

# Leading German politicians try to halt the recall Berlin state elections

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The ruling by Berlin's state Constitutional Court ordering a rerun of the elections for the House of Representatives (state legislature) on February 12 has been met with fierce opposition in ruling circles and the federal government. Forty-three politicians have applied to the Federal Constitutional Court (Supreme Court) for an interim injunction. They want to ensure that the election, despite the fact that the campaign has already begun, is stopped.

There is far more involved than the fact that politicians, such as those of the Left Party, fear losing their own seats and posts in fresh elections. The Federal Constitutional Court's failure thus far to dismiss the suit, despite the fact that it clearly does not fall within the federal court's jurisdiction, shows that there is broad support in the ruling class for blocking the election.

The cancellation of the recall election would be a fundamental attack on the democratic rights of the people. After all, the original ballot in September 2021 in no way met the standards of a free and equal election, as the Berlin Constitutional Court established beyond a shadow of doubt. Thousands of voters had to wait for hours, could not cast their vote at all, or received invalid ballot papers.

If this pseudo-election is legitimized by the Federal Constitutional Court and the necessary recall election stopped, it will be tantamount to the abolition of democratic elections. The ruling elite will then be able to sabotage elections at will and push through its hated policies without any regard for the voters.

This is exactly what the attempt to stop the recall election in Berlin is all about. Those pulling the strings want to prevent the war policies and social devastation that all parties at the federal and state levels are ruthlessly implementing from being addressed in

elections. In the face of the greatest rearmament since Hitler and the growth of explosive class tensions, the right to vote is to be suspended.

The Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) declares war on the establishment party cartel and the attempt to stop elections. We are participating in the Berlin state elections to provide a voice and a socialist perspective to the widespread opposition to right-wing and militarist policies. Our public rallies against the war policy, the thousands of posters we have put up and dozens of information booths we have manned are already meeting with a powerful response. We will mobilize against any attempt to prevent the election from taking place.

The efforts to halt the recall election are being made behind the backs of the population. It is a very real conspiracy. The 43 plaintiffs are not appearing openly, and even the Federal Constitutional Court is refusing to name them in public proceedings. What is known, however, is that 26 of them are deputies in either the Berlin House of Representatives (state legislature) or in a Berlin district council.

The fact that the law firm Redeker Sellner Dahs has taken on representation of these politicians is evidence that there is support for the suit on the part of the federal government, since this law firm usually represents the federal government in all important legal affairs. For example, it represented the federal Interior Ministry against the Sozialistische Gleichheitspartei when the SGP filed a lawsuit against its surveillance by the Office for the Protection of the Constitution, as Germany's domestic intelligence agency is called. The law firm's lawyers justified the surveillance on the grounds that the SGP was fighting for a "democratic, egalitarian and socialist society." The attempt to prevent the recall election is entirely in line with this

anti-democratic pedigree.

The law firm is keeping the 250-page brief opposing the Berlin Constitutional Court ruling and the recall election strictly under wraps. Media reports say the document contains “serious allegations against the [lower court’s] verdict.”

The Federal Constitutional Court is participating in the secrecy, refusing to publish names or pleadings. The court should have rejected the case immediately because it simply does not have jurisdiction. Well-known experts in constitutional law—such as Berlin Professor Emeritus Ulli Battis and Cologne lecturer Ulrich Vosgerau—have stated categorically that in Berlin, the Berlin Constitutional Court alone has jurisdiction to decide on new elections at the state level.

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But the Federal Constitutional Court did not dismiss the lawsuit. After it was filed on December 15, the court instead asked “all parties to the proceedings” to submit written comments by January 10. Even after this deadline had passed, the Federal Constitutional Court still did not issue a statement. It is clear that fierce disputes are taking place in the background, which are being kept secret from the public.

We therefore demand the immediate publication of the names of the plaintiffs and all pleadings on file with the court, as well as the rejection of the lawsuit. The population has a right to know how attempts are being made to deprive it of its right to vote.

In addition, the Bundestag (federal parliament) elections in Berlin must also be repeated. They were held at the same time as the Berlin state elections and at the same polling stations, with the same errors occurring.

So far, the Bundestag has decided—with the votes of the “traffic light” coalition of Social Democrats, Liberal Democrats (FDP) and Greens—that the Bundestag elections should be repeated only in 431 of Berlin’s 2,257 electoral districts. A body that came about through an election that was flawed and in part illegal has decided how, when and to what extent the election is to be repeated. Several court actions have already been filed against this decision by the Bundestag.

While the federal government is organizing the return of German militarism, with German tanks once again

rolling against Russia and the ruling elite knowingly risking a nuclear world war, the population is to be deprived of the right to vote.

The SGP will not accept this. We are conducting an intensive election campaign against the right-wing conspiracy in the Bundestag and the Berlin state legislature. We call on all those who refuse to accept ever worsening social inequality, the destruction of the health and education systems, and, finally, the nuclear destruction of our planet: Support the SGP election campaign! Register now as an active supporter and vote SGP on February 12!



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