

Police can't distinguish Reich from wrong, complain liberals

Germany

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If anyone is unsure what the columnist Rainer Zitelmann makes of Adolf Hitler, they need only to read the blurbs of his books on Nazi economic doctrine.

As well as calling Hitler “one of the greatest criminals in human history”, Zitelmann argues that the dictator was a fervent anti-capitalist who opposed everything that had made the West pleasant and prosperous.

This appears to have been lost on the Berlin police, who have put the writer under criminal investigation for republishing a tweet noting similarities between President Putin and Hitler.

The offending detail — a swastika armband in the image of Hitler — supposedly violated a postwar law that prohibits the use of slogans and symbols associated with the Nazis and other “anti-constitutional” groups that are banned in Germany.

Zitelmann, 68, is the third prominent commentator investigated under this

law in the past five months in what he and other critics have characterised as a crackdown on free speech that crosses into absurdity. “Until a few years ago, the left tried to bring down liberals and conservatives with so-called cancel culture,” he said. “It is now being done through open repression.”

For many years, the rules determining what people could and could not say in public drew little attention outside Germany. That changed a year ago when JD Vance, the US vice-president, condemned the heavy-handed use of hate speech laws in a tirade at the Munich Security Conference.

Zitelmann, who emphatically rejects right-wing extremism and authoritarianism, believes Vance had a point.

“The climate has changed,” he said. “Numerous surveys in Germany show that more and more people feel they can no longer express their opinions openly. In the past, people were simply afraid of being defamed as right-wing extremists, but today they fear that the police might show up at their door.”

Prosecutions have risen sharply over the past few years. Last year the police investigated 6,246 cases of alleged verbal abuse against politicians under section 188 of the criminal code, which provides for prison sentences of up to five years. They raided the homes of a man who called Hamburg’s state interior minister a “willy” and another who called a minister a dunderhead. Last month, police opened a case against a pensioner who described Friedrich Merz, the chancellor, as Pinocchio.

The Zitelmann case has thrown the spotlight on section 86a of the code. This was designed to stamp out the glorification of Nazism and other banned groups, such as Hamas, but it is increasingly weaponised against individuals by their political opponents.

The number of convictions for “propaganda offences”, including under section 86a, rose by 57 per cent in 2024 alone, from 19,905 to 31,229.

Last October, Norbert Bolz, 72, a media studies scholar and right-wing commentator, was visited by police at

his home in Berlin and questioned about a tweet in which he mocked a left-wing newspaper by quoting the Nazi propaganda slogan *Deutschland, erwache* (Germany, awake).

Last week, it emerged that Jan Fleischhauer, a mainstream conservative writer, was under investigation for jokingly using the same phrase in a podcast discussion about the new youth wing of the hard-right Alternative for Germany party. Yesterday the case was closed and Fleischhauer, 63, was exonerated.

Zitelmann retweeted a post that likened Putin’s insistence that his expansionism would stop at Ukraine to Hitler’s promise that his ambitions would be sated with the annexation of Czechoslovakia in 1938.

The law allows journalists, historians and others to use Nazi symbols in analysing historical or current events, especially when it is clear that they want nothing to do with Nazism. It is not clear why the Berlin police did not apply this exemption to Zitelmann.