

In speech before the court, Trotskyist leader indicts German state's revival of Nazi-style anti-socialist laws

Christoph Vandreier
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On Thursday, the Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) challenged in a German court the decision by the German secret service (Verfassungsschutz) to classify the SGP as a “left-wing extremist” organization.

The court then issued a ruling based explicitly on the assertion that the SGP’s call “for an egalitarian, democratic and socialist society” violates the German constitution. The court further stated that the party’s opposition to the existing state and criticism of the capitalist system was also unconstitutional and justified its designation as an extremist organization and close surveillance. The court denounced as anti-constitutional the Marxist class analysis of society as well as opposition to capitalist ownership of the means of production.

The far-reaching decision lays the basis for declaring unconstitutional the selling, distribution and reading of Marxist and socialist literature. In the document submitted by the Verfassungsschutz, the German secret police cited as proof of the SGP’s “extremism” its distribution of Marxist literature, including the writings of David North, chairman of the international editorial board of the World Socialist Web Site.

Christoph Vandreier, the deputy chairman of the SGP, delivered the following statement before the hearing. Vandreier warned that the ruling classes, not only in Germany but throughout the world, are turning to dictatorial measures in the face of a growing upsurge of the working class and the mounting popularity of socialism.

The court’s ruling confirmed Vandreier’s warning. The court fully backed the Interior Ministry’s anti-democratic argument. It dismissed the SGP’s lawsuit and ordered the party to pay court costs.

The SGP will appeal this decision and mobilize opposition to the far-right danger and the attack on socialism. This important statement must be carefully read and widely distributed.

Mr. Chairman, I would like to briefly explain why we have filed this complaint and why we think it is of the utmost importance. Seventy-six years after the end of the Nazi dictatorship, the Federal Ministry of the Interior is trying to declare socialist ideas and left-wing positions anti-constitutional.

The Sozialistische Gleichheitspartei (Socialist Equality Party), in the tradition of revolutionary Marxism, fights to win the majority of the population over to the socialist transformation of society. We defend basic democratic rights and advocate bringing them into full effect by abolishing private ownership of the means of production and democratizing the economy.

It is precisely the excesses of capitalism, the massive social inequality, the growing militarism and the brutal “profits before lives” policies in the pandemic that are strengthening authoritarian and far-right forces all over the world.

Donald Trump’s attempted coup on January 6, Jair Bolsonaro’s coup

preparations in Brazil, and the right-wing conspiracy in the Spanish military show that ruling classes everywhere are relying on authoritarian methods to impose these policies in the face of growing opposition.

This development is far advanced here in Germany, the country responsible for the greatest crimes in human history. The far-right Alternative for Germany (AfD) has been fully integrated into the state apparatus. Its program of mass deportations of refugees, the deliberate mass infection of the population and the arming of the state apparatus has been put into practice to a large extent by all parties.

Far-right terrorist networks are active in the police, intelligence services and army, stockpiling weapons, compiling lists of enemies, and working to massacre thousands of political opponents on “Day X.” The terrorist attacks in Halle and Hanau and the murder of Walter Lübcke are very serious warnings.

In this situation, the Office for the Protection of the Constitution (Verfassungsschutz, secret service) is taking action against those who fight against the right-wing danger and defend basic democratic rights. The federal government justifies surveillance by the secret service and the defamation of our party by summarily declaring left-wing and socialist positions to be anti-constitutional.

Ideas that are to be proscribed already include, as you can see from the brief of the Federal Ministry of the Interior, “arguing for an egalitarian, democratic and socialist society,” positive references to Marx and Engels, criticism of militarism and nationalism, and the rejection of the European Union. On this basis, bookstores could be criminalized, along with critical social scientists or striking workers.

In fact, however, none of this violates the basic democratic order. On the contrary, basic democratic rights in this country were fought for almost exclusively by the revolutionary workers’ movement, which followed these principles. It was the Marxist Social Democracy that stood up against the Prussian three-class suffrage, and it was only the revolutionary uprising of workers and soldiers in 1918 that finally won free and equal elections in Germany.

When all bourgeois parties supported Hitler’s appointment as Reich chancellor and his empowerment as dictator because they expected him to crush organized labour, only the Social Democratic Party (SPD) and Communist Party (KPD) opposed it. And it was Leon Trotsky who vehemently advocated for a united front of the two workers’ parties to stop fascism.

It is, rather, the Federal Ministry of the Interior that is attacking basic democratic rights and arguing entirely in the spirit of the authoritarian state, which has always cracked down on socialists.

The ministry acknowledges that the SGP advances its positions exclusively by legal and democratic means and does not call for violence. It bases the secret service surveillance of our party and its defamation as

“left-wing extremist” exclusively on the socialist ideas we put forward.

This kind of *Gesinnungsjustiz* (prosecution for ideas or beliefs) was already applied in the Cologne Communist Trial of 1852, in which the defendants were sentenced solely for their political convictions and not for crimes actually committed. The two socialist workers’ leaders, August Bebel and Wilhelm Liebknecht, were also sentenced to two years in prison in a fortress shortly after the founding of the German Reich in March 1872 because of their journalistic activities against German militarism.

The Nazis took this legal tradition of *Gesinnungsjustiz* to the extreme as part of their state terror against communists. In order to be able to eliminate, imprison and kill every political opponent, criminal liability was increasingly separated from concrete actions. As early as the 1930s, the newly created People’s Court interpreted Paragraph 83 on the preparation of high treason in such a way that communists could be punished by death entirely on the basis of their convictions.

The Federal Ministry of the Interior’s claim that a Marxist class analysis contradicts human dignity is also borrowed from the tradition of these authoritarian regimes. According to this position, it is not child poverty, homelessness or mass death in the coronavirus pandemic that violate “human dignity,” but rather opposition to social inequality. Anyone who does not believe that class antagonisms are diminishing under capitalism is an enemy of the constitution, they proclaim.

These are precisely the arguments Bismarck used to justify his Anti-Socialist Laws, which were directed against any organization in which “social-democratic, socialist or communist aspirations aimed at the overthrow of the existing state or social order come to light in a way that endangers public peace, especially the harmony of the classes of the population.”

This state-imposed class harmony was also at the heart of the Nazis’ *Volksgemeinschaft* (community of the people). At the time of the book burnings in May 1933, one of the “fire slogans” read: ‘Against class struggle and materialism, for *Volksgemeinschaft* and idealistic attitudes to life! I hand over to the flame the writings of Marx and Kautsky.’

The Federal Ministry of the Interior expresses the reactionary logic of its arguments when it declares that a socialist revolution “cannot be an expression of the will of the people, because at most, parts of the people assert their ideas, whereas the constitutional rights of the other parts of the people are suppressed.” This applies “regardless of whether violence is used in the course of the socialist revolution.”

Here, the right to private ownership of the means of production by a narrow elite is declared to be a super-fundamental right to which the majority must submit. Dictators like Hitler, Franco and Pinochet drew the ultimate conclusions from this line of argument: If the majority inclines to socialist ideas, even the most brutal methods of repression are justified in order to defend capitalism.

How close the Federal Ministry of the Interior is to these conceptions is also revealed in the reproach to our party that we stand behind the founding program of the Fourth International of 1938, which calls for the arming of the proletariat in the struggle against fascism.

Forgive me, but the armed uprising of the working class would indeed have been the only way to prevent the greatest crimes in human history, the German war of extermination in the East and the Holocaust.

No one saw this as clearly as Leon Trotsky. Like no other, he warned of the consequences of the Nazi seizure of power. He foresaw the destruction of the workers organizations as well as World War II and even the physical extermination of the European Jews. In numerous articles and writings, Trotsky argued for a united front of the Social Democratic and Communist parties to stop fascism.

The Trotskyists were therefore brutally persecuted by the Gestapo. In 1937, a court in Danzig sentenced ten Trotskyists to long prison terms. Among the Trotskyist victims of the Nazis was Abraham Léon, the author

of a Marxist study *On the Jewish Question*, who carried out illegal socialist work in occupied Belgium and France and was murdered in the gas chambers of Auschwitz. That the Trotskyist movement is now being persecuted again underscores the dangerous shift to the right in official politics.

Finally, what is particularly dishonest is the attempt by the Interior Ministry to revive the KPD ban verdict and use it against the SGP. This is the case not only because the original ruling was pushed by the old Nazi elites and itself came about unconstitutionally, but also because it targeted the Stalinist KPD. The Federal Ministry of the Interior even explicitly equates Stalinism and Trotskyism when it describes Trotskyism as a modification of “Marxism-Leninism”—by which is meant Stalinism.

In reality, Trotsky and the Left Opposition defended the Marxist principles embodied in the October Revolution against Stalinist counter-revolution. From the outset, these principles included democracy in the Soviet Union and an orientation toward international socialist revolution.

The unbridgeable chasm between Stalinist tyranny and genuine socialist principles was revealed in the Great Purges of the 1930s, during which hundreds of thousands of communists were murdered on charges of Trotskyism. In the German Democratic Republic (East Germany), Trotskyists like Oskar Hippe, who fought against the Stalinists for democracy and socialism, were sentenced to long prison terms.

Now, the federal government declares that Trotskyists, the first victims of Stalinist repression, are responsible for it and its pseudo-Marxist justifications! The Interior Ministry bases much of its arguments on the Stalinist caricature of Marxism and seriously thinks it can use it to argue against the authentic voice of Marxism!

The Federal Ministry of the Interior’s brief is an expression of the same radical right-wing sentiments that the former head of the Federal Office for the Protection of the Constitution, Hans Georg Maassen, espouses on a daily basis. Maassen is responsible for the SGP’s inclusion in the 2017 *Verfassungsschutz* report that is the subject of the dispute. In November 2018, Maassen was forced to retire after denying that there had been radical right-wing riots in Chemnitz and after ranting about “radical left-wing forces within the SPD.” Since then, hardly a day goes by without new radical right-wing tirades coming from the former head of the intelligence agency.

The *Verfassungsschutz* is itself closely interwoven with right-wing extremist terrorist networks, which it finances and controls in part through informers. While the leaders of these networks are for the most part at large and their structures intact, the secret service is taking action against left-wing and socialist groups.

Mr. Chairman, high court, if you rule in favour of this agency and in favour of this anti-democratic argument, it will have far-reaching consequences. Seventy-six years after the end of the Nazi regime, socialist ideas would again be declared unconstitutional. It would lay the groundwork for intelligence surveillance and outlawing of bookstores selling Marxist literature, critical scholars and striking workers. It would be a step toward a police state.

This is also the reason why a petition we published in defence of the SGP on the well-known platform Change.org has received 5,240 signatures from German-speaking countries within a short time and additionally many hundreds of signatures from other countries.

“The SGP is the only party that has supported us airport workers in our struggle against the WISAG group,” declared Cemaleddin Benli, an airport ground worker who was laid off by WISAG and organised months of protests together with his colleagues. “An attack on the SGP is an attack on all workers who fight against exploitation, layoffs, wage theft and the coronavirus pandemic.”

Claudia, a member of the Action Committees for Safe Education, wrote: “It is absolutely unthinkable that a party be controlled by the Office for the Protection of the Constitution that is committed to the safety and

protection of our children from infection. The SGP is the only party that has stood together with parents, children and teachers and fought with #shadowfamilies so they don't get lost in the pandemic!"

We present to you the 5,457 signatures and the countless comments of workers, young people and intellectuals who attach the greatest importance to this case and protest in the strongest terms against the anti-democratic argumentation of the Federal Ministry of the Interior.



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