Berlin: Judiciary bans pro-Palestinian demonstrations

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22 May 2022

The police and judiciary in Berlin have banned all Palestinian demonstrations on “Nakba Day” in the capital city. The Administrative Court and the Higher Administrative Court confirmed the bans involving five demonstrations due to take place in the Berlin districts of Kreuzberg, Neukölln and Berlin-Mitte on May 13, 14 and 15. The demonstrations had been planned long in advance.

The courts’ reasoning for the blanket bans was the fear that the protests might involve anti-Semitic slogans, incitement to violence and/or acts of violence. Last Friday, the Higher Administrative Court justified its confirmation of the bans on the same baseless grounds. According to the court, its prognosis was justified based on previous events, and that those registering the demonstrations had not sufficiently distanced themselves from persons holding anti-Israeli or anti-Semitic views.

Over the weekend of May 14-15, more than 1,100 police officers were mobilised to enforce the bans using all means possible. Several arrests were made at spontaneous, small demonstrations.

The ban on demonstrations is a fundamental attack on the freedom of assembly and expression. It contradicts constitutional principles and is purely politically motivated.

On May 15, Palestinians around the world commemorate the so-called Nakba (catastrophe). In the course of the founding of the state of Israel, Palestinian towns and villages were destroyed in a wave of violence from 1948 onwards and about 800,000 Palestinians were displaced. To this day, the majority of the Palestinian population in the occupied West Bank, Gaza Strip and in refugee camps in Lebanon, Jordan and other countries live under abominable conditions, subject to constant brutal oppression by the Israeli state.

This year, the Nakba was marked by the murder of Palestinian-American journalist Shireen Abu Akleh. The well-known Al Jazeera reporter had reported from the Middle East region for decades. On May 11, she was murdered by an Israeli sniper with a bullet to the head as she stood at a roundabout wearing a helmet and jacket clearly marked Press. She had been reporting on the constant raids by Israeli security forces in the West Bank town of Jenin. The circumstances of her death indicate a planned murder.

When mourners carried her coffin out of St. Joseph Hospital in East Jerusalem the following Friday, they were attacked by Israeli security forces. The troops snatched away Palestinian flags and brutally beat the bearers, causing them to nearly drop the coffin. Al Jazeera broadcast the shocking scenes live as soldiers used rubber bullets and stun grenades against the crowd gathered outside the hospital morgue. The incident sent shockwaves worldwide.

The claim by Berlin police that the demo ban was intended to prevent anti-Semitic insults and riots is clearly a pretext. The ban also applied to an event planned for Friday evening by Jewish Voice, a Jewish organisation that campaigns for Palestinian rights.

The group Palestine Speaks criticised the ban as an “attack on freedom of assembly and expression” which “alarmingly opens the door for unlimited state repression against any opposition in Germany, be it for Palestinian human rights, anti-racism or refugee rights.”

In the *Berliner Zeitung*, lawyer Ralf Michaels argued that the bans would “pervert the fundamental right to freedom of assembly.” He regarded the explanation of the police, i.e., that they wanted to prevent violence by “groups of people with a Muslim background,” as

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unfounded.

The ban was clearly directed against any criticism of Israel. Germany has long been an important ally of the Israeli government and explicitly supports its brutal oppression of Palestinians.

It is noteworthy that the Berlin Senate—an alliance of the Social Democrats (SPD), the Greens and the Left Party—had helped to fund a "Solidarity against Hate" rally originally planned for May 15. The event, which was then cancelled following massive public criticism, was aimed at legitimising the brutal policies of the Israeli government. The flyer posted on social media featured a donkey with the Amnesty International logo on its backside. The human rights organisation had been critical of the Israeli government's apartheid policy.

The ban and verdict must be seen above all in the context of the war in Ukraine, the growth of German militarism and increasing popular resistance to both.

Just one week before the ban on the Palestine demonstrations, the Berlin police, at the behest of the Red-Red-Green Senate, issued an order banning Soviet flags from commemorations of the anniversary of the liberation from fascism. Among those affected were survivors and relatives of victims of the Holocaust and the Nazi war of extermination as well as opponents of war who gathered at memorial sites and historical buildings.

Once again, reality was turned on its head. The ban on Soviet flags was justified with possible "conflict potential" or even "glorification" of the Ukraine war. The real reason was to criminalise commemorations addressing the greatest crimes committed in human history, at a time when the German government is pouring record sums into military rearmament and sending tanks and heavy artillery to Ukraine for the war against Russia.

The Berlin Senate and its police adopt a completely different stance towards far-right demonstrations. They are not only authorised, but downright supported. Coronavirus deniers and the supporters of far-right parties have been able to freely spread their inhuman ideology in disregard of all mitigation measures. They were protected by the security authorities. Today, the pandemic policy of the extreme right is official government policy.

Also noteworthy in this respect is an incident in Zwickau, Saxony, where the city had been planning an intercultural festival called "Zwikkolör" on the main market square on May 14. The festival was cancelled at short notice after the Administrative Court of Chemnitz approved the holding of a right-wing extremist rally by the "Volksstimme Bürgerbündnis Zwickau" at the same location. The court argued that the freedom of assembly (of the right-wing extremists) guaranteed by Germany's Basic Law took precedence over an intercultural event with the "character of a festival."

The ruling class promotes the far right and suppresses left-wing protest because it fears resistance to militarisation and social cuts. The Ukraine war is linked to a dramatic deterioration in the living conditions of the broad masses around the world.

Last month, the World Bank estimated that food prices will rise by 22.9 percent this year, mainly due to an increase in global wheat prices. The FAO Food Price Index, which tracks monthly changes in international prices for foods such as sugar, dairy, cereals and vegetable oil, is nearly 30 percent higher than in April 2021.

Workers are under the constant threat of wage cuts, job losses and social attacks. The retirement age is to be raised to 67 by 2029, and there are already new demands to raise it to at least 70.

Massive resistance is developing against these developments. In justifying its ban on demonstrations, the Berlin court explicitly cited the "high level of mobilisation" on Nakba Day. It was referring to the fact that last year more than 10,000 people took part in a demonstration on Nakba Day to protest against Israel's murderous air attacks on Gaza. All protests against war and oppression are to be stopped at all costs.

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