

also one of the largest donors to the Palestinian Authority and UN agencies), yet on the other hand, has decided – mainly over the past five years – to be selective in its commemoration and solidarity. Germany recognizes the Jewish victims of the Holocaust but insists on refusing to recognize the further consequences of the Holocaust, namely the Palestinian victims of the *Nakba*.

not all Palestinians are registered as such in the German civil records. The country from which people came is cardinal: a large number of refugees who arrived in Germany during the Lebanese war in the 1970s and 1980s were classified as stateless or *ungeklärt* (undefined/ unclear), whereas others who originally came to study in Germany have settled and become German citizens. Thus, an unknown number of second- and

Free Palestine from German Guiltⁱ

Selective Commemoration, Unique
German Solidarity

By Pippi
von Neuschtetl

A few hours before a gathering to commemorate the 75th *Nakba* was scheduled to take place in Berlin, the Berlin police department banned it, prohibiting any alternative gathering or even the announcing or mobilizing of any other potential gatherings. In a similar fashion, it had banned a registered gathering on May 15, 2023, issuing a 13-page document that listed the reasons for the ban.

The organization Jewish Voice for Peace nevertheless announced a solidarity demonstration to protest these bans in Berlin; it was met with massive police violence.ⁱⁱ

Israeli historian Dan Diner, the voice of the Israeli new historians in Germany, describes in his 1988 work *Zivilisationsbruch: Denken nach Auschwitz* (*Breach of Civilization: The Thinking after Auschwitz*),ⁱⁱⁱ the Holocaust and the mentality that emerged in its wake, coining the term “breach of civilization” that has dominated German Holocaust historiography.^{iv} It is a strong condemnation of anti-Semitism and the genocide perpetrated by Nazi Germany, describing it as the most heinous crime that should never be repeated in any manner or against any people. Indeed, in the individual and collective consciousness and subconsciousness of the vast majority of the German population, the accusation of being an anti-Semite is the most awful and damning of all.

There is no doubt that Germany needs to reflect, process, and handle its history; and indeed, it is processing and proceeding with its historical responsibility through school education, literature, academia, memorials, internal policies, European Union and international politics, and much more. In this context, the question arises as to why Germany is, on the one hand, committed to the Middle East peace process (it is

Jüdische Berliner*innen fordern das Recht auf Erinnerung - AUCH FÜR PALÄSTINENSER*INNEN!

DEUTSCH

In den letzten Wochen hat die Berliner Polizei mehrere palästinensische Veranstaltungen verboten, die an die Nakba erinnern sollen. Diese repressive Politik schützt uns nicht. Nur Solidarität ist der Weg nach vorne. Wir werden als jüdische Berliner*innen ein Zeichen setzen: gegen antipalästinensischen Rassismus und für Gerechtigkeit und Frieden für alle Menschen in Israel-Palästina zwischen dem Meer und dem Fluss! Die Forderung nach Gleichheit ist **NICHT** antisemitisch - Jüd*innen für Rassismus und autoritäre Politik zu instrumentalisieren aber schon!

ENGLISH

Jewish Berliners demand the right of remembrance - also for Palestinians!

In the past few weeks the Berlin police has banned several Palestinian-organized events commemorating the Nakba. Repressive policies of this kind do not protect us.

Only solidarity is the way forward. As Jewish Berliners we will take a stand against anti-Palestinian racism and for justice and peace for all people in Israel-Palestine between the river and the sea. Demanding equality is **NOT** antisemitic - exploiting Jews for racism and authoritarian politics is!

According to German official statistics, about 200,000 Palestinians live in Germany, 45,000 of them in Berlin. This data seems to be inaccurate, however, as according to the community itself, 70,000 to 80,000 Palestinians live in Berlin, and the entire community of Palestinians in Germany most probably numbers about 300,000 or even more. This discrepancy stems from the fact that

third-generation immigrants are Germans. Moreover, we must add those who have arrived from Syria since 2015 and others who have been classified as Jordanians, Iraqis, or Yemenis even though they are Palestinians who received passports from these countries for various reasons. Consequently, a large number of Palestinians in Germany are not classified or registered as such.

The community is diverse, concentrated mainly in Berlin, and does not reflect the “usual” Palestinian expatriate communities that are marked by a high level of education. One of the reasons is that upon their arrival in Germany in the 1970s and 1980s, they were denied school access due to their status at the time: *Duldung*, which meant that they were merely allowed to stay, without any efforts being made to promote their integration. This policy changed shortly thereafter, but it has influenced the community’s level of education.

In recent years, a new generation of activists and defenders of Palestinian rights has emerged. They are fluent in German and know how the country functions. Their activities are not limited to participating in demonstrations or political events but have become part of their professional roles as lawyers, artists, youth coordinators, and organizers of summer camps and cultural events that focus on art, literature, or cinema and that are frequently held in cooperation with German, Kurdish, and Jewish anti-Zionist organizations. Organizing “classical” advocacy activities has become increasingly difficult due to the continuously shrinking space and the tight follow-up by the police that employs measures such as filming demonstrators, fining demonstrators and bystanders,^v charging them in courts, and closely observing the diverse social media channels.

Most crucial, however, is the influence exerted by Israel and its friends and lobby. It shapes the perception and treatment of Palestinians and of those who try to raise awareness of violations of Palestinians rights. Germany has been a strong partner in these efforts. According to the German Foreign Office, the bilateral relations between Israel and Germany are strong and unique (see pullout box). The German Foreign



Office’s statement on the new chapter of bilateral relations is central because the close intergovernmental cooperation not only overlaps with German political interest but also has paved the way for Germany to neglect efforts to support peace between Israel and Palestine (by recognizing that both sides have the right to exist), as it chooses to be biased towards Israel instead.

Nobody speaks about the fact that the Luxembourg Agreement, in which Germany agreed to reparation payments that included financing the integration of half a million Holocaust survivors in Israel and individual payments to Nazi victims, paved the way not only for the reintegration of the post-WWII Federal German Republic into the international community (these efforts were led by the United States that to this day is considered a strong ally by Germany) but also for the establishment of bilateral relations between Germany and Israel. (No nation, however, is taking the lead in pressuring Israel to acknowledge the hardship it caused during the *Nakba* or to heed UN Resolution 194 that calls for the return of the refugees.)

The legal situation of activities related to the advocacy of Palestinian rights and BDS bans:

According to one of the lawyers who defends banned Palestinian groups and individuals in court, 26 of the 30 cases that have been decided since 2016 have been won by these groups and individuals. German law grants freedom of expression, which is why BDS, criticism of Israel, and anti-Zionism are not illegal – but anti-Semitism is. Thus, claims and accusations of anti-Semitism raised against individuals and organizations could not be proven in these courts, and the bans were not in accordance with German law. Unfortunately, the news of such bans or accusations of anti-Semitism are widespread – but much less is known about the consequent legal procedures and their results.^{vi}

Yet the decades-long unconditional support for Israel and the readiness to turn a blind eye to its human rights violations is crumbling worldwide and also among the German public. The disappointing developments following the signing of the Oslo Accords and the second Intifada (2000 to 2002) severely damaged Israel’s image in Germany and Europe in general, as reflected in an opinion poll conducted in 2003 by the European Union, in which 65 percent of German respondents considered Israel a threat to world peace, which “shocked the political establishment” in both Germany and Israel. Critics point out, however, that a more careful wording – replacing “Israel” with “the Middle East conflict, for example” – might have led to more nuanced results.^{vii}

As Israel has faced severe criticism of its policies in the occupied Palestinian territories among the German, European, and international public, Israel and its allies have been very much aware that it is difficult, if not impossible, to diminish or silence these voices as long as Israel persists in its policies towards the Palestinians that escalate violence

through the expansion of settlements, the imposition of restrictions on the internationally recognized Palestinian rights, and the ongoing killing of civilians. While successive right-wing Israeli governments have not only refused to revise longstanding discriminatory and violent practices but rather have also escalated their policies towards the Palestinians, showing no intentions of aligning them with international law, there has been increased solidarity with legitimate civic nonviolent movements that call for a boycott of Israel on various levels, which clearly increases the pressure on Israel.

Israel’s escape strategy from this increasing pressure over the past years has been a general foreign policy that covers several aspects. (1) It works on busting the Boycott, Divestment and Sanctions (BDS) movement, both at a high political level and secretly, through a special unit at the Israeli foreign ministry, as reported by *Haaretz*.^{viii} (2) It engages to restructure international solidarity with Palestine, mainly in Africa. For example, Israel was granted observer status at the African Union in the summer of 2021.^{ix}

Countries and governments that had been key supporters of Palestinian rights shifted in the best cases to “neutral” or chose to clearly support Israel. (3) Israel works to change public opinion regarding the support of Palestinian rights in Europe, where Germany, due to its historical responsibility and readiness to grant unconditional support to Israel, presents the smoothest ground to implement this strategy. To shift the public opinion focus away from criticism of Israel’s oppression of the Palestinians, Israel and its lobby transform any call for the Palestinian right to exist as an independent state into a refusal to acknowledge Israel’s right to exist. This is not only deliberately erroneous, it also contradicts the decades-long lip service to the two-state solution.

It is important to note that there is a clear academic, political, and practical separation between anti-Zionism, legitimate criticism of Israel, and anti-Semitism^x – because not all Jews are Israelis, nor are they all Zionists or adherents to the Zionist perspective, as clearly declared by Jewish Voice for Peace (among others): “Jewish Voice for Peace is guided by a vision of justice, equality and freedom for all people. We unequivocally oppose Zionism because it is counter to those ideals.”^{xi}

As Israel’s strong ally, Germany consistently attempts to paint as anti-Semitic any criticism of Israeli policies and practices towards Palestinians, anti-Zionism, or BDS. This lack of distinction has found expression at the highest possible official political level, the Bundestag (German Parliament) that in May 2019 adopted a motion that defines boycotts of Israel as a form of anti-Semitism.^{xii} It thereby attempts to define, wrongly yet intentionally, criticism of Israel’s policies and actions as a denial of Israel’s right to exist, and instead redefines and criminalizes advocacy for internationally acknowledged and recognized Palestinian rights as anti-Semitism.

In reaction to the Bundestag’s motion, a petition was issued on June 3, 2019, by 240 Jewish and Israeli scholars, many of whom are specialized in anti-Semitism, Jewish history, and the history of the Holocaust. They sounded the alarm over the growing tendency to label supporters of Palestinian human rights as anti-Semitic.^{xiii} Peter Schäfer, a renowned Judaism scholar and the director of the Berlin Jewish Museum, tweeted on the museum’s website that an article on the petition in the left-wing publication *taz* was “a must-read.” Among the resulting backlash was a comment by Josef Schuster, the head of the Central Council of Jews in Germany, who slammed the museum by stating, “The Berlin Jewish Museum seems to be completely out of control. Under these conditions, one has to wonder whether the term ‘Jewish’ is still appropriate.” The Israeli ambassador to Germany, Jeremy Issacharoff, called the museum’s drawing attention to the petition “shameful.” The petition was met with general questioning and rejection, and Peter Schäfer was forced to resign from his post.^{xiv}

Other bans and restrictions of projects by artists and activists followed, such as the abrupt withdrawal of funding for a program initiated by Jewish-Israeli artists and scholars who seek to challenge the Zionist narrative on which they grew up through a program titled “The School for Unlearning Zionism,” offered at Weissensee Art Academy in Berlin.^{xv} By adopting this definition of anti-Semitism, Germany and its democratic apparatus have chosen to be anti-democratic because not only does the application of this definition stigmatize criticism of Israel and anti-Zionism, it also attempts to criminalize any advocacy of Palestine’s right to exist as a state equally and side by side with Israel. Furthermore, it interdicts the Palestinians’ right to commemorate, remember, and mourn the *Nakba* and the ongoing oppression.



Members of Jewish Voices for a Just Peace regularly join Palestinians and other activists in demonstrations against the occupation. May 20, 2023, in Berlin. Photo courtesy of Jewish Voices for a Just Peace.

A new chapter of German-Israeli relations:

“Germany has a unique relationship with Israel. This stems from Germany’s responsibility for the Shoah, the systematic genocide of six million European Jews under National Socialism. Since diplomatic relations were established between Germany and Israel on 12 May 1965, the relationship between the two countries has continuously been deepened and grown stronger, both at the official level and in the sphere of civil society. A new chapter in bilateral relations was opened with the establishment in 2008 of German-Israeli intergovernmental consultations. In October of 2018, the cabinets of both countries met for what was already their seventh round of consultations.

The unique nature of German-Israeli relations is a cornerstone of German foreign policy. Germany is an advocate of the State of Israel’s right to exist. As an active partner in the EU, Germany supports peace efforts in the Middle East. In the United Nations, Germany is an advocate for fair treatment of the parties to the Middle East conflict.

[...] Ever since the Luxembourg Agreement of 1952 (payment of some 1.53 billion euros), the question of reparations has been an important political issue in relations between the State of Israel and the Federal Republic of Germany. So far, Germany has paid more than 80 billion euros in reparations (2021), including approximately 29 billion that have been paid to victims of Nazi persecution living in Israel.” German Federal Foreign Office, 2008



A demonstration by Jüdische Stimmen für einen gerechten Frieden (Jewish Voices for a Just Peace) on May 20, 2023, in Berlin. Photo courtesy of Jewish Voices for a Just Peace.

As Germany aims to show solidarity with Israel, the state dictates, makes decisions about, and controls public opinion. Thereby it firstly restricts not only Palestinians but also Jews and others in their advocacy for Palestinian rights, as they are instructed on how, and how not, to deal with Israel. Criticism of Israel is prohibited, and Israel-critical Jews and non-Jews are stigmatized as anti-Semitic. Actually, German Jews and Jews of other nationalities who live in Germany have highlighted that those who have a clearly critical opinion towards Israel face “a witch hunt.”^{xvi}

Secondly, as the label anti-Semitism is hijacked and redefined by expanding its scope to include criticism of Israel and anti-Zionism, the German government has declared a monopoly on deciding who to label as anti-Semitic. As a consequence, all persons, slogans, actions, writings, films, art, and intellectual discussions that criticize Israel, call for Palestinian rights, or discuss the Palestinian perspective are deemed anti-Semitic. Even the slogan “Free Palestine” has been redefined as anti-Semitic!

This redefinition of the term anti-Semitic is reflected also in statistics of the Federal Ministry of the Interior and Community (BMI). According to the ministry’s annual report for the year 2022, published in May 2023, 2.5 percent (67 out of 2,641) of the perpetrated anti-Semitic violations were due to “foreign ideology” (some of

which might be pro-Palestine activities), and 82.7 percent were due to right-wing radicalism.^{xvii} Pro-Palestinian activities, Palestine-solidarity actions, and even such activities by Jewish groups are restricted, demonstrations are banned, and individuals are targeted – while the German state is struggling with neo-Nazis and right-wing extremists, and right-wing parties are gaining ground in German politics and state parliaments. Unbalanced attention is given to criticism of Israel, when Germany should deal with its growing right-wing movement. The mainstream German press has decided to drop its role of being the fourth power that observes the legislative, judicial, and executive authorities, criticizing and adjusting them. Instead, it stands shoulder to shoulder with the official stand of the state, labeling any call for Palestinian rights as anti-Semitic.

The German state has chosen to control public opinion, to assign anti-Semitism – considered as the most despicable ideology by German collective and individual consciousness and subconsciousness – to the Palestinians. Germany pretends to engage in a noble fight to support Israel by shifting and assigning anti-Semitism to Palestinians. Thus, in the attempt to whitewash its historic guilt, Germany limits criticism of Israel. Palestinians seem to remind Germany of the fact that the German historical responsibility has not been

wiped away. But amends to Israel cannot be made by expressing solidarity with the Jewish people and banning solidarity with another people, nor by defending Israel and its right to exist and ignoring Palestinian (human) rights, or by banning any action and activity that criticizes Israel. The Holocaust and its aftermath have caused more wounds and carry further historical consequences and responsibilities that came with the establishment of the State of Israel. The wounds that Germans carry due to their historical guilt are not healed by financially supporting the Palestinian Authority while morally dropping the Palestinians and their rights. Instead, Palestinian wounds

are opened by each prohibition of the call for Palestinian rights. Germany, free Palestine from your guilt!

Pippi von Neuschtetl lives in Germany.

Further recommended reading: Hashem Abushama, “Encountering Palestine in Berlin: Why does Europe selectively remember its victims?” Institute for Palestine Studies, May 1, 2023, available at <https://www.palestine-studies.org/en/node/1653851>.



ⁱ This is the slogan used by the solidarity group Palestine Speaks. It is available for all to use. <https://twitter.com/JSNahost/status/165999138249111425?s=20>

ⁱⁱ Recent posts and updates of Jewish Voice for Peace can be viewed on their Twitter account at

ⁱⁱⁱ Dan Diner, Seyla Benhabib, and Susanne Hoppmann-Löwenthal, *Zivilisationsbruch: Denken nach Auschwitz*, Frankfurt am Main: Fischer-Taschenbuch-Verlag, 1988.

^{iv} While the term *Zivilisationsbruch* has traditionally been used to describe the Holocaust (for example, in the commemorations that take place yearly on November 9), with Russia’s invasion of Ukraine, it has been used beyond.

^v Wael Eskander, “Auf ein Eis mit der Berliner Polizei” (Having ice cream with the Berlin Police), *Dis:Orient*, July 28, 2022, available at <https://www.disorient.de/magazin/auf-ein-eis-mit-der-berliner-polizei>.

^{vi} “Germany and Israel: Bilateral Relations,” German Federal Foreign Office, February 2023, available at <https://shorturl.at/behIV>.

^{vii} Muriel Asseburg, “German Israeli Relations: Achievements and Challenges for the Future,” German Institute for International and Security Affairs, June 2005, available at <https://shorturl.at/vJSW8>.

^{viii} Uri Blau, “Inside the Clandestine World of Israel’s ‘BDS-busting’ Ministry,” *Haaretz*, May 26, 2017, available at <https://shorturl.at/hruG5>.

^{ix} Dr. Ramzy Baroud, “Colonialism and solidarity define the decisive Israel-Palestine battle in Africa,” *Middle East Monitor*, August 23, 2021, available at <https://shorturl.at/uDS25>.

^x Peter Beinart, “Debunking the myth that anti-Zionism is antisemitic,” *The Guardian*, March 7, 2019, available at <https://www.theguardian.com/news/2019/mar/07/debunking-myth-that-anti-zionism-is-antisemitic>.

^{xi} Melanie Kaye/Kantrowitz, “Solidarity is the political version of love,” *Jewish Voice for Peace*, no date, available at <https://www.jewishvoiceforpeace.org/zionism/>.

^{xii} Bundestag verurteilt Boykottaufrufe gegen Israel (Bundestag denounces calls to boycott Israel), Bundestag, May 2019, available at <https://www.bundestag.de/dokumente/textarchiv/2019/kw20-de-bds-642892>.

^{xiii} “Call to the German Government by 240 Jewish and Israeli Scholars: Do not equate ‘BDS’ with anti-Semitism,” June 3, 2019, available on Scribd at <https://shorturl.at/klU45>.

^{xiv} Noa Landau, “Berlin Jewish Museum Director Resigns After Tweet Supporting BDS Freedom of Speech,” *Haaretz*, June 14, 2019, available at <https://shorturl.at/inAE8>, see also: Ben Sales, “Director of Berlin Jewish Museum resigns over tweet linking pro-BDS story,” *Jewish Telegraphic Agency*, June 14, 2019, available at <https://shorturl.at/plQVY>.

^{xv} Mairav Zonszein, “Berlin art college withdraws funding to Israelis seeking to unlearn Zionism,” +972 Magazine, October 21, 2020, available at <https://www.972mag.com/zionism-germany-antisemitism/>.

^{xvi} Itay Mashiach, “In Germany, a Witch Hunt is Raging Against Critics of Israel. Cultural Leaders Have Had Enough,” *Haaretz*, December 10, 2020, available at <https://shorturl.at/eiqvL>.

^{xvii} Bundeskriminalamt, “Politisch motivierte Kriminalität im Jahr 2020” (Politically motivated criminal acts in the year of 2020), Federal Ministry of the Interior and the Homeland, April 21, 2023, available at <https://shorturl.at/goGOS>, p11.