

Return of the Gestapo: Germany tears down barrier between police and secret services imposed after Hitler

Peter Schwarz
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The German cabinet approved a 700-page package of draft legislation on Wednesday massively expanding the powers of its domestic and foreign intelligence agencies. “We are turning our intelligence services into real secret services,” Federal Interior Minister Alexander Dobrindt (Christian Social Union, CSU) said of the reform in an interview with *Bild*.

The *Verfassungsschutz* (Federal Office for the Protection of the Constitution, as the domestic agency is called) and the *Bundesnachrichtendienst* (Federal Intelligence Service, BND), responsible for foreign intelligence, are subject to various forms of legal and parliamentary oversight. They may gather information covertly, but have no police powers—for example, they cannot arrest anyone. Secret services, by contrast, may also carry out covert operations—such as paramilitary missions, acts of sabotage, hacking and the destruction of computer systems, propaganda, and covert support for parties and individuals abroad. This opens the door wide to provocations and manipulation.

The BND is not being given a “licence to kill”; its measures are not supposed to be “deliberately directed against the life or limb of individuals.” But in future, BND operatives, Bundeswehr (Armed Forces) personnel and federal police officers will be allowed to take their weapons abroad without explicit authorisation.

The new legislative package significantly expands the power to collect and evaluate data. In future, the secret services will be able to use artificial intelligence to analyse huge quantities of data—including footage from public and private video surveillance cameras. Retention periods are being extended. Controversial surveillance methods such as covert online searches, surveillance of private homes and the creation of movement profiles are being expanded.

Oversight of the secret services is to be exercised by the Independent Oversight Council, created in 2022. It consists of six judges with many years of experience in federal courts and is bound by strict secrecy. The Parliamentary Oversight Panel, made up of members of all Bundestag (parliamentary) parties, will continue to exist but will only be responsible for “political” oversight. This means it will learn almost nothing about the operations of the secret services.

The Society for Civil Rights (GFF), whose members include prominent legal scholars, considers the legislative package “unconstitutional in large parts.” The “strict separation between the intelligence services, which only observe and do not act, and the police, which then step in, is being torn down,” the GFF says in its statement.

The new rules lead to a “policification” of the intelligence services

and “awaken desires for ever more new operational powers, since ever new ‘gaps’ can be found and used to justify supposed needs for intervention,” the GFF argues. “Moreover, the draft also blurs the separation between the secret services themselves, since the BND ... is now also being given domestic surveillance powers.”

The strict separation of police and intelligence services was imposed by the victorious Allied powers after the Second World War in order to prevent a repeat of Hitler’s *Gestapo* (Secret State Police), which had spied upon, arrested, tortured and murdered communists, social democrats and other political opponents of the Nazis, as well as Jews and other minorities. This separation has been treated as a constitutional principle ever since.

The abolition of this separation is directly linked to Germany’s return to an imperialist war policy. Hundreds of billions of euros in additional military spending, clawed back from social spending, the reintroduction of conscription and the construction of a “war-ready” society all require a police state.

Interior Minister Dobrindt justifies the strengthening of the secret services with a supposed “hybrid threat situation, the attempts at destabilisation through sabotage, espionage, cyberattacks and covert actions by foreign powers.” But this is propaganda. The real target of the burgeoning apparatus of surveillance and repression is the growing opposition to militarism, social cuts and unemployment.

Among the parties represented in the Bundestag, there is no opposition to this construction of a police state—or if there is, it’s purely verbal.

As a governing party, German social democracy, which long ago ceased to be either “social” or “democratic,” stands unreservedly behind the new legislative package. It is telling that it was approved under the chairmanship of Social Democratic Party (SPD) leader Lars Klingbeil, who stood in for the vacationing federal chancellor at the cabinet meeting.

Green Party domestic policy expert Konstantin von Notz declared the reform and the “more robust powers” for the BND to be “urgently necessary.” He only criticised a few secondary aspects.

Clara Büniger, the Left Party’s domestic policy spokesperson, criticised the abolition of the “historic requirement to keep police and intelligence services separate” and warned: “Anyone who gives the intelligence services powers to intervene, to sabotage and to carry out state hack-backs is planning a new German secret police.” This, she said, was “oblivious to history and irresponsible.”

But wherever the Left Party assumes government responsibility, it strengthens the police and secret services. Even in Thuringia, where

Bodo Ramelow held the office of State Premier for 10 years, it did not dissolve the state branch of the *Verfassungsschutz*, even though it had promised to do so before Ramelow's election. In the years before that, the far-right NSU terrorist murder gang had grown up under the eyes of the Thuringia *Verfassungsschutz*. Ramelow himself had been intensively monitored by the *Verfassungsschutz* for 25 years.

The Left Party parliamentary group defence policy spokesperson in the Bundestag, Ulrich Thoden, reacted accordingly to the new legislative package. Rather than calling for the dissolution of the secret services, he merely demanded better oversight by parliament and the data protection commissioner.

The media have almost unanimously taken on the task of beating the drum for the building up of the secret services. In the days before the cabinet decision, the discovery of an explosive drone at Leipzig/Halle Airport dominated the headlines. Although almost nothing is known about the drone's origin even a week later, it was hyped into a "hybrid attack" by Russia—the same justification Dobrindt uses for the new laws.

Whereas it was initially reported that the driver of an airport bus had spotted the drone flying low, shortly before midnight on 4 August, and brought it down with a kick, it is now said to have collided with the wing of a Ukrainian Antonov heavy-lift aircraft several hours earlier. The explosive, which did not detonate, is said to have been found not on the drone itself but some distance away.

In a press statement, the Russian embassy in Berlin rejected any responsibility. It described the incident as a "hastily concocted provocation" that "serves exclusively the interests of Kiev and the militaristic wing of the European political class."

According to some press reports, German security circles also consider it possible that the incident—which caused no damage whatsoever apart from a disruption of flight operations lasting several hours—was a Ukrainian provocation.

The regime in Kiev finds itself in a desperate situation. Two years after President Zelensky's term of office expired, he is refusing to hold elections that he would likely lose. Resistance to the war and to brutal forced conscription is growing. As a result, around 55,000 Ukrainians are sitting in prison under inhumane conditions.

Only last week, the Trotskyist Bogdan Syrotiuk was sentenced to 15 years in prison for "high treason." His "crime": he had called for the unity of the Ukrainian and Russian working class against the war and condemned the glorification of Nazi collaborators such as Stepan Bandera. He rejects the Putin regime just as much as the Zelensky regime.

Zelensky is using every means available to keep the unpopular war going—working closely with Berlin in the process. German imperialism, as in the First and Second World Wars, is once again using Ukraine as a bridgehead with the aim of breaking Russia apart and gaining control of its vast raw materials. The claim that Russia is waging a "hybrid war" against Germany and Europe plays a central role in German war propaganda.

As early as 17 July, Thomas Kleine-Brockhoff, head of the German Council on Foreign Relations (DGAP), and Lieutenant General (ret.) Jürgen-Joachim von Sandrart had published a guest article in the *Frankfurter Allgemeine Zeitung* calling for a rethink of "the concept of deterrence for the hybrid age."

Germany, it states, was the target of hybrid warfare, with Russia clearly identified as the aggressor. Merely building resilience against this was not enough. "Germany must become capable of both defence and retaliation." Every aggressor must know "that a hybrid attack can

incur incalculable costs for them."

The weapons Kleine-Brockhoff and von Sandrart propose include financial sanctions, the disruption of communication networks and, against disinformation campaigns, "rapidly implementable communication and action plans." Information warfare under the direction of the secret services is thus explicitly legitimised. The manipulation of public opinion is declared a weapon of war.

As an important step, the article cites the opening of the Joint Centre for Countering Hybrid Threats (GAZ Hybrid) by Interior Minister Dobrindt in June. Here, the secret services, police authorities, cyber authorities, state criminal investigation offices, the Directorate General of Customs, the Federal Public Prosecutor's Office, the Bundeswehr and business associations work closely together.

Kleine-Brockhoff is no stranger to this role. As director of the German Marshall Fund and later as head of the planning staff of Federal President Joachim Gauck, he was central to developing the strategy intended to restore Germany to world-power status. This strategy was then put into practice in Kiev in February 2014, when Berlin supported the right-wing, pro-Western coup. It was the consequences of this coup that led Putin ultimately to respond with his reactionary attack on Ukraine.

The war against "hybrid attackers," which Kleine-Brockhoff and General von Sandrart are championing, is directed not only against alleged or real external adversaries but above all against opposition at home. It is meant to strengthen the secret services and the state's repressive apparatus, pave the way for the deployment of the Bundeswehr domestically, and concentrate responsibility for the police away from the individual states to the federal government. Numerous politicians have used the mysterious incident in Leipzig to make corresponding demands.

Schleswig-Holstein's State Premier Daniel Günther (Christian Democratic Union, CDU) called for an amendment to the constitution to enable domestic Bundeswehr deployments for drone defence as well. He also advocated pooling federal and state powers more closely in the security sphere. The chairman of the Bundestag Defence Committee, Thomas Röwekamp (CDU), demanded the centralisation of air security under the Federal Police.

The Green Party parliamentary group domestic policy spokesperson, Marcel Emmerich, also advocated ending the "jurisdictional chaos" over drone defence. It was, he said, "a security risk in an emergency."

Interior Minister Dobrindt had already put a new Federal Police unit for detecting, intercepting and shooting down drones into service at the end of last year. This is now to be expanded from 130 to 300 personnel.

Armin Papperger, head of Germany's largest arms manufacturer Rheinmetall, said it was technically possible to protect critical infrastructure, but this must not be done "half-heartedly." Rheinmetall, he said, was working with Deutsche Telekom, among others, to use mobile phone masts across Germany for the early detection of drones.



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