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Author:
Marcin Tujdowski

Editorial Board:
Marta Götz
Radosław Grodzki
Krzysztof Malinowski

Attempt to delegalize the far-right National Democratic Party of Germany (NPD) - the Polish point of view

The Ministers of Interior of the German states, during a session on 5 December 2012 in Rostock, decided to make another attempt to delegalize the far-right National Democratic Party of Germany (NPD). The acceptance of the delegalization motion will take place during a session of the *Bundesrat* on December 14 this year. The creation of a comprehensive dossier documenting the anti-constitutional actions of the National Democratic Party of Germany by the Federal Ministry of Interior in September this year was an introduction of sort to the delegalization process. The record was classified because the information partially came from informers of services acting within the party structures. Chancellor Angela Merkel and the President of the Bundestag, Norbert Lammert, among others, were skeptical about the delegalization of the NPD.

Delegalizing an organization is reasonable if it is based on irrefutable evidence of anti-constitutional actions and concerns a small group with weak organization and devoid of experienced staff and extensive connections with other environments. Then, delegalization may actually stop its activity. In the case of the NPD, a different scenario is possible. Delegalizing mature, fully developed and efficient structures grouping strongly motivated activists may not extinguish the activity of the far-right, but cause it to move underground. When the control over a legally acting political party is no longer in place, its activity may become more radical, leading even to actions of criminal or terrorist nature.

Tentatively, it is possible to point to two problems related to the delegalization: political and pragmatic. The former is connected with the legitimacy of eliminating a group acting within a democratic country. The National Democratic Party of Germany, according to the results of municipal and state elections, has an established number of voters. It can, therefore, be assumed that the program of the party suits a certain part of the FRG society, which is represented by the party in the democratic structures of state governments and administration. Hence the question of whether it is justified to delegalize a political group on the motion of other, competing political parties - even though the FRG constitution and the act on political parties allows such a solution.

The pragmatic aspect: the party has existed since 1964 and has its own structure with well organized staff all around the country. There are also circles of devoted sympathizers supporting the party. Moreover, the party and the German far-right environment functions in connection with foreign organizations. As a legal political party it is subject, among others, to tax, report and legal control. The delegalization could result in a situation in which a significant part of the members and sympathizers would no longer be subject to this control and the party structures would not be broken, but move underground. The example of the terrorist National Socialist Underground (NSU), responsible for the murder of 9 immigrants and a police officer, shows that the appearance of small and strongly politically motivated armed groups is possible.

On the other hand, the legally acting NPD is not capable of influencing or endangering the democratic order of the FRG because of its negligible influence on the German political scene. The party has never managed to take part in either federal or presidential elections. It is currently present in the state parliaments of Saxony and Mecklenburg-Vorpommern, but it is isolated by MPs from other parties and has no chances for creating a coalition. Some German columnists suggest that the attempt to delegalize the party may paradoxically lead to the mobilization among the supporters of the far-right, even those who do not support the NPD itself. This may translate into increased support for far-right views after the potential delegalization of the party.

Exceptional intensification of the NPD activity has been visible within the Polish-German borderlands for several years. When it comes to the increase in the crimes of the far-right in Brandenburg, Frankfurt (Oder) is the leader - 11 crimes in 2012 (data from September this year), the highest increase since 2006. The activity of the NPD is often aimed at the Polish citizens settling on the German side of the border. Last year, there were information campaigns conducted propagating the goals of the NPD in Cottbus, Frankfurt



(Oder) and Peitz, among others. Demonstrations were most extensively covered in the media, but the German rightist anti-system opposition also employed leaflets, posters and information points within the borderlands. There were also two large demonstrations conducted by the NPD and related circles in Frankfurt (Oder) in March and November this year. During both of these demonstrations they called, among others, for the restoration of border control on the Polish-German border, suppression of Polish crime in Germany and withdrawal from the eurozone. It is important to mention that these were the largest anti-Polish demonstrations on the Polish-German border since 2005 (then they were organized in Görlitz, also near the border). When comparing the two recent anti-Polish demonstrations conducted within the Polish-German borderlands by the NPD in Frankfurt (Oder), it is clearly visible that the German far-right is slightly changing its message. During the first demonstration in Frankfurt (Oder) in March this year, there were instances of aggressive behavior towards Polish journalists and the whole event was clearly of anti-Polish nature. During the second demonstration (November this year) the anti-Polish image was toned down; the head of the Lusatian cell of the NPD, Ronny Zasowk, talked to Polish journalists explaining that the demonstration is not directed against all Poles, only “the criminals from Poland”.

In Mecklenburg the subject of Poles and the “Polish invasion” has been a standby topic for some time in the local NPD structures. Anti-Polish leaflet and poster actions took place there as well; in previous years there also occurred some more serious incidents (e.g. vandalizing Polish cars, painting over Polish name tags on intercoms, etc.).

Also the NPD structures in Saxony organized anti-Polish propaganda actions (the well-known action of anti-Polish posters in Görlitz, which met with stiff resistance on the part of other residents of the city).

Conclusions

It can be assumed that together with the increase in the number of Polish citizens settling at the western side of the border and the intensification of the Polish presence in the social landscape of the eastern German states (e.g. through the utilization of the German social security benefits, passive participation in self-government and parliamentary elections, bilingual education, etc.), the anti-Polish tendencies will intensify, at least at the first stage of the migration.



There is, therefore, some risk that the delegalization of the National Democratic Party of Germany - elimination of a controlled political structure - may result in a more radical activity of the former party members and its sympathizers, which would endanger the security of the Polish citizens and their property.

Marcin Tujdowski - political scientist, employee of the Institute for Western Affairs, specialist in Polish-German relations. Research interests: activity of the far-right in Germany and Europe; demographic processes; migrations and borderlands.

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