

# Jewish Voice for a Just Peace wins partial success in its case against the German Secret Service

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In summary proceedings before the Berlin Administrative Court, the anti-Zionist organization “Jewish Voice for a Just Peace in the Middle East” won a ruling at the end of April against the Federal Office for the Protection of the Constitution (BfV), Germany’s domestic intelligence agency. For the time being, the BfV may no longer list the organization as “extremist.”

The court granted the application only with respect to the already published 2024 domestic intelligence report. The ruling does not necessarily extend to future reports. The procedural costs were divided equally.

Jewish Voice, founded in 2003, is a nonprofit association based in Berlin. It belongs to the umbrella organization “European Jews for a Just Peace.” According to its statutes, the association accepts only Jews as members. It provides them with a platform to campaign for international understanding and, in particular, for a just peace in Israel/Palestine. The organization identifies as anti-Zionist and supports the Boycott, Divestment and Sanctions (BDS) movement against Israel.

The association profile reads:

Jewish Voice understands “just peace” as an ongoing process of decolonisation that respects international law and human rights. We demand the withdrawal of the military from the occupied territories and the abolition of the apartheid system and stand for the right of return of Palestinian refugees and for equal rights for all people in the region. We are determined to engage on the side of the oppressed against all forms of supremacy and oppression. To all those who presume to justify apartheid, disregard for human rights, war, land theft and genocide in the name of Judaism, we cry out: Not in our name!

The political methods employed by Jewish Voice are indisputably legal, democratic and peaceful: participation in pro-Palestinian demonstrations, rallies and public events, as well as the publication of statements, interviews and commentary on social media. In 2019, the association was awarded the Göttingen Peace Prize.

The 2024 domestic intelligence report listed Jewish Voice as “extremist” in three sections. First, in the special chapter “Impact of the Middle East Conflict and Antisemitism,” it was cited as an example of “sympathizers of extremist pro-Palestinian organizations in Germany.” It was then listed under “left-wing extremism” as an example of “networking between dogmatic left-wing extremists and foreign-related extremism.” Finally, in the section on “foreign-related extremism,” it was named as a sympathizer of Hamas, the Popular Front for the Liberation of

Palestine (PFLP) and other groups classified as “terrorist.”

The case against Jewish Voice is not an isolated one in Germany. It is part of a systematic campaign of repression that has escalated since the beginning of the Israeli genocide in Gaza in October 2023. Pro-Palestinian demonstrations have been banned or harassed, speakers have been disinvented from universities and academics have been dismissed.

In 2024, the state of North Rhine-Westphalia (NRW) banned Palestine Solidarity Duisburg, even though no criminal offenses had been proven against the group. The ban was upheld by the NRW Higher Administrative Court in November 2024. Activists lost their jobs and homes were searched. In this climate of systematic intimidation, Jewish Voice was not an isolated case, but another target.

Jewish Voice has pointed out that, following its stigmatization as “extremist,” a Berlin tax office is preparing to revoke its nonprofit status. Its inclusion in the domestic intelligence report has already concretely hindered its work, as shown by repeated event cancellations and the resignation of numerous members seeking to protect themselves from social and professional reprisals.

The impending withdrawal of its nonprofit status threatens the organization’s existence. Since the association depends heavily on tax-deductible donations, the change in status endangers its economic basis. The case also concerns the constitutionally protected exercise of freedom of expression and association, as well as disadvantages to participation in democratic opinion-forming that would be difficult to reverse.

The domestic intelligence agency relied legally on sections of the Federal Act on the Protection of the Constitution. According to the BfV, Jewish Voice allegedly “endangers [the] foreign interests of the Federal Republic of Germany by the use of violence or preparatory actions aimed at this” and is directed “against the idea of international understanding, in particular against the peaceful coexistence of peoples.”

This is as bizarre as it sounds. Peaceful advocacy for the equal coexistence of all people in Palestine, and the refusal to equate Judaism with the oppression of the Palestinians, are treated in Germany as extremist, prone to violence and a matter for the intelligence services.

The justifications offered by the Secret Service read like a police state textbook. The term “foreign interests,” it argues, includes not only the peaceful coexistence of the Federal Republic with other peoples and states, but also good political, diplomatic, economic and other relations with foreign governments. According to this logic, “foreign interests” are already endangered if “aggressive propaganda” tolerated in Germany against another state’s “right to exist, sovereignty or territorial integrity” could lead to a “deterioration of diplomatic relations” and restrict the government’s “freedom of action in foreign affairs.”

In short, anything said on German soil against a state whose favor Berlin does not want to lose, including murderous regimes, can be deemed

“extremist” if that state objects. For the German intelligence agency, “violence” therefore does not mean what ordinary people understand by the term. It also includes “aggressive expressions of opinion and propaganda directed against the right to exist of other states,” because these could supposedly “provide political support to violent groups.”

The “right to exist of the State of Israel” is often invoked by its supporters, but rarely defined. In modern international law, however, there is no such legally protected right. If states cease to exist, they cannot invoke a “right to exist” against this historical process. To “recognize the right to exist of the State of Israel” is a political demand. It demands approval of the state’s legitimacy, the legitimacy of a state founded on ethnic expulsions, occupation and apartheid.

In 2008, the German government explicitly declared the defense of Israel’s “right to exist” to be a matter of *Staatsräson*, or reason of state. Since then, this has meant that anyone who does not endorse the present Israeli state project, including occupation, apartheid and the *de facto* annihilation of the Gaza Strip, is deemed to endanger Germany’s foreign policy interests.

Germany uses Israel as an imperialist bridgehead in the Middle East and defends this interest, not Jewish life. In practice, the intelligence agency interprets the “idea of international understanding” as an obligation to recognize the Israeli state’s monopoly on the use of force, no matter how murderous and contrary to international law its actions may be. Official German jargon refers to a “conflict already being carried out by force,” a barely veiled reference to the ongoing genocide in Gaza.

The Berlin Administrative Court largely followed the line of the domestic intelligence agency. It explicitly rejected the distinction between violence against combatants and violence against civilians: “Acts of violence against armed forces are also covered by the Act on the Protection of the Constitution.”

This legal principle has implications far beyond the present case. If violence against combatants, including soldiers of an occupying army, falls under intelligence law as soon as it touches on Germany’s foreign policy interests, then its legitimacy is no longer measured by international humanitarian law, but by the foreign policy interests of German imperialism.

This is a fundamental break with international law. Under the Geneva Conventions and their Additional Protocols, violence against combatants in an armed conflict is generally permitted. This is a core principle of international humanitarian law, which makes the protection of civilians possible in the first place by legally distinguishing between combatants and civilians.

The court now declares this distinction irrelevant. Applied consistently, this reasoning would bring any expression of solidarity with armed resistance against an occupying army within the scope of domestic intelligence law, provided Germany has a foreign policy interest in the occupying state. This is an extremely authoritarian interpretation of the facts of the case, carried out without any serious engagement with international humanitarian law or the right of peoples to self-determination.

However, this reasoning did not determine the outcome of the proceedings. The court rejected the position of the domestic intelligence agency on other grounds: that there was no demonstrable, concrete connection between statements by Jewish Voice and actual violence. The question of whether violence against combatants can, in principle, satisfy the elements of the offense therefore did not have to be conclusively decided.

This makes the court’s reasoning no less dangerous. It remains on the table as an incidental finding, that is, as a legal statement not necessary to the decision itself, but one that could be invoked by other courts in future proceedings.

Nevertheless, the Administrative Court ultimately ruled against the

domestic intelligence agency. Defending the right to resistance in general and condemning Israel “one-sidedly” did not constitute a preparatory act for violence. Nor was there any indication that Jewish Voice sought to “motivate” organizations such as Hamas or Hezbollah, or recruit new members for them.

The court also rejected the accusation that Jewish Voice acted contrary to international understanding. According to the decision, it is Hamas that “impairs peaceful coexistence between Israelis and Palestinians,” a formulation that ignores the reality of the occupation. Nevertheless, the judges found that support in the relevant legal sense must “at least come close” to financial or other material support for Hamas. This was not the case with Jewish Voice.

The decision is also significant because it clearly deviates from a ruling by the Higher Administrative Court of North Rhine-Westphalia, which upheld the ban on “Palestine Solidarity Duisburg” (PSDU) in 2024. PSDU had neither called for violence nor used or prepared violence. Nor could financial or material support for armed Palestinian groups be proven. But it advocated a Palestine within the borders of 1947, that is, including today’s Israeli state territory, and declared military forms of resistance against the Israeli occupation to be legitimate.

For the NRW court, this was sufficient to declare, in a “realistic overall view,” that PSDU was directed against the idea of international understanding. In other words, whoever refuses to recognize the monopoly on violence of the occupier allied with Germany, and regards armed resistance against it as legitimate, even if expressed only peacefully and in political statements of opinion, disturbs “international understanding” and may be banned.

The Berlin court apparently did not want to go quite that far. However, the decision is not yet final. The Federal Interior Ministry can appeal it to the Higher Administrative Court of Berlin-Brandenburg.

The divergence between the judgments against PSDU and in favor of Jewish Voice should not obscure the fact that both decisions share the same authoritarian framework. The question of whether peaceful political opposition to an ongoing genocide is permissible is treated as a legal balancing act, rather than as a self-evident fundamental democratic right. The Berlin court granted Jewish Voice limited protection, but on the basis of legislation that suspends fundamental norms of international humanitarian law and enables future repression with judicial blessing.

The partial success of Jewish Voice is therefore not a sign of functioning democratic control. It is an exception within a broader development in which the German state is systematically sharpening the legal tools through which opposition to genocide and war can be criminalized. In its first months in office, the current German government has launched a program of massive restrictions on fundamental rights: expanding intelligence service powers, restricting access to information and strengthening the repressive powers of the state at home, in parallel with the largest rearmament program since Hitler. In this context, the classifications used by the domestic intelligence agency are not bureaucratic overzealousness, but political strategy. Dissent is to be socially and economically ruined before it ever reaches a courtroom.

The struggle for democratic rights, including the right to call a genocide a genocide, cannot be reduced to court proceedings. It requires an independent political movement of the working class that connects the defense of fundamental democratic rights with the struggle against the capitalist foundations of war, rearmament and social oppression.



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