

Berlin police ban a series of pro-Palestine demonstrations

Justus Leicht
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The *World Socialist Web Site* recently reported on the repressive new assembly law introduced in the state of Hesse, which is governed by a coalition of the conservative Christian Democratic Union and the Green Party. In fact, the state of Hesse is no exception, with Berlin in particular leading the way in banning demonstrations. This trend will undoubtedly intensify following the latest decision of the Social Democratic Party to form a coalition in the capital city with the CDU.

In recent weeks, several demonstrations by Palestinians have been banned in Berlin. The city's police banned a rally planned for April 15, as well as a demonstration through the suburb of Neukölln set for one day later to mark the "Day of Palestinian Prisoners" in Israeli jails.

Police justified the bans on the grounds that there was a risk of incitement, antisemitic shouting, the glorification of violence or actual violence at the planned gatherings. According to press reports, the police banned a total of five pro-Palestine demonstrations in Kreuzberg, Neukölln and Berlin-Mitte for April 14-16.

In the city of Cologne, the police also prematurely ended a Palestinian demonstration on April 15 despite its being peaceful. In the state of North Rhine-Westphalia, which is also governed by a CDU-Green coalition, one of the most repressive assembly laws in Germany is in force.

In Berlin, the administrative court and, after an appeal, the higher administrative court justified the bans. Both courts failed to publish any reasons for their decisions. Only the higher administrative court issued a terse press release, stating in two sentences that incitement of the public and violence could be expected. According to the argument of the court the course of previous, similar demonstrations justified such a prognosis by the police.

The group Palestine Speaks criticised the ban on their demonstrations as an "attack on our basic rights to freedom of assembly and expression." It was an "alarming opening for unlimited state repression against any opposition in Germany, be it for Palestinian human rights, anti-racism or refugee rights."

A demonstration by Palestinians a week earlier had been peaceful, according to police statements. On April 8, several hundred people had marched through Berlin-Neukölln under

the slogan, "Freedom for all political prisoners in Palestine."

There then followed a massive campaign by media and politicians. A video circulated on Twitter stirred up sentiment against the demonstration, claiming that the slogan "Death to the Jews" had been shouted. In fact, the video features a single man, who cannot be seen, shouting something in Arabic that is subtitled with the aforementioned antisemitic slogan. Whether the translation is correct is unclear, as is who the man was.

What seems clear, however, is that the shout was not picked up by the crowd and did not come from the front of the demonstration or over any loudspeaker. Other chants, placards and banners seen in the video ("Death to Israel," "Intifada until victory," "Free, free Palestine") were directed against Israel, not against Jews.

The Palestinian organisation Samidoun condemned the campaign, saying, "It is the Palestinian liberation movement that rejects equating Jews with Zionists, and the Zionist movement that tries to institutionalise such equating." Samidoun, whose supporters allegedly called the protests, is regarded to be a network for solidarity with Palestinian prisoners, with links to the PFLP organisation.

The media campaign then served as the starting point for the subsequent demonstration bans. The leading Green politician and chairman of the German-Israeli Society, Volker Beck, complained that the demonstration had not been broken up by police after demonstrators began shouting slogans.

Berlin's Interior Senator Iris Spranger (Social Democrats, SPD) defended the reintroduction of the term "public order" into the Freedom of Assembly Act, which the CDU (Christian Democrats) and SPD had agreed in their coalition agreement. With regard to the controversial demonstration, the term creates "a larger framework for action," Spranger told the *Tagesspiegel* newspaper. Its reintroduction supports "the maintenance of security in Berlin."

The term "public order" had been removed from the reformed Freedom of Assembly Act in 2021 against the will of the SPD. The concept opens the door to arbitrary measures by allowing authorities to restrict or ban protests if they—according to the Federal Constitutional Court—do not comply with the "unwritten" rules of "prevailing social and ethical views."

The police responded by banning all demonstrations by

Palestinians for political prisoners the following weekend. According to the police the demonstrations could result in incitement to violence, antisemitic slogans and the glorification of violence, leading to intimidation and actual violence.

The administrative court confirmed this. According to the *Tagesspiegel*, its decision stated that the police had convincingly justified their ban by pointing out that the applicant had already registered and organised several demonstrations whose motto had attracted people with “an anti-Israeli, if not antisemitic attitude.”

It was from this group of people that “the described threat to public safety” emanated. The applicant did not distinguish himself from these people. His application made it clear that he himself took “a strictly anti-Israeli stance,” and referred to “Israeli apartheid” against the Palestinians as a “crime against humanity.”

Three points in particular are noteworthy about the ban on Palestinian demonstrations:

1. The media coverage completely ignores the purpose and content of the demonstrations. The reports focus exclusively on denouncing the participants because they are against Israel and slandering them as antisemitic. Yet the oppression of Palestinians is well documented.

Amnesty International’s annual report had already certified in 2021 that Israel had subjected Palestinian prisoners to unfair trials in military courts, prolonged solitary confinement and inadequate medical treatment, and had illegally transferred them from the occupied Palestinian territories to Israeli prisons. At the end of 2021, 500 people had been held in administrative detention without charge or trial; 170 minors had also been detained. More than 80 percent of the detained minors had been beaten and 47 percent had no access to legal counsel. According to Amnesty, “[T]he Israeli system of oppression and domination of Palestinians constitutes apartheid, which is a crime under international law.”

Since then, Benjamin Netanyahu’s ultra-right coalition has taken over the government and further intensified the discrimination and violent oppression of Palestinians.

2. The decision to classify a demonstration as “inciting,” “glorifying violence” and “intimidating” is made by the police and courts not according to objectively verifiable criteria, but according to political criteria based on the interests of German imperialism.

Less than two months before the banned Palestinian demonstrations, a demonstration by Ukrainian nationalists took place in Berlin on the anniversary of the Russian invasion on February 24, attended by the Ukrainian ambassador, Berlin’s Governing Mayor Franziska Giffey and US Ambassador Amy Gutmann. Federal Chancellor Olaf Scholz addressed a video message to the demonstration, and the Brandenburg Gate was illuminated in the Ukrainian national colours.

This demonstration could have been more justifiably classified as “inciting,” “glorifying violence” and

“intimidating.” It denounced Russia as a “terrorist state,” rejected peace negotiations, demanded further arms deliveries and chanted the traditional fascist greeting *Sláva Ukrayíni*, Glory to Ukraine, *Heróiam Sláva*, Glory to Heroes.

According to a report in the *Berliner Zeitung*, those associated with Russia by the demonstrators had to expect insults (“You are murderers”) and threats (“Piss off you fascists”).

3. The bans on demonstrations and the planned tightening of the law on assemblies by adding the term “public order” represent a major assault on the basic democratic right to freedom of assembly.

On this basis demonstrations can be arbitrarily broken up and banned. Assaults or statements by individual participants are sufficient and it is known that secret service and/or police undercover agents often act as provocateurs on demonstrations.

While arguing it is opposed to antisemitism, the same German state is quite prepared to support demonstrations by far-right Ukrainian nationalists, who are rooted in a long tradition of fascism and antisemitism.

“Jewish and Israeli Berliners” protested against this arbitrariness in an open letter on April 21. A “blanket ban” based on the mere fear that a demonstration could lead to criminal offences, it says, “we see as discriminatory against the Palestinian minority in Germany and a worrying precedent that will inevitably affect other marginalised communities. Such anti-democratic measures amount to collective punishment and offer no effective protection to us as Jewish Berliners.”

In Berlin, already on May 8 last year, the day of liberation from fascism, the display of the Soviet flag—under which Auschwitz was liberated—was banned by the police on Soviet memorials. This was followed shortly afterwards by a ban on all Palestinian demonstrations on Nakba Day.

A few months later, the Bundestag tightened up the incitement of the people paragraph; now anyone who questions alleged war crimes of a country that has been demonised by the press and official politics faces punishment. In January, peace activist Heinrich Bücker was sentenced by a court for speaking out in public against Germany’s war policy in Ukraine.

As broader and broader layers of the population around the world mobilise to oppose exploitation, inequality, oppression and war, the ruling class is developing its repressive apparatus to criminalise and suppress protests.



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