

Berlin judge who ruled against the Sozialistische Gleichheitspartei to head secret service in Brandenburg

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Next month, the current Vice President of the Berlin Administrative Court, Wilfried Peters, will take over leadership of the Brandenburg Office for the Protection of the Constitution (Verfassungsschutz), as the state branch of the secret service is called. This was announced a few days ago by the Berlin state interior ministry in Potsdam.

Peters was appointed by Interior Minister René Wilke, who was a Left Party functionary until a year ago and now presents himself as non-affiliated. He took over the interior ministry in Brandenburg just four weeks ago, being proposed by the Social Democratic Party (SPD) who head the state administration in a coalition with Bund Sarah Wagenknecht (BSW), an anti-migrant split-off from the Left Party. Wilke stated that Peters was his “first choice for the challenging task of leading the Verfassungsschutz,” calling him “level-headed, responsible, experienced and highly competent.”

Peters is well known to WSWS readers. In November 2021, he presided as senior judge at the Berlin Administrative Court in dismissing the lawsuit of the Sozialistische Gleichheitspartei (Socialist Equality Party, SGP) against the Federal Ministry of the Interior and ordered the party to bear the full legal costs. The SGP had sued the ministry in January 2019 for listing it as “left-wing extremist” in the annual report of the federal Verfassungsschutz since 2017 and subjecting it to surveillance by the intelligence services.

Peters’ appointment as intelligence chief makes clear what one must think of the supposed neutrality of the judiciary. In the SGP’s case against the Verfassungsschutz, the intelligence agency was not only in the dock—It also sat on the bench.

It is now confirmed how accurate our assessment of the trial was at the time. We wrote:

The court unreservedly supported the secret service, a democratically illegitimate institution with close links to the far-right milieu. The presiding Judge Wilfried Peters, who is also the vice-president of the court, and the representatives of the Ministry of the Interior, Attorney Professor Dr. Wolfgang Roth and state secretary Reinfeld worked together like a well-oiled machine during the proceedings.

In its reply to the SGP’s complaint, drafted by Roth, the Interior Ministry had already declared that the party’s “advocacy for an egalitarian, democratic, and socialist society,” its criticism of “so-called” militarism, imperialism and nationalism, and its rejection of the European Union were unconstitutional. Peters went even further at the time and declared that any criticism of the state was impermissible. In his oral judgment, he said there were “substantial points in the SGP’s program which give reason to believe that the plaintiff seeks a different state and a different legal order.”

Peters’ transfer to the top of Brandenburg’s state branch of the Verfassungsschutz is a symptom of the political incest between judiciary, intelligence services and politics. It is part of the sharp shift to the right within the state apparatus and preparations for authoritarian rule in light of massive military rearmament and the drive toward war.

The German intelligence service is notorious and widely despised for its right-wing bias, which reaches back to the Nazi era. Last year it was revealed that the federal Verfassungsschutz had classified its former head, Hans-Georg Maassen, as a “suspected right-wing extremist.” This amounts to an admission that the agency was led for eight years by a far-right extremist.

Maassen was appointed head of the agency in 2012 in order to cover up its close ties with the far-right terrorist National Socialist Underground (NSU) and to maintain the fascist networks responsible for the murder of at least nine immigrants and one police officer. He hired hundreds of new staff members. There is no evidence that any of them were ever dismissed.

When the far-right Alternative for Germany (AfD) party was founded, it too could rely on the support of the intelligence agency. Maassen met several times with then party leader Frauke Petry, her successor Alexander Gauland, and at least one representative of the fascist wing of the party, to discuss among other things the contents of the agency’s annual reports.

Because the SGP exposed the close ties of the Verfassungsschutz with the far-right scene and its role in building up the AfD, the party was named as a “left-wing extremist organization” in the agency’s annual report and subjected to surveillance. But it did not allow itself be intimidated. In its lawsuit against the intelligence service, the SGP demonstrated that the criminalization of socialist ideas and parties had a long history in Germany. After Bismarck’s anti-socialist laws and the persecution of socialists under Hitler, the present government is now attempting to impose a third round of anti-socialist legislation.

All parties in the federal parliament, the Bundestag—including the Left Party and its BSW splinter group—support this policy. It is telling that in Brandenburg a coalition of the SPD and BSW appointed a former Left Party politician as interior minister and placed a right-wing administrative judge at the head of the intelligence agency.

Democratic rights in Germany have always had to be fought for against the authoritarian state and its parties—by the very Marxist workers’ movement that is now being criminalized again. Even the limited parliamentary system of the Weimar Republic could only be established in 1919 after workers’ and soldiers’ councils had overthrown the Kaiser. In the

end, it was only the workers’ parties that voted against Hitler’s Enabling Act. The Trotskyists, in particular, advanced a united front perspective to mobilise the combined strength of the social democratic and communist workers, which at the time could have stopped the Nazis.

Today, too, the defence of democratic rights depends on a broad mobilization and is urgently needed in the face of rampant military rearmament and the ever-increasing danger of war. We therefore call on all readers to become active supporters of the Sozialistische Gleichheitspartei.



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