of conducting or planning any criminal or unconstitutional activities but expressly confirmed that it pursues its aims by legal means. It justified placing the SGP under surveillance solely on the grounds that it advocates a socialist programme and criticises capitalism.

When the SGP filed a legal complaint in January 2019, the federal Interior Ministry responded with a 56-page brief. This was not a juristic document but an angry diatribe against socialism. The SGP extensively analysed the document and highlighted its anti-democratic argumentation, according to which merely “the struggle for a democratic, egalitarian, socialist society” was unconstitutional.

Even “thinking in class categories” and the “belief in the existence of irreconcilably opposed competing classes” should face thought control, the Interior Ministry argued. In the face of the greatest historical levels of social inequality and ruthless coronavirus policies that place profits before lives, any mention of class politics is to be criminalised.

Any positive reference to Marx, Engels, Lenin, Trotsky or Luxemburg is declared to be an attack on the constitution. To that end, the government has formulated an entire catalogue of supposed “undertakings against the liberal democratic basic order.” These include the “demand for the overthrow of ‘capitalism’ and the establishment of socialism,” the “agitation against alleged ‘imperialism’ and ‘militarism,’” as well as the “rejection of nation states and the European Union.”

At the same time, the Interior Ministry has not limited itself to prosecuting concrete actions aimed at the overthrow of capitalism. Even activities such as “holding public events, publishing contributions and participating in elections” are anti-constitutional if they serve to propagate socialist ideas.

By legitimizing prosecution based on opinions (*Gesinnungsjustiz*), the German government is placing itself in an anti-democratic tradition that formed the basis of Bismarck’s anti-socialist laws, and which found its sharpest expression in the *Willensstrafrecht* of the Nazis. In order for Hitler’s Third Reich to be able to neutralise every political opponent, throw them into concentration camps and kill

them, culpability was increasingly separated from any concrete actions.

Stop the right-wing conspiracy!

The return by the German ruling class to such anti-democratic and fascist traditions is a grave warning. Right-wing and far-right tendencies are growing because deliberate mass infection, social inequality and war are incompatible with democratic rights. Trump's January 6 coup attempt, Bolsonaro's preparations for a coup d'état and the military conspiracy in Spain are menacing developments in this direction.

These tendencies are particularly advanced in Germany, the country in which the greatest crimes in human history were committed in the service of capitalism. The secret service report and the legal brief submitted by the Interior Ministry are products of a far-right conspiracy within the state apparatus. This is aimed at intimidating public opinion and criminalising all opposition to capitalism, nationalism, imperialism, militarism and the fascistic Alternative for Germany (AfD) as "left-wing extremist" and "unconstitutional."

It has long been known that the 2017 secret service report was compiled by the then agency chief Hans-Georg Maassen in close consultation with the leaders of the AfD. When Maassen's all too open right-wing extremist utterances forced his replacement, his long-serving deputy Thomas Haldenwang continued the same course.

The *Bundesamt für Verfassungsschutz* (Federal Office for the Protection of the Constitution, as the secret service is called) has been closely linked with the neo-Nazi scene for years, which it finances and directs through a broad network of undercover operatives. The intelligence agencies installed 40 such agents in the periphery of the National Socialist Underground (NSU), a neo-Nazi terrorist gang responsible for the murder of nine immigrants and a police officer.

While left-wing groups are placed under surveillance and defamed because of their views, the security services maintain a protective umbrella over the numerous far-right terrorist networks in the army and police, which horde weapons and prepare lists of political opponents for capture and execution. Even following the terrorist attacks in Halle and Hanau, and the murder of leading Christian Democratic politician Walter Lübcke, the leaders of these networks are able to remain at large with their organisational structures intact.

Defend the SGP!

The SGP has come into the crosshairs of the secret services because it opposes the growth of militarism and the massive turn to the right in the political establishment, seeking to give expression to the broad opposition among working people. It has exposed the right-wing conspiracy in the state apparatus and fights in the working class for a socialist programme.

But the attack on the SGP is also directed at every progressive movement. If the Interior Ministry is successful, it will create a dangerous precedent. This can be used to target all those who fight against social inequality, the destruction of the environment, state repression, militarism and every excrescence of capitalist society. Following the logic of the Interior Ministry's legal brief, such attacks can be directed against striking workers, bookshops selling Marxist literature, or critical artists, journalists and intellectuals.

The arguments developed in the brief against the SGP are already being advanced against other left-wing groups. For example, in responding to a parliamentary question tabled by the Left Party in May about the surveillance of the left-wing newspaper *Junge Welt*, the government justified its actions by citing the fact that the paper drew on Marx and Engels and assumed the existence of social classes. Numerous left-wing bands, anti-fascist organisations and the environmental group "Ende Gelände" have since been subjected to surveillance and included in the secret service annual report.

This form of *Gesinnungsjustiz* must be stopped immediately! We call again for all those who want to defend democratic rights and oppose the danger of the far right to protest against this attack by the German secret services and defend the SGP. The surveillance of the SGP and all other left-wing groups by the secret services must be halted immediately, and this right-wing breeding ground for anti-democratic conspiracies disbanded.

Sign the online petition at [change.org!](https://change.org/DefendSGP) Post statements of support, pictures and videos on social media with the hashtag #DefendSGP.



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