

*Das wird man ja wohl noch kritisieren dürfen!*

**Freedom of Speech and Freedom of Criticism in Germany,  
or Why the Jews Are to Blame for the AfD**

In May 2017, Humboldt University history professor Jörg Baberowski gave an interview to the Swiss daily newspaper *Neue Zürcher Zeitung* (NZZ), in which he complained about a presumed leftist cultural hegemony in Germany. ‘The coordinates have shifted in the last decades’, he argued. ‘Who would nowadays dare to publicly identify as politically right? A rightist is considered something like a child molester. Today, the term is mostly used in a defamatory way in order to exclude discussants of a different opinion from the democratic discourse.’ In public discussions, he said, all contributions conformed to a predetermined political correctness – as if produced automatically:

You are of course free to switch off your speech device. [...] When everybody else is speaking in prescribed words, just say exactly the opposite as soon as questions of migration, refugees, Trump, gender, or the green ideology come up. What will happen? Nobody will tell you that your argument is implausible. Instead, everybody will awkwardly look at the ground and pretend to not have heard you at best. Nobody will consider your objection worthy of discussion. The message is clear: You don’t say “such a thing” [*so etwas*] – and if you do, you risk to be excluded from the discourse.<sup>1</sup>

Baberowski, of course, was not describing an abstract concept: rather, he was referring to his own experience. He had himself committed sacrilege by publicly declaring his views on certain aspects of Soviet and German history, on politics, and most notably on Merkel’s refugee policy – views that, according to Baberowski, were fundamentally different from mainstream public opinion. But instead of being ignored, Baberowski’s statements were met with criti-

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<sup>1</sup> ""Die Linke macht den Menschen wieder zum Gefangenen seines Stands"", in *Neue Zürcher Zeitung* (20.05.2017).

cism. The longer this conflict lasted, the more fatalistic his reaction to his critics became. Eventually, Baberowski declared that the resistance he faced was proof that he had broken taboos.

## I.

All societies, all spaces of public communication are subject to a set of unwritten rules and boundaries – tacitly accepted by all participants – that qualify content and form of any contribution to the respective forum. Put simply, this underlying code is generally referred to as a discourse. No communication is possible outside of the discourse: to be precise, no communication is possible at all without a discourse setting the rules of the game. What Baberowski and others have criticised in Germany is not merely existence of these rules. Rather, they have argued that the German discourse is unnecessarily narrow and therefore precludes a broad spectrum of views that under more normal circumstances should have been allowed to be expressed. They have seen criticism – at times strongly-worded – of their own opinions as proof of their view; eventually, they have based their own arguments on a real or imagined criticism – in other words, censorship – of these very ideas.

In this essay I argue that there is a tendency in present-day German society to legitimise any contribution to a contentious debate precisely on the grounds of the criticism it encounters. This goes especially for supposedly simple truths that appear to be radically obvious yet deviate from mainstream approaches to an issue, usually put into words to the effect of the notorious (and untranslatable) phrase *das wird man ja wohl noch sagen dürfen*. This tendency to internalise criticism as an integral component of an argument is a feature that is particularly strong in Germany today, and its success shows that many Germans believe there is a discrepancy between what is true and what is allowed. I argue that the fallacious assumption that criticism in fact only validates an idea is a dangerous limitation to the freedom of criticism and thus itself infringes on the freedom of speech.

True, populism and self-proclaimed attitudes of breaking taboos, part of an alleged political correctness imposed by ivory tower elites who are said to have lost any connection to the “real people”, have been on the rise across Western countries for years and reached an impressive climax, for the time being, in the Brexit referendum and the election of Donald Trump as president of the United States. However, I believe that for historical reasons, the roots of a widespread belief in the existence of taboos date particularly far back in Germany; hence, the political potential of an alternative, taboo-breaching discourse in German society is more pervasive than it may currently seem.

The political landscape of Germany has long been considered a deviation from the general trend, which has seen the emergence of modern populist right-wing parties across Western European post-industrial countries. There have been various attempts to explain this phenomenon; many have focused either on the relative economic prosperity of the formative years of post-war reconstruction in the 1950s or on the historical experience of Nazism: once prey to the temptations of populist promises, the Germans are now considered to have developed some sort of an immune resistance against a relapse.

While I will not question these explanations for what we see on a political level, I believe that they fail to address long-term social trends. The long absence of a political force like the Front National (FN) or the United Kingdom Independence Party (UKIP) from the Bundestag, as well as the relatively modest outcome of the Alternative für Deutschland (AfD) at the latest federal election in September 2017 compared to Marine Le Pen’s result at the French presidential elections five months earlier, are misleading. In fact, the discursive appeal of breaking a *Denkverbot* has long been widespread in German society, but for a long time, belief in a limited freedom of expression did not correlate with a particular political view: one could share a deep belief that some truths are taboo in Germany and still be a proud Social Democrat. This is the crucial point of the refugee crisis of 2015: for the first time in recent German history – comparable maybe to 1989/90 when some voices on the left opposed reuni-

fiction because the very thought conjured up a dark Nazi past – the day-to-day-politics and taboo politics actually overlapped and therefore required commitment to one of two discourses: the government “wir schaffen das” (*we can do it*) mantra, shared by all parties in the Bundestag and uncritically amplified by almost the entire media landscape, or the alternative line of thinking, primarily spread through social media and somewhat reminiscent of a conspiracy theory, of an entire society forced into line by liberal elites aiming to “abolish Germany”.

The engagement with the Nazi past does indeed fundamentally shape public discourse in Germany, but in a different way than usually assumed. I aim to show in this essay that the German debate on refugees and immigration is to a large extent informed by previous arguments on issues surrounding Jews and Israel. If the Holocaust is the original sin of modern Germany, then political correctness is inextricably linked to a widespread sense of forced eternal atonement. It is deeply ironic that the popular islamophobic blog *politically incorrect*, one of the oldest alternative social media platforms in Germany, proudly proclaims itself pro-Israeli. The ambivalence of the AfD about Israel and Jews was most notably illustrated by the failed attempt to exclude Wolfgang Gedeon, a deputy of the Baden-Württemberg state parliament with a strong antisemitic record, from the AfD parliamentary group in the summer of 2016.<sup>2</sup>

The question of whether or not, or to what extent, such *Denkverbote* actually exist in Germany is not central to this essay, and I certainly do not argue that public discourse in Germany is free of unnecessary constraints. What I am saying is that if anything, these limitations have long developed into a two-edged sword. Instead of keeping a discussion free of hate speech, for example, real or assumed restrictions are manipulated to legitimise opinions that otherwise would have been characterised as dubious at best. Free speech should remain an end in itself – it certainly should not serve as a means to vindicate hate speech.

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<sup>2</sup> "AfD-Chef Meuthen verlässt mit zwölf Abgeordneten Landtagsfraktion", in *Spiegel Online* (05.07.2016).

## II.

On the 3<sup>rd</sup> of October 2003, Martin Hohmann, a member of the Bundestag for the Christian Democratic Union (CDU), held a speech on the occasion of the German national holiday in his hometown Neuhoof in Hesse. He argued that an alleged defamation of Germans as a *Tätervolk* (“people of perpetrators”) after the Second World War had caused a lack of solidarity among Germans, and suggested that the bad conscience of Germans about the Nazi past had been exploited by others for political and financial interests. In order to refute the *Tätervolk* claim, he went on to expose at length ‘to what extent Jews had shaped the revolutionary movement in Russia and central Europe’ and had been involved in the most heinous crimes, quoting, among others, Henry Ford’s (deeply antisemitic) work “The International Jew”.

One might therefore label the Jews, with some good reason, as a *Tätervolk*. This may sound startling. It would, however, follow the same logic according to which Germans can be considered a *Tätervolk*.

However, as Hohmann pointed out, all of these Jewish Socialists had previously renounced their religion, just like the Nazis had been deeply antireligious. Therefore – according to Hohmann – neither Jews nor Germans could in fact be labelled as a *Tätervolk*; instead, the true people of perpetrators of the twentieth century had been the ‘godless and their godless ideologies’.<sup>3</sup>

None of the about 120 people in the audience showed any sign of objection, and Hohmann’s speech gained nationwide attention only after an online article four weeks later.<sup>4</sup> CDU chair Angela Merkel repudiated the ‘completely unacceptable and unbearable utterances’ in the strongest terms. Members of the government coalition of Social Democrats and

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<sup>3</sup> See <https://web.archive.org/web/20090504020222/http://www.tagesschau.de/inland/meldung229950.html> for the entire speech (last checked 30 December 2017).

<sup>4</sup> "MdB Martin Hohmann zum Nationalfeiertag: "Gerechtigkeit für Deutschland"", in *HaGalil* (27.10.2003), see <http://www.hagalil.com/archiv/2003/10/hohmann.htm> (last checked 07.01.2018); "Abgeordneter: Man könnte Juden "Tätervolk" nennen", in *Frankfurter Allgemeine Zeitung* (30.10.2003), 2.

Greens, but also some of Hohmann's fellow CDU deputies called upon him to resign his seat in the Bundestag. Paul Spiegel, president of the Central Council of Jews in Germany, accused Hohmann of the worst kind of antisemitism (*Griff in die unterste Schublade des Antisemitismus*) and announced to have his remarks checked for hate speech (*Volksverhetzung*).<sup>5</sup> Under massive pressure from his parliamentary group, Hohmann apologised for having offended feelings but did not withdraw his statements.<sup>6</sup> In an attempt to demonstrate the public endorsement he had received, Hohmann disclosed a confidential letter of support from the commander of the Special Forces of the Bundeswehr – who was promptly dismissed by the (social democratic) Minister of Defence.<sup>7</sup>

While the CDU leadership had initially rejected calls for further action, party chair Merkel eventually yielded to public pressure. Hohmann was excluded from his parliamentary group on 14 November after he had refused to leave voluntarily. One fifth of the CDU deputies did not follow their party leadership and voted against the motion; observers spoke of a pyrrhic victory for Merkel.<sup>8</sup> On 21 November, the Hessian branch of the CDU initiated expulsion proceedings against Hohmann. Two weeks earlier, at an event in the main synagogue of Frankfurt commemorating the anniversary of the 1938 *Kristallnacht* pogrom, dozens of attendees had left the venue in protest over Hohmann during Hessian Minister-President Roland Koch's speech.<sup>9</sup>

Still, the decision to expel Hohmann was met with irritation among many rank and file party members. Fellow party members of Hohmann's hometown Neuhof called the move 'completely incomprehensible and inexplicable'.<sup>10</sup> The mayor of Fulda, Hohmann's constituency, considered it a 'bad mistake'; other local politicians were enraged over the abruptness

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<sup>5</sup> "Empörung über Hohmann", in *Frankfurter Allgemeine Zeitung* (01.11.2003), 4.

<sup>6</sup> "Hohmann entschuldigt sich", in *Frankfurter Allgemeine Sonntagszeitung* (02.11.2003), 1.

<sup>7</sup> "Struck entläßt KSK-Kommandeur. "Ein verwirrter General"", in *Frankfurter Allgemeine Zeitung* (05.11.2003), 1.

<sup>8</sup> ""Merkels Kredit ist aufgebraucht"", in *Frankfurter Allgemeine Zeitung* (15.11.2003), 2.

<sup>9</sup> ""Für Hohmann darf es keine Bewährung geben"", in *Frankfurter Allgemeine Zeitung* (10.11.2003), 43.

<sup>10</sup> "Protest gegen Ausschluss", in *Frankfurter Rundschau* (24.11.2003), 15; "Unterstützung für Hohmann", in *Frankfurter Allgemeine Zeitung* (24.11.2003), 44.

of the policy reversal.<sup>11</sup> Two Hessian state deputies of the CDU criticised Merkel for, as they put it, succumbing to media pressure.<sup>12</sup> Only on the second attempt did the deputies of the state parliament of Hesse manage to formulate a statement condemning Hohmann, as several CDU deputies had originally objected to characterising his speech antisemitic.<sup>13</sup>

Discontent over the expulsion was particularly strong in Hesse, long known as a stronghold of national conservatism. Hohmann's political mentor Alfred Dregger had attacked US politicians at the height of the 1985 Bitburg controversy for trying to discourage President Reagan from making a visit to a cemetery that contained graves of Waffen-SS men, and was a staunch critic of the *Wehrmachtausstellung*, an exhibition exposing the complicity of the German army in Nazi crimes. Hohmann himself, who had inherited the Fulda constituency from Dregger in 1998 and defended his seat with a nationwide record of 54 percent in 2002, was considered right-wing by many of his party even against that background.<sup>14</sup> Accordingly, many commentators interpreted the resistance against Merkel's decision as a last stand of the formerly influential national conservatives of the CDU.<sup>15</sup>

Criticism was not confined to Hesse, however. Many considered Hohmann's expulsion an infringement of free speech; moreover, some felt that he had in fact been right. A Recklinghausen councilman displayed parts of the speech in his local office, adding that one was apparently not allowed 'to speak the truth anymore'.<sup>16</sup> In the light of the widespread condemnation of Hohmann's speech, a councilman from Baden-Württemberg said that there were 'only cowards left in Germany' who were 'too afraid of the Jews and the Americans to hear the truth' and claimed that 'Mr Friedman and his accomplices' tried to 'maintain the feeling

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<sup>11</sup> "Verärgerung in der CDU über Merkels Kurswechsel", in *Frankfurter Allgemeine Zeitung* (12.11.2003), 45.

<sup>12</sup> "Thümler distanziert sich von Hohmanns Rede", in *Frankfurter Allgemeine Zeitung* (19.11.2003), 1.

<sup>13</sup> "Am Ende hob auch Irmer die Hand", in *Frankfurter Rundschau* (28.11.2003); "Landtag rügt Hohmann-Rede", in *Frankfurter Allgemeine Zeitung* (28.11.2003), 49.

<sup>14</sup> "Hohmanns Heimat", in *Die Welt* (14.11.2003); "Lupenreiner Goebbels", in *Der Stern* (09.12.2003).

<sup>15</sup> "Die neuen Grenzen der Konservativen", in *Die Tageszeitung* (15.11.2003), 1; "Der Fall Hohmann", in *Frankfurter Allgemeine Zeitung* (12.11.2003), 1.

<sup>16</sup> ""Eine Dummheit"", in *Frankfurter Allgemeine Zeitung* (20.11.2003), 4.

of guilt' among Germans 'out of sheer greed'.<sup>17</sup> At the nationwide CDU party congress in early December, a delegate from North Rhine-Westphalia began singing the popular German resistance song "Die Gedanken sind frei" (*Thoughts Are Free*).<sup>18</sup> CDU member of the Bundestag and former GDR civil rights activist Vera Lengsfeld complained about a 'witch hunt'.<sup>19</sup> Anonymous party members were quoted saying 'what sort of democracy is this if Hohmann's life is destroyed just because he voiced his opinion' and that 'this constant kow-towing has to stop'.<sup>20</sup> Not only Christian Democrats agreed with Hohmann: In Lower Saxony, an SPD member found 'this penitent attitude towards Jews annoying'.<sup>21</sup>

The affair soon turned into a vivid debate carried out through op-eds and letters to the editor. Many readers wrote they could not find anything antisemitic in Hohmann's speech, or that he had simply articulated a well-known truth.<sup>22</sup> Konrad Adam, a conservative journalist who would become one of the founding chairmen of the AfD ten years later, called the case a mixture of 'prejudice and naivety, blindness for history [*Geschichtsblindheit*] and a lack of instinct, and [...] even stupidity' and criticised the expulsion. Similarly, Alexander Gauland – then a journalist and today co-chair of the AfD – argued that the speech was erroneous and 'extremely ambiguous but not antisemitic'.<sup>23</sup> Hohmann himself insisted on having been misquoted: had not his key message been that neither Germans nor Jews could be labelled as

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<sup>17</sup> "Lupenreiner Goebbels", in *Der Stern* (09.12.2003). Michel Friedman had been Vice President of the Council of Jews in Germany until June 2003, when he was convicted of substance abuse and his involvement in a case of forced prostitution became public. In 2002, he had accused an FDP state legislator of antisemitism after the latter had compared Israel to Nazi Germany. In turn, leading FDP politician Jürgen Möllemann attacked Friedman for, as he put it, promoting antisemitism 'through his intolerant and spiteful manner'. Möllemann was subsequently criticised by politicians of various parties for reaffirming the antisemitic cliché of Jews being responsible for antisemitism. A few months later, he had a leaflet printed attacking Friedman and Israeli prime minister Ariel Sharon. When it became apparent that the leaflet had been funded by illegal financial means, Möllemann's party initiated expulsion proceedings against him. On 5 June 2003, the very day the Bundestag lifted his parliamentary immunity to allow for further investigation, Möllemann died in a parachuting accident.

<sup>18</sup> "Eklat bei Debatte über Hohmann-Ausschluss", in *Spiegel Online* (01.12.2003).

<sup>19</sup> "Lengsfeld: Treibjagd gegen Hohmann", in *Frankfurter Allgemeine Zeitung* (20.12.2003), 2; "Vera Lengsfeld verteidigt Hohmann", in *Der Spiegel* (19.12.2003).

<sup>20</sup> "'An der CDU-Basis ist die Hölle los'", in *Frankfurter Allgemeine Zeitung* (14.11.2003), 3.

<sup>21</sup> "Hohmänner in der SPD", in *Die Tageszeitung* (17.11.2003), 24

<sup>22</sup> "Entrüstungswelle ausgelöst", in *Focus*, 24.11.2003; "Unbefangen", in *Frankfurter Allgemeine Zeitung* (23.11.2003), 10; "Es gibt auch Tatsachen", in *Frankfurter Allgemeine Zeitung* (12.11.2003), 23.

<sup>23</sup> "Vom Recht auf Dummheit", in *Die Welt* (17.11.2003), 8; "Für wen spricht Martin Hohmann?", in *Frankfurter Allgemeine Sonntagszeitung* (09.11.2003), 3.



*Tätervölker?*<sup>24</sup> Some readers accused the media – and Merkel personally – of deliberately distorting the original speech which, ‘unsurprisingly, can hardly be found online anymore’.<sup>25</sup>

To most commentators, the issue at stake was free speech. One reader attacked the CDU leadership for ‘ostracising a courageous man who had the nerve to broach a subject as delicate as this’.<sup>26</sup> Another feared that

In future, it will not be allowed to bring up crimes of left-wing perpetrators. [...] It is against “political correctness” to point to the common root of totalitarian ideologies. [...] This is what Hohmann did, this is how he became an antisemite and a fundamentalist. With his expulsion, freedom of expression is repealed. Historical truths must not be mentioned anymore. Who will be the next victim of the self-proclaimed censors of opinion (*Meinungswächter*)?<sup>27</sup>

Other readers juxtaposed the way Hohmann – and Möllemann before – had been treated to the allegedly greater liberties politicians on the left, as well as Jewish community functionary and ‘media darling with a criminal record’ Michel Friedman,<sup>28</sup> enjoyed.

Whoever tries to pluralise society and at the same time limits free speech to the narrow filter of political correctness [...] is dangerously stupid. If you establish new taboos and bans on particular topics, you risk emotional reactions and eruptions attempting to break these taboos.<sup>29</sup>

One local independent politician of Bad Homburg wrote to a newspaper that ‘one must be able to say one’s opinion without immediately being accused of antisemitism.’ Another complained that

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<sup>24</sup> "Merkel und Hohmann rechtfertigen sich", in *Frankfurter Allgemeine Zeitung* (13.11.2003), 4.

<sup>25</sup> "Beurteilung des Wahrheitsgehalts", in *Frankfurter Allgemeine Zeitung* (28.11.2003), 9.

<sup>26</sup> "Unfair", in *Frankfurter Allgemeine Zeitung* (14.11.2003), 11.

<sup>27</sup> "Gegen Kollektivurteile", in *Frankfurter Allgemeine Zeitung* (28.11.2003), 9.

<sup>28</sup> See footnote 17.

<sup>29</sup> "Geistig-moralische Defizite", in *Frankfurter Allgemeine Zeitung* (28.11.2003), 9. The same reader also suggested that ‘Möllemann had already been clobbered for suggesting that Michel Friedman’s demeanour would increase, rather than reduce, the remnants of scepticism about organised Jewry’ (*teilweise noch vorhandene Skepsis gegenüber dem organisierten Judentum*).

the *Antisemitismuskeule* [antisemitism libel, literally “antisemitism cudgel”] strikes again – because a member of the parliament made some ambiguous remarks about a topic that is subject to “political correctness”. [...] Quo vadis, Germany?<sup>30</sup>

Even those who condemned Hohmann’s speech on principle suggested that the underlying problem related to form, not to content. Karl Lehmann, Chairman of the Conference of the German Bishops, argued that the public debate had been flawed and warned against scapegoating Hohmann.<sup>31</sup> Berthold Kohler, editor of the *Frankfurter Allgemeine Zeitung* (F.A.Z.), agreed that Hohmann had to be expelled but criticised the ‘inevitability’ (*das Automatenhafte*) of the process. Kohler, too, implicitly blamed political correctness when he wrote that Hohmann ‘had crossed lines that must not be crossed in Germany’; he also cautioned against ‘ritualising’ the accusation of antisemitism:

Only one charge is even more powerful in a political argument in Germany than that of right-wing extremism: once issued, the verdict “antisemitic” is very difficult to refute.

Other journalists took issue with the way Angela Merkel had changed her mind, giving way to pressure from the Social Democrats and Greens.<sup>32</sup> Patrick Bahners, liberal poster boy of the F.A.Z. arts section, argued that Hohmann had been punished not for his views but for refusing to renounce them.<sup>33</sup> Volker Zastrow found fault with the technicality that Hohmann had been excluded from his parliamentary group before getting a fair hearing as part of the party expulsion proceedings.<sup>34</sup>

On 11 December, six weeks after the first reports about the scandalous speech, the Bundestag passed a resolution condemning antisemitism – unanimously. Hohmann was absent. The affair constituted a watershed in public history of post-unification Germany – for several reasons. For the first time, as the director of the Center for Research on Antisemitism

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<sup>30</sup> "Leserbrief Hamers spaltet den Magistrat", in *Frankfurter Allgemeine Zeitung* (13.11.2003), 59.

<sup>31</sup> "CDU beantragt Parteiausschluß Hohmanns", in *Frankfurter Allgemeine Zeitung* (22.11.2003), 1.

<sup>32</sup> "Der Prozeß", in *Frankfurter Allgemeine Zeitung* (11.11.2003), 1.

<sup>33</sup> "Ohne Worte", in *Frankfurter Allgemeine Zeitung* (12.11.2003), 37.

<sup>34</sup> "Die unbeachtliche Frage", in *Frankfurter Allgemeine Zeitung* (14.11.2003), 12.

Wolfgang Benz put it, ‘a delegate of a democratic party presented a fully cohesive antisemitic discourse’. So far, there had been individual gaffes and isolated instances of prejudice against Jews, but not an entire speech ‘based on an extensive study of literature and lasting half an hour’.<sup>35</sup> The Hohmann affair was also shaped by a widespread perception of a discrepancy between decision-making elites and the party base.<sup>36</sup> For many rank and file conservatives, seeing their interests so clearly overlooked by bossy (!) Angela Merkel was a formative experience that laid the foundation for their objection to her refugee policy in 2015. Of course, there was much to complain about in the quality of the debate; only few commentators actually tackled the problematic content of the speech (one of them being Jörg Baberowski<sup>37</sup>) – but neither did any of those who defended Hohmann. Instead, and this is crucial, the defendant’s plea was entirely based on the criticism the speech received. Hohmann broke a taboo that he had announced in advance: In his speech, he – a member of the Bundestag! – accused the elites, the ‘political class and academy currently dominating in Germany’, of preventing an objective revaluation of history ‘by all means’.

He who does not immediately accept the established distribution of roles – the Germans being the most guilty of all times, all other nations being morally superior – will run into serious difficulties.

In fact, the alleged *Tätervolk* accusation against the Germans as such, the point of departure of the entire speech, has hardly ever been made.<sup>38</sup> Hohmann simply made it up – ‘in spite of all contrary assertions that there is no collective guilt’, as he admitted. He introduced the second part of his speech, which expounded upon what he considered Jewish participation in socialist revolutions in inter-war Europe, by asking ‘a provocative question’ and predicting to his audi-

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<sup>35</sup> "Für wen spricht Martin Hohmann?", in *Frankfurter Allgemeine Sonntagszeitung* (09.11.2003), 3. See also "Das Bedürfnis nach Entlastung", in *Frankfurter Rundschau* (27.11.2003), 8.

<sup>36</sup> "Unter der Käseglocke", in *Frankfurter Allgemeine Zeitung* (27.11.2003), 10.

<sup>37</sup> "Sie wollten Sowjetmenschen sein", in *Die Welt* (17.11.2003).

<sup>38</sup> When US historian Daniel Goldhagen suggested that widespread popular antisemitism deeply embedded in German mentality was a key factor in the Holocaust in 1996 – thus coming close to the *Tätervolk* accusation – his theses were almost universally rejected in Germany.

ence that they would be ‘surprised’. Hohmann crossed the lines that he had drawn. ‘Taboos are constructed in order to break them’, as Benz put it.<sup>39</sup> Only few understood this problem:

What one writes is not true simply because it is criticised or scandalised by others. This is what all those forget who see their solidarity with Hohmann legitimised through the vehement resistance his speech was met with. Many interpret this opposition as some sort of a “media cartel” or as a dictatorship of “political correctness”, and they act as if he who deviates from it [...] said something true by default – just because so many find it so unbearable.<sup>40</sup>

In a way, Hohmann’s defenders were right: none of the facts he had presented about Jews had been unknown – what was so irritating about his speech was the skewed interpretation he added. And it has become more skewed since: In an interview published in a book on the German ‘media cartel’ in 2012, he drew the conclusion that ‘apparently, influential Jews would prefer to have some dark chapters of Jewish history overlooked’.<sup>41</sup>

In September 2017, Hohmann returned to the Bundestag after 12 years of absence – this time, however, as a delegate for the AfD. As of today, he is still undaunted in his self-proclaimed courage to tell the truth: ‘Nobody was able to find a mistake in that speech’.<sup>42</sup> Maybe, and this is my point, he had not been actually interested in a discussion of the content of his speech in the first place?

### III.

If Hohmann was first to introduce the technique of breaking homespun taboos in order to bolster your argument, this fine art was perfected by the Nobel laureate in literature Günter Grass. On 4 April 2012, the daily newspapers *Süddeutsche Zeitung*, *La Repubblica*, and *El*

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<sup>39</sup> "Die Abwehr von Schuld", in *Frankfurter Rundschau* (24.11.2003), 8.

<sup>40</sup> "Kommentar", in *Die Welt* (15.11.2003), 8.

<sup>41</sup> <https://www.martinhohmann.de/interview-mit-eva-hermann-2012> (last checked 2 January 2018).

<sup>42</sup> <https://www.martinhohmann.de/ueber-mich> (last checked 2 January 2018).

País published a poem of his titled “What Must Be Said” (*Was gesagt werden muss*).<sup>43</sup> It contained two clear messages: Grass criticised Israeli plans to attack Iran with a first strike that ‘could annihilate the Iranian people’, as well as Germany’s complicity through the delivery of submarines to Israel. Even more importantly, Grass criticised that mentioning the latter was a taboo in Germany because of the Nazi past: ‘Why have I kept silent [...] so long, on something so obvious?’ ‘Because the verdict “antisemitism” is used so easily’, because ‘my descent, a stain that can never be removed, prevents me’ from speaking ‘this truth’.

First reactions from politicians, public intellectuals, and Jewish representatives were mostly negative. Grass’ assessment of the Israeli–Iranian tensions was perceived to be questionable at best – for example, casting Israel as a menace to ‘world peace’, while at the same time dismissing Iranian ambitions on nuclear weapons as ‘unproven’. It had been Iran, namely President Mahmoud Ahmadinejad who was shrugged off as a ‘braggart’ by Grass, which had repeatedly threatened Israel with annihilation – not the other way around. Moreover, many questioned the moral high grounds Grass was assuming in his poem: the poet had long been considered a left-wing national conscience of Germany, but he had come under accusations of hypocrisy after he had revealed – as late as 2006 – that he had been drafted into the Waffen-SS as a 17 year old teenager during the last months of the war. Should a former SS man scathe Israel the way Grass did?

In Israel, the poem did not cause a similar stir at first. Most commentators pointed out that the question of a pre-emptive strike against Iranian nuclear facilities had been discussed for months, and that many high-ranking Israeli officials shared Grass’ concerns. It was only after a few days that leading Israeli politicians jumped on the bandwagon of outrage. On 8 April, Grass was declared a *persona non grata* by the Israeli government, a decision widely

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<sup>43</sup> For the original poem, see <http://www.sueddeutsche.de/kultur/gedicht-zum-konflikt-zwischen-israel-und-iran-was-gesagt-werden-muss-1.1325809> (last checked 3 January 2018).

criticised as disproportionate by Israeli and German media, Israeli intellectuals, and German politicians.<sup>44</sup>

The Grass affair triggered letters to the editor on an unprecedented scale. Within two weeks, the F.A.Z. received more than one hundred, all of them in support of Grass; the *Süddeutsche Zeitung* – where the poem had been printed – received as many as 800 letters, the majority of which agreed with Grass.<sup>45</sup> Grass himself emphasised that while he had received only negative feedback in the media, the letters and emails he received were full of support.<sup>46</sup> Ijoma Mangold, literary critic at the weekly newspaper *Die Zeit*, pointed out that such a discrepancy had become a recurrent theme of any controversy: every time, the losing side of the argument would argue that at least they had the people on their side.<sup>47</sup>

Political correctness was a central concern of Grass' supporters. The poet himself complained that the 'media have almost been forced into line', using the German term *gleichgeschaltet* that was originally coined by the Nazis to describe their takeover of all German institutions after 1933; ironically, he did so in a lengthy interview for *Tagesthemen* ("issues of the day"), the second most important news magazine of the ARD, Germany's principal public TV channel.<sup>48</sup> In another interview with *Der Spiegel*, Grass argued that he missed 'the full range of opinions, the controversial discussion that is part of democracy. [...] Mob journalism [*Hordejournalismus*] is not freedom [of speech].'<sup>49</sup>

Many readers solidarised with Grass, whom they considered a victim of mainstream political correctness. Some emphasised that everybody in their environment agreed with him,

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<sup>44</sup> "Einreise-Verbot für Grass, Befremden über Israel", in *Süddeutsche Zeitung* (10.04.2012), 1; "Kritik an Grass – und an Israels Einreiseverbot", in *Frankfurter Allgemeine Zeitung* (10.04.2012), 1.

<sup>45</sup> "Guck mal, wer da spricht", in *Die Zeit* (19.04.2012), 50.

<sup>46</sup> *Günter Grass im Gespräch mit Tom Buhrow*, Das Erste, 05.04.2012; "Auf Kosten des Verstandes", in *Süddeutsche Zeitung* (07.04.2012), 13.

<sup>47</sup> "Guck mal, wer da spricht", in *Die Zeit* (19.04.2012), 50.

<sup>48</sup> *Günter Grass im Gespräch mit Tom Buhrow*, Das Erste, 05.04.2012.

<sup>49</sup> "'Ich kritisiere eine Politik, die Israel mehr und mehr Feinde schafft'", in *Frankfurter Allgemeine Zeitung* (07.04.2012), 13.

others compared Grass to Carl von Ossietzky or Kurt Tucholsky, leftist pacifist intellectuals who had defied the spirit of the times in the 1930s. All shared the sense that

with all due respect to [our] responsibility towards the Jewish people [...], one must be allowed to criticise the government of Israel if they openly threaten with war in the Middle East.<sup>50</sup>

The crucial problem was that Grass had

brought up a painful subject: Israeli politicians are untouchable; criticism – especially coming from Germans – is tantamount to blasphemy.<sup>51</sup>

Put more fatalistically,

Günter Grass has broken an unwritten taboo [...]. Germans are categorically not allowed to criticise Israel. Silence is paramount.<sup>52</sup>

Other readers were even more drastic:

Our country is governed by puppets, and an obedient media cartel keeps the people stupid and quiet and sells them a disastrous policy.<sup>53</sup>

Others again were apparently inspired by Grass to send in their own attempts at poetry:

What happened to this progressive country,  
[...] where I seem to be unfree to speak freely due to the past.  
[...] we are demonised as anti-Semites if we raise doubts,  
while those who we criticise, wolves in sheep's clothing,  
commit crimes that they want to hush up.<sup>54</sup>

While the overwhelming majority of professional commentators disagreed, some shared the impression that Grass had broken a taboo and advocated a more open discussion of tacit Ger-

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<sup>50</sup> "Bruch eines Tabus", in *Süddeutsche Zeitung* (14.04.2012), 10; "Mahner mit Wiederhall", in *Süddeutsche Zeitung* (21.04.2012), 21.

<sup>51</sup> "Grass polarisiert", in *Süddeutsche Zeitung* (10.04.2012), 33.

<sup>52</sup> "Briefe an die Herausgeber", in *Frankfurter Allgemeine Zeitung* (12.04.2012), 32.

<sup>53</sup> "Mahner mit Wiederhall", in *Süddeutsche Zeitung* (21.04.2012), 21.

<sup>54</sup> Ibid.

man support of Israel and its policy.<sup>55</sup> Alexander Gauland attacked Merkel for her 2008 statement at the Knesset that Israel's security was part of Germany's *raison d'état*.<sup>56</sup> SPD chair Sigmar Gabriel partially defended Grass, who had traditionally supported the Social Democrats ever since the era of Willy Brandt:

It was obvious that the self-proclaimed watchmen of political correctness would not miss the opportunity to finally have a real go at Grass [*die große Keule gegen Grass auspacken*].<sup>57</sup>

Others did not want to go this far, but still criticised what they perceived to be sensationalism.<sup>58</sup> Most notably, the *Süddeutsche* took a half-hearted attempt at defending Grass by dismissing public indignation as over the top and labelling the intensity of the argument as 'typically German'.<sup>59</sup> This was in turn criticised by Clemens Wergin for *Die Welt* as inability to disassociate from Grass after the latter had earned the *Süddeutsche* an 'exclusive scoop'.<sup>60</sup> Similarly, Mangold argued that this kind of debate critique contained just empty phrases and in fact constituted a part of the debate itself.<sup>61</sup>

But the majority of observers agreed that Grass' own sensationalism was the real problem. For starters, the debate Grass claimed to have launched had been going on for months in Israel.<sup>62</sup> Even in allegedly silent Germany, Israel was constantly in the focus of the media; nothing of what Grass had written could have been new to German audiences.<sup>63</sup> Criticism of Israeli policy, particularly on the issue of Palestine, was the 'bread and butter' of media and

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<sup>55</sup> "Kein Antisemit. Das Recht auf Kritik an Israel", in *Der Tagesspiegel* (05.04.2012), 25; "Feigheit vor dem Freund", in *Die Zeit* (12.04.2012), 4.

<sup>56</sup> "Anmaßend und unverbindlich", in *Der Tagesspiegel* (16.04.2012), 8.

<sup>57</sup> ""Wir haben Grass viel zu verdanken"", in *Der Spiegel* (16.04.2012), 26–28, 27.

<sup>58</sup> In a particularly fascinating letter, a reader complained about 'an outrage industry', naming Jewish authors and representatives who would deliberately scandalise the issue in order to be in the limelight, see "Mahner mit Wiederhall", in *Süddeutsche Zeitung* (21.04.2012), 21.

<sup>59</sup> "Dichten und meinen", in *Süddeutsche Zeitung* (05.04.2012), 13; "Auf Kosten des Verstandes", in *Süddeutsche Zeitung* (07.04.2012), 13; "Reden über Israel", in *Süddeutsche Zeitung* (10.04.2012), 4.

<sup>60</sup> "Abhärtung unserer Seelen", in *Die Welt* (07.04.2012), 3.

<sup>61</sup> "Guck mal, wer da spricht", in *Die Zeit* (19.04.2012), 50.

<sup>62</sup> "Heuchlerischer Moralismus. Grass' Debattenbeitrag ist substanzlos", in *Berliner Zeitung* (07.04.2012), 7; "Israel und der Präventivschlag", in *Handelsblatt* (11.04.2012), 8.

<sup>63</sup> "Das Opfer des Dichters", in *Die Zeit* (12.04.2012), 47.



politicians, Die Zeit editor Josef Joffe wrote.<sup>64</sup> Among others, Minister of Defence Thomas de Maizière had previously cautioned Israel against pre-emptive action.

Where did Grass's heroic posture come from then? Some suggested that the writer had been simply interested in creating the greatest possible sensation: after all, nothing was more likely to get the attention of the public than writing about Israel and antisemitism.<sup>65</sup> The influential literary critic Marcel Reich-Ranicki argued that Grass probably envied fellow writer Martin Walser for the stir he had caused when he demanded give the Nazi past a rest in 1998.<sup>66</sup> Others alleged that the real scandal was Grass' attempt to vindicate his generation, to cast off the historical burden and turn the tables against the former victims; again, comparisons were drawn to Walser.<sup>67</sup> In one of the best pieces of the entire debate, F.A.Z. editor Frank Schirrmacher called the poem

a document of "imaginary revenge" of a generation that has felt morally offended their entire lives. Grass would like to open a debate over whether a German is allowed to criticise Israel. Instead, the debate should rather be held about whether it is right to turn the entire world into a victim of Israel only so that an eighty-five years old man can be at peace with his own biography.<sup>68</sup>

In the letters to the editors, however, the most contentious issue was antisemitism – or rather the alleged abuse of the accusation of the same. Again, Grass had set the tone when he complained about the 'insulting and generalising charge of antisemitism raised against me.' His supporters agreed: 'and again, antisemitism is used as a club [...] this time against Grass.'<sup>69</sup> In their view, Grass had simply voiced what 'for years has been causing significant discomfort' to the 'people of our country', issues that 'giving voice to is automatically retorted by accusa-

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<sup>64</sup> "Der Dichter als Weltenretter", in *Handelsblatt* (11.04.2012), 56.

<sup>65</sup> "Hier stehe ich und habe Recht", in *Der Tagesspiegel* (12.04.2012), 23.

<sup>66</sup> "Es ist ein ekelhaftes Gedicht", in *Frankfurter Allgemeine Sonntagszeitung* (08.04.2012), 19.

<sup>67</sup> "Zombies", in *Der Spiegel* (07.04.2012), 117; "Was spricht in Günter Grass? Ein moralischer und politischer Skandal", in *Der Tagesspiegel* (05.04.2012), 25.

<sup>68</sup> "Was Grass uns sagen will", in *Frankfurter Allgemeine Zeitung* (05.04.2012), 29.

<sup>69</sup> "Briefe an die Herausgeber", in *Frankfurter Allgemeine Zeitung* (12.04.2012), 32.

tions of antisemitism'.<sup>70</sup> Had not Sigmar Gabriel only recently experienced that anybody who calls Israel's 'insufferable' policy by its name 'is abused as an antisemite'?<sup>71</sup> Readers argued that the criticism Grass received was in fact a 'vicious witch hunt' as one 'must be allowed to criticise Israel without being called an antisemite'.<sup>72</sup>

The irony was that almost nobody had actually called Grass an antisemite.<sup>73</sup> Sure, Henryk Broder had in his first response for *Die Welt*, but Broder was widely known to be a radical voice.<sup>74</sup> The general reactions were in fact rather nuanced and covered a broad range of opinions – among journalists and politicians alike. Even among the usual suspects, representatives of the Central Council of Jews in Germany and Jewish public intellectuals, nobody dared to actually accuse Grass of antisemitism.<sup>75</sup> If anything, many felt the need to explicate that they did *not* consider Grass an antisemite – Reich-Ranicki, former Israeli ambassador to Germany Avi Primor, Israeli historian Tom Segev, and others.<sup>76</sup> Put simply, it was Grass' supporters, not his critics, who used antisemitism in their argumentation – as a way to defend the writer and vindicate his remarks. Nothing exemplifies this better than Walser's own reaction to the affair. Asked about his opinion – without as much as mentioning the a-word – he responded

of course Günter Grass is not an antisemite. Calling somebody else an antisemite indicates that you do not trust your own line of argumentation, therefore you have to fall back to the killer

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<sup>70</sup> "Bruch eines Tabus", in *Süddeutsche Zeitung* (14.04.2012), 10.

<sup>71</sup> "Grass polarisiert", in *Süddeutsche Zeitung* (10.04.2012), 33. A few weeks earlier, Gabriel had faced strong criticism when he called Israeli policy in occupied Hebron an 'apartheid regime' in a Facebook post.

<sup>72</sup> "Unsäglich", in *Die Welt* (07.04.2012), 2.

<sup>73</sup> "Alle gleichgeschaltet außer Günter", in *Die Tageszeitung* (06.04.2012). For a different view, see "Ein schlechtes Gedicht und seine Freunde", in *Kontext* (09.04.2012), 2–3.

<sup>74</sup> "Nicht ganz dicht, aber ein Dichter", in *Die Welt* (04.04.2012), 21.

<sup>75</sup> "'Ungeheuerlich'", in *Der Tagesspiegel* (05.04.2012), 25. See also "Ein Lob auf Grass", in *Die Welt* (12.04.2012), 8.

<sup>76</sup> "Es ist ein ekelhaftes Gedicht", in *Frankfurter Allgemeine Sonntagszeitung* (08.04.2012), 19; "Heuchlerischer Moralismus. Grass' Debattenbeitrag ist substanzlos", in *Berliner Zeitung* (07.04.2012), 7; "Hier stehe ich und habe Recht", in *Der Tagesspiegel* (12.04.2012), 23.

word [*Totschlagwort*] par excellence. If our controversy reached only the level of fairness of a regular football match, the use of the killer word would immediately lead to disqualification.<sup>77</sup>

Walser did not have to worry: if the Grass affair revealed anything about German debate culture, it was that the charge of antisemitism had been successfully relabelled a ‘polemical smear campaign’<sup>78</sup> (*polemische Schmähpraxis*) in people’s minds. Whoever used it had lost. Better yet, the imagined accusation could be used to pre-emptively justify anything, even the most pathetic scribbling of an old man grappling with his past. As early as 2008, Wergin coined the term *Anti-Antisemitismuskeule* – a second club to outweigh the assumed club of antisemitism – for this way of argumentation: essentially, it implied that ‘calling somebody an antisemite is worse than being an antisemite’, hence the charge of antisemitism must not be used even if this means that some cases of antisemitism will remain undetected.<sup>79</sup> Or, to quote the readers of the *Süddeutsche*: ‘You are free to reject this poem, but please not by accusing Grass of antisemitism’ because ‘the charge of antisemitism is about the worst thing you can suspect somebody of in post-Auschwitz Germany’.<sup>80</sup>

#### IV.

The upheaval that goes by the name of “1968” changed German society fundamentally. It laid the ground for the distinction between a neat, progressive, official Germany, and a backward-looking, conservative, folksy one, a divergence that is as much real as it is imagined. It was a change of tides: If during the years leading up to 1968, the alternative progressed faster than the established, the opposite has been the case ever since. One can tell the entire history of post-1968 Germany as the story of conservatism trying and failing to reclaim the establishment. The only time it came close to regaining its lost position was Helmut Kohl’s attempt at

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<sup>77</sup> "Rechthaben. Martin Walser über die Vorwürfe gegen Günter Grass", in *Die Zeit* (12.04.2012), 47.

<sup>78</sup> "Ich sage, wer Antisemit ist", in *Die Tageszeitung* (10.04.2012), 12.

<sup>79</sup> "Die Anti-Antisemitismuskeule", in *Welt am Sonntag* (07.09.2008).

<sup>80</sup> "Mahner mit Wiederhall", in *Süddeutsche Zeitung* (21.04.2012), 21.

a *Geistig-moralische Wende*, an endeavour defeated at great bitterness in the Historikerstreit of 1986.

The Historikerstreit was also the first time the charge of censorship for political purposes was applied by the losing side. Ernst Nolte and other conservative intellectuals attacked Jürgen Habermas, their main opponent in the debate, on the ground of what they considered formal errors. F.A.Z. editor Joachim Fest spoke of a conformism that

puts every viewpoint under moral suspicion that preserves the freedom of asking questions. Ever since the end of the 1960s, it has become common practice to accuse any interpretation of history of complicity with “fascism” that does not conform to the view that came to predominate at that time. Scholarly evidence, the [...] results of research do not count; instead, what matters were the oftentimes only assumed motives of those who presented them. Recently a new form of this wicked approach emerged. It was created by Jürgen Habermas.<sup>81</sup>

Since the Historikerstreit, this line of argumentation – bolstering your side of the controversy by delegitimising the form, not the content, of your opponent’s argument – has made an impressive career in German debate culture. In 1998, Walser introduced the notion of Auschwitz as a “morality cudgel” (*Moralkeule*), implying that references to the Holocaust were a “killer argument” and should not be made for this reason. When called an ‘intellectual arsonist’ by Ignatz Bubis, then President of the Central Council of Jews in Germany, Walser accused the latter of ‘quitting the dialogue between people’.

Merkel’s rise to chancellorship and her social democratisation of the CDU has further undermined what was left of the political representation of conservatism. The general feeling of many conservatives of being put in the doghouse erupted in the sensation caused by Thilo Sarrazin’s “Germany abolishes itself” (*Deutschland schafft sich ab*) in 2010. The debate was about immigration, but to many supporters of Sarrazin’s theses, the core question was whether

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<sup>81</sup> Joachim Fest, "Die geschuldete Erinnerung. Zur Kontroverse über die Unvergleichbarkeit der nationalsozialistischen Massenmorde", in, "*Historikerstreit*". *Die Dokumentation der Kontroverse um die Einzigartigkeit der nationalsozialistischen Judenverfolgung*, München, Zürich 1987, 100-112, 100f.

there were certain things you were not allowed to say as a German, and they accused their opponent *Gutmenschen* of not tolerating diverging opinions because of Germany's past. This is what Fest accused Habermas of – just the other way around: Instead of seeking a proper engagement with *Gutmenschen* and their argumentation, the latter's criticism was conveniently rejected for its assumed political or ideological background.

Long before Donald Trump popularised the term “fake news”, German Pegida protesters chanted its German equivalent *Lügenpresse* in Dresden. While one could silently agree with some of Sarrazin's points without any political consequences – as mentioned in the introduction – this changed in 2015. The AfD has often been considered the long-awaited German Front National, but it is a very different phenomenon. While the FN has successfully managed to normalise in order to attract more voters over the past decade or so, it seems unlikely that the AfD will take a similar turn. In fact, the latter has become increasingly radical since its foundation, and every generation of party leaders has faced a losing battle against its more radical rank and file. How can it be any different? After all, the AfD is the breach of a taboo incarnate. Its inability to accept normalisation makes the party both less and more dangerous than the Front National.

What I have described in this essay is a uniquely German feature, based on conservatism's<sup>82</sup> struggle with 1968 and on German *Vergangenheitsbewältigung*, the attempt at coming to terms with the Nazi past. The controversy that has dominated Germany for the past two and a half years is about immigration, but its underlying mechanics have been shaped, as I have tried to show in this essay by pointing to two particularly striking examples, during many years of debating the real or assumed limitations on freedom of expression imposed by the German past. Again, I do not argue that these constraints do not exist, or that they should not exist. What I am saying is that over the course of time, they have turned into a fetish that

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<sup>82</sup> The generation of Grass and Walser (both born in 1927), of men who experienced the war as adolescents, defies categorisations along the usual political spectrum. If anything, both started as distinctively leftist intellectuals but took a conservative turn in their old age.

is regularly manipulated to immunise almost anything against criticism, however well-founded, thereby dangerously narrowing the options of critique. But freedom of speech also needs to include freedom of criticism.