

The campaign against “Last Generation” climate activists: Preparation for establishing a police state in Germany

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For weeks, politicians and various media outlets have been railing against the climate change activist group “Last Generation.” No insinuation is too far-fetched, no slander too outlandish, no demand for persecution too exorbitant.

The aim is clear: peaceful protest, civil disobedience and other forms of resistance are to be criminalised and intimidated. The campaign against “Last Generation” serves to establish a police state in which the security forces can place opposition activists in preventive detention and the judiciary punishes legitimate protest with years in prison.

This is already being practised in Bavaria, where police placed 12 climate activists in preventive detention earlier this month for gluing themselves to the Stachus, a central square, and obstructing traffic for 90 minutes. Two are to remain behind bars for at least 30 days, but possibly as long as 60 days.

The police are relying on the Police Powers Act, which the ruling state government of the Christian Social Union passed against massive popular opposition in 2017 and then expanded in 2018. Tens of thousands had taken to the streets at the time to block the law. It gives the police the right to take people into preventive custody whom they suspect of committing or intending to continue committing “an administrative offence of considerable significance to the general public.”

Preventive detention does not require there be any concrete suspicion of a crime, or even a court order for the first 30 days. Only when preventive detention is extended by 30 days does a judge have to provide consent. Originally, the law could be extended as often as desired, amounting to “indefinite detention.” Only after massive protests was this limited to two months.

It is legally disputed whether gluing oneself to the street is a punishable offence at all. According to experts, criminal proceedings against the climate activists would probably be dropped.

The introduction of preventive detention was justified by the danger of Islamist attacks. The reasoning is that “dangerous persons” should be able to be arrested before they commit an attack. Now, as many warned at the time, it is being used against climate activists whose only “crime” is to block car traffic by peaceful means.

It is obvious that a precedent is being set here to criminalise any kind of protest and resistance—workers occupying their factory to

prevent its shutdown or removal of machinery, blocking arms shipments to war zones, resistance to neo-Nazi marches, etc.

While the Bavarian state government has locked climate activists behind bars, at the federal level, the Christian Democratic opposition introduced a bill in the Bundestag (federal parliament) to ensure they would stay there for years. The CDU and CSU wanted to tighten the law against coercion, damage to property and dangerous interference with traffic so that road blockades would be punishable by up to five years in prison and damage to paintings, which previously carried a fine, by at least three months in prison.

The motion ultimately failed due to the “traffic light” government majority, comprising the Social Democrats (SPD), Liberal Democrats (FDP) and Greens. However, the debate in the Bundestag showed that there is a lot of support for such a tightening of the law, even among deputies belonging to the traffic light parties.

While CSU deputy Alexander Dobrindt railed against the “Climate RAF” (a reference to the Red Army Faction, responsible for murdering several leading politicians and business representatives in the 1970s) and the far-right Alternative for Germany (AfD) called for the climate change organisation to be banned, Green Party politician Irene Mihalic, a former police officer, waxed lyrical: “The dangerous actions of the so-called Last Generation are counterproductive in terms of climate policy; they are highly problematic in terms of the rule of law.”

The Bundestag debate was preceded by a foul media campaign blaming a protest action by “Last Generation” for the tragic accidental death of a cyclist in Berlin who had been run over by a heavy concrete mixer truck.

A road blockade by climate activists several streets away from the accident site had caused a traffic jam, delaying a special vehicle coming to lift the concrete mixer to release the victim. The media, led by the tabloid *Bild-Zeitung*, portrayed the case as if the roadblock was the cause of the 44-year-old woman’s death, and numerous politicians joined in the outcry.

Following the lead of the AfD, federal Interior Minister Nancy Faeser (SPD) said, “The rule of law will not be trampled upon. The police have my fullest support in cracking down on self-proclaimed climate activists who have been putting other people in danger for weeks with completely unacceptable actions.”

Federal Justice Minister Marco Buschmann (FDP) stressed that prison sentences for the climate activists were also possible. The police union raised the idea of banning the group.

Berlin's local politicians also unleashed a cheap propaganda campaign against the "climate hooligans." SPD representatives Florian Dörstelmann and Tom Schreiber, party spokesmen for justice and domestic affairs in the Berlin House of Representatives (state legislature), wrote a press release in which they said, "Those who, with their deeds, are willingly accepting the endangerment of human life are acting with premeditation, and also with premeditation with regard to possible homicide! Such action is simply criminal, inhumanly cynical, and not covered by any goals, no matter how important."

Interior Senator (state minister) Iris Spranger and Mayor Franziska Giffey (both SPD) expressed similar sentiments. On November 11, the *Tagesspiegel* reported that the Berlin prosecutor general's office was investigating "Last Generation," citing the criminal offence of the formation of a criminal organisation.

In retrospect, the whole campaign turned out to be slander. The *Süddeutsche Zeitung* quoted from a three-page internal memo signed by the medical director of the rescue services in Berlin. According to this memo, the traffic jam did not play a significant role in the care of the victim. The emergency doctor on site, on whose letter the note is based, had decided long before the planned arrival of the special vehicle not to use it and to let the concrete mixer drive away under its own power.

"On the technical questions of the rescue, the emergency doctor clearly stated that she would have immediately decided in favour of this even if other technical options had been available in the form of a rescue vehicle or crane," reads the note, from which *Die Welt* also quoted at length.

But even if the late arrival of the special vehicle had played a role, it is hard to blame the climate activists. According to this logic, every wrongly parked delivery vehicle, every demonstration and every other incident that contributed to a traffic jam in the chronically congested German capital would have to be held liable for the consequences.

If anyone is "willingly accepting the endangerment of human life," it is the so-called "red-red-green" (SPD, Left Party, Greens) Senate, which for years has left hundreds of positions in Berlin's emergency services unfilled, cut back on traffic controls and barely expanded cycle paths.

The Berlin judiciary is also pursuing the climate activists with a vengeance. According to the *Süddeutsche Zeitung* on November 8, the Berlin public prosecutor's office has issued 266 penal orders against climate activists for coercion and resisting law enforcement officers. Seven of these have been confirmed by the courts.

In the meantime, however, a Berlin judge has ruled differently. In the case of a climate activist who blocked an intersection in Friedrichshain for three and a half hours, he ruled that this was perfectly legal. Gluing her right hand to the asphalt was neither violence nor coercion, the judge said.

The relationship between the ends and the means was also not "reprehensible," he said. The climate crisis was very serious, there was an "objectively urgent situation with, at the same time, only

moderate political progress, taking into account, in particular, the coming generations, as this also had to be reproved by the Supreme Court only recently."

The public prosecutor's office has appealed against the verdict, and it is very unlikely that it will be upheld by the higher court.

The actions being taken against "Last Generation" show the ruthlessness with which those in power will act against any resistance that really threatens their interests. "Last Generation" advocates extremely limited political demands that do not question the capitalist profit system, the cause of environmental destruction, calling for a maximum speed limit of 100 km/h on motorways, a law against food waste, and a nationwide 9-euro train ticket.

The group does not address itself to the working class, who are the most affected by the devastating consequences of climate change, but instead directs itself to government at federal and state level. By staging spectacular protest actions that receive as much media attention as possible, it wants to put pressure on them. Its demands explicitly include holding talks with the federal government.

The group was formed a year ago when activists staged a hunger strike in the government district during the federal elections. It demanded talks with the three chancellor candidates, from the CDU, SPD and Greens, and "immediate measures against the climate crisis."

"Last Generation" is networked with similar groups in other countries, that in addition to holding street blockades also carry out spectacular attacks on works of art and other precious objects, which, as the WSWS pointed out in an earlier article, are "disoriented and reactionary from a number of points of view."

Criticism of the methods of "Last Generation," which spring from a combination of despair at the devastating scale of the climate crisis and political disorientation, does not, however, justify persecution by the state. On the contrary, the group's democratic right to freedom of expression and protest must be vigorously defended.



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