

Report from Bonn by Rainer Apel

Deconstructors at work in the courts

Some recent Supreme Court rulings are undermining the very foundations of German society.

The disease of deconstruction that has infected the American legal system, has also forced its way into Germany. A German citizen who hopes for justice in the courtroom is in for a bad surprise in many cases, because more and more judges prefer “deals” over clear rulings, and attorneys are talking their clients into accepting them.

This has been the practice here for a number of years, and reflects the deplorable fact that society as a whole, and the political system particularly, have submitted to the ideology of liberalism and increasingly sacrificed principles in the process. Consequently, to the informed observer, it was only a matter of time, that the Supreme Court would also capitulate, as recent rulings have drastically illustrated that.

For example, last year the court ruled that those who charge the Armed Forces with employing methods of “cold-blooded assassination” and claim that “all soldiers are killers,” are right to say so. Leaving aside that the postwar German Armed Forces (at least in the pre-unification West German Bundeswehr) have not killed anybody in their 40 years, the ruling is all the more mysterious for adopting the black propaganda stereotypes used by East Germany and the Soviet bloc against the Bundeswehr.

The ruling threw up a big psychological and political barrier at a time when the German elites were beginning to debate whether the Bundeswehr should play an active role in the defense of Bosnia against the Serbs. When it was finally decided in late June that small contingents of Ger-

man troops and the Air Force would assist the U.N. blue helmet forces in the Balkans, leading German politicians of all political camps rushed to the media, declaring that these German contingents would serve their Balkans mission best if not used at all, and if used, then only where combat situations were avoided, so that the soldiers would not have to shoot at all.

These kinds of explanations are usually accompanied by remarks that, because of the 1941 German military occupation of Yugoslavia, German troops could not possibly be deployed there 54 years later. Implicitly, this argument—borrowed from the same black propaganda which predominantly British media have used against the reunified Germany since the outbreak of the new Balkans war in 1991—is preventing the biggest European power from actively backing President Clinton’s efforts to end the Bush era of U.S. policy in the Balkans and finally take the side of the victims of the Serbian genocide: the Bosnians and the Croats.

The constraint which the German elites have imposed upon themselves, is, moreover, destroying the moral backbone of the nation, as it witnesses a tragedy, in which one should clearly act, but doesn’t, on the basis of foul excuses.

Then, in May, the court declared that early 1980s sit-ins of the so-called peace movement against U.S. and German military bases against the stationing of the “Euro-missiles,” were “expressions of free speech” and not punishable, even if they caused serious disruptions or material dam-

age. This ruling was all the more ominous, appearing as it did when violent groups resumed actions against German nuclear technology with road blockades, train sabotage, etc.

Liberal politicians who argued that one should make concessions to the protesters, rather than moving ahead with the planned storage of used nuclear fuels at the Gorleben site in northern Germany, felt supported by the May ruling on the 1980s actions. Whoever was unwilling to back down in the face of protests and riots, felt outflanked by the same Supreme Court. It needs to be said that the court presently has a majority of five leftists and left-wing liberals, against three conservatives.

The same “5-3” majority on the Court also ruled in May that the Christian cross be removed from school-room walls in the state of Bavaria, on the grounds that it forces children to “learn under the cross.”

This sounded like the typical, liberal-minded anti-religious position. But the Supreme Court went even further: It explicitly backed the plaintiffs, a couple who oppose the cross as discrimination, because they want to raise their children along “anthroposophic” lines.

In fact, the father in this suit, is not even a dedicated follower of anthroposophy, which at least nominally reveres the cross, as do other movements outside the Christian churches. He claims to have “direct wave contact” to Tibetan monks and African shamans, and to possess a “spiritual sword” with magical powers that will reduce the earthly authorities to smithereens (a remark that earned him a stay in a psychiatric center 10 years ago). This nut, to whom the Supreme Court gave a favorable ruling, seems to confirm the old saying, that whom the gods seek to destroy, they first make mad.