

Terrorism: The State Marches On

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From South Africa comes the news that what even conservative observers took to be a very bad joke on the part of “Justice” Minister Jimmy Kruger turns out, on closer analysis, to be the certified honest-to-god truth.

Kruger had expressed complete ignorance of the source of the ‘train damage which had brought about the death of imprisoned black resister Steven Biko, suggesting that if as Kruger suspected, Biko’s head injuries were self-inflicted, he could nonetheless sympathize with the unfortunate man because he often felt the strains of his job to be akin to “banging my head against the wall.”

Thus it came as something of a surprise to world opinion when the court charged with investigating Biko’s death concluded that, in much the same way that Andreas Baader first shot himself fatally through the back of his head, than proceeded to fire two more shots at random* (probably in an attempt to further discredit his captors), Biko, despite being kept naked and chained hand and foot for hours, had succeeded in beating himself to death in the course of his interrogation, much to the chagrin of his captors, who could not recall having seen him do it.

Their innocence in the whole unpleasant affair was fortunately, reaffirmed by the court when, after due deliberation, it decided that nobody at any level of the police hierarchy could have any responsibility for their prisoner’s death since it was impossible to determine when and how he had injured himself (though they did offer the possibility that Biko had hurt himself in a “scuffle” that ensued when the foolish prisoner, not realizing the gravity of his situation—and apparently forgetting about his chains—had “gone into a frenzy” and attacked his interrogators).

Naturally, the South African government was immediately assailed from every corner by representatives of the civilized states who were understandably appalled by the barbarity of the Vorster regime’s handling of internal dissent. What most offended them was not the brutality of Biko’s death, but the Pretoria government’s audacious refusal to even mount a cover-up, an absolutely indispensable element in any case of what has come to be known as “official wrongdoing.” Had this occurred in any other civilized state (as it sometimes does), the investigative body would have seen its duty clearly and done the decent thing, at the very least coming up with a suitable scapegoat (a la the US’s own Lieutenant Calley), or at the very, very least concocting a story that made some attempt, however small, to be a marginally plausible explanation (like George Jackson’s escape attempt after smuggling a gun in his afro).

But what really undid the SA regime in regards to world opinion was world opinion’s eagerness to dispense with Vorster and Co. at the very earliest possible moment. In their anachronistic clinging to the outmoded system of apartheid the waning white colonial rulers have become an embarrassment to the world capitalist community; in insisting on their own self-interest at the expense of everything else, they are running counter to the interests of the capitalist community at large, because they are making it increasingly difficult for the civilized states to proceed as if it were business as usual. Certainly if there is any lesson to be learned from the “democratizations” that recently swept Portugal, Spain and China, it is the absolute necessity for capitalism to convince everybody that, at least formally, there will be no outsiders, nobody will be denied their share of the miserable social wealth (even if in practice of course, this still remains far from the truth). For the last vestiges of 19th century colonialism this

lesson seems to be a particularly difficult one and will probably only be learned at the kind of expense (if not more) now being suffered by the poor dispossessed Rhodesian regime of Ian Smith.

West Germany, On the Other Hand...

But if there are some things that South Africa can't get away with, West Germany, as one of the crucial civilized states, has yet to even bump up against the limits of what it may do to crush resistance and still retain the respect of world opinion. To their credit, however, it must be said that they are bending every effort toward finding those limits as soon as possible, even as they are continually thwarted by a world opinion which seems to display, at least toward them, an infinite elasticity.

If world opinion's—read mass media's—response to the official German government explanation for the deaths of the three imprisoned RAF members could only be received with incredulousness and disgust (see FE #287, October/November 1977) that which has followed has lent itself to no kind of reception at all—it's almost non-existent. While the "Schleyer Affair" was at the height of its newsworthiness, we were treated to every kind of sensationalized account of the depravities of the "terrorists" and every conceivable hypothesis—presented as fact—for the events at Stammheim—except, of course, the one to which all the evidence pointed—murder. (The London Economist, for example, told us on Oct. 29 that "Germans had long suspected that the late Baader-Meinhoff terrorists, far from being tortured by isolation, were the most indulged prisoners in the country. It turns out, the Economist goes on to say, that "the prisoners had also managed to transform the jail's top security wing into a well-equipped operational headquarters for further acts of terrorism" where "whatever searches were made could hardly have been close, and (where) Baader's cell is said not to have been searched at all because it was so untidy.")

If anybody is in the least tempted to believe this scenario, we would refer them to "Class Struggle in the Federal Republic of Germany," published by A.I.G., c/o Zero, 182 Upper St., London N. 1, or Liberation News Service packet No. 886, November 4, 1977, for illuminating insights into the uses of sensory deprivation, proposed psychosurgery, etc., on these coddled prisoners. See also the Klaus Croissant statement in this issue for details of this indulgent imprisonment.)

But having done with the proper distortion of the prison deaths, the mass media have now undertaken to discharge the other side of their obligation to the state—the deliberate suppression of news concerning the state's own terrorism.

Thus while the West German Republic mounts an undisguised campaign of repression against all dissent, we are treated only to occasional op-ed maunderings about the Bonn government's concern lest it be forced to use "extreme" measures in dealing with "terrorism." (And of course the obligatory psycho-sociological analyses of why German youth, having been given everything, have gone so bad. The answers which have appeared on the pages of Time, Newsweek, New York Times, etc. have offered everything from a flaw in the German character to too much affluence, "excessive expectations" and the lack of a tradition of violence in spectator sports or gang rivalries as an adequate escape valve for "pent-up frustrations." The possibility that daily life under German capitalism is itself intolerable has not been raised.)

To some untrained observers, however, it might appear that the fear of possible extremism on the part of the government is misplaced, since that extremism is already a fixture on the West German scene. Already a spate of rapidly enacted laws has effectively negated the constitutionally guaranteed civil liberties of German citizens. Constitutional Law Article 5, for example, guarantees that:

Every person has the right to freely express and disseminate his opinion in speech, writing and picture and to inform himself unhindered from all generally accessible sources. Freedom of the press and freedom of reporting by broadcasting and film are guaranteed. There is, no censorship.

And Article 19 further states that "...in no case may the essential content of any Constitutional right be violated..."

The newly enacted paragraph 88a, however, makes it a crime not only to write tracts in support of violence, but also to "disseminate, publicly exhibit, display, perform or otherwise make accessible or produce, procure, supply, stock, offer, advertise, praise" such items. Thus left and anarchist bookshops and small presses are being shut down

and their books and pamphlets seized in numbers unprecedented since the days of the Nazi Party. When pressed about the seeming contradictoriness of this situation, Carl-Dieter Spranger, a Deputy of the Christian-Socialist Union, which has been pushing for even stronger measures, responded, "That this (Article 5) cannot, however, apply for the sort of subversion, revolution and terror texts produced, for example, by Wagenbach-Verlag and sold in 'Red Bookshops' must surely be absolutely natural in a civilized culture." The Law giveth and the Law taketh away. Certainly it's true that without the rule of law Spranger's civilized culture is impossible.

But this is, as they say, only the tip of the iceberg. In the atmosphere of generalized hysteria (lovingly cultivated by the notorious right-wing Springer newspapers), the most reactionary elements of an already conservative government have succeeded in linking the "terrorist" threat with the anti-nuclear movement and have begun what Daniel Cohn-Bendit calls the "systematic outlawing of demonstrators against nuclear power stations."

As predicted previously in the pages of the FE (see FE #284, July, 1977, "The 'Uses' of Terrorism" by Michael Lucas), the government has succeeded in enacting a law which not only makes it an act of criminal trespass to occupy a nuclear plant site but also holds a trespasser responsible for the costs incurred by the government in evicting him or her, costs which can be enormous considering the staggering manpower and firepower the state has previously assembled to repulse the invading hordes of anti-nuke demonstrators.

Meanwhile, the lawyer for Irmgard Moeller, the sole survivor of the Stammheim massacre, has petitioned the government for her client's freedom, since she has now completed her four and a half year sentence and should be released. Indications are that this will not happen, however; apparently the government is holding her while it prepares a "preventive detention" (!) law for her and other imprisoned "terrorists" whose sentences have been served.

Fortunately the West German government has not been forced to go it alone—France assisted ably when, after diplomatic and economic pressures were brought to bear by its northeastern neighbor, it opted to contravene its own constitutional guarantees of asylum for political fugitives and extradited RAF lawyer Klaus Croissant back to Germany to face charges of "criminal association" (for acting as defense attorney to RAF members) and "aiding and abetting terrorists" (for organizing a system of communications to allow the imprisoned RAF members to keep in touch with each other and with the outside world).

The ensuing uproar and the 20,000 strong demonstration which protested the decision in the streets of Paris did little to sway the Republic, which, after all, was only acting in its own self-interest; and since it made the laws it must certainly have the right to unmake them. An earlier demonstration by several hundred French lawyers (each carrying a placard bearing the name of one of the dozens of German lawyers who have been prosecuted, banned or jailed for defending "terrorists") also had no impact on the determination of French authorities to see that justice was carried out—kicking and screaming.

(Interestingly enough, the prosecutor who demanded and got Croissant's extradition is himself a wanted international criminal. Erwin Schuele entered Hitler's brown-shirts in 1933 and became a party member in 1935. In 1949 he was found guilty in absentia of war crimes by a soviet tribunal, which sought in vain to have him returned for punishment. Schuele was also the man in charge of investigating the deaths of Baader, Raspe and Ensslin.)

Croissant's present situation is precarious at best; on arrival at Stammheim prison (yes, the very same one) a criminal judge ordered that he be kept under close surveillance on grounds that he was "potentially suicidal." To ensure that the message was not lost on the German public—and to discredit Croissant's own vehement denial of his suicidal potential—the Springer papers picked up the thread and, to paraphrase another great defender of justice, made one thing perfectly clear:

It appears that the terrorist lawyer Klaus Croissant wants, like his idol Baader, to exploit a suicide in order to present our country to world opinion as a state where law is not respected. Everybody knows that if he should truly put an end to his life in prison, it will definitely be a case of suicide. (*Bild-Zeitung*)

Such was obviously the case also with the most recent RAF "suicide," Ingrid Schubert, who, only two days before she was found hanging in her cell, had insisted to her lawyer that suicide was "out of the question."

If the journalists of America are not yet quite as rabid as their European colleagues about doing the state's work, it is only because these events are still sufficiently distant to allow them to simply ignore everything which contradicts the state's version of things, secure in the knowledge that most people will not be troubled by information from other sources. That there is a body of autopsy evidence which casts serious doubts on the possibility of Ulrike

Meinhof having hanged herself (see *Black Flag*, Vol. IV, No. 10, Sept. 1976); that authorities first claimed she had hanged herself from her cell bars when her cell had no bars; that the official report of the deaths at Stammheim was forced to acknowledge that neither the guns used to kill Baader and Raspe, nor the knife used on Ensslin, had any fingerprints on them; none of these things has appeared in any “legitimate” American publication to our knowledge to date.

All of which is only as it should be; to expect that legitimate journalism would do otherwise is folly, since by definition legitimate journalism (or legitimate anything) is that which is acceptable to the state. Nonetheless it is still frightening to see the power of the “information media” to create a world of informed ignoramuses; as one young German put it in speaking of the murders at Stammheim and the ongoing repression:

They were murdered. It’s clear now. Don’t people realize or care what’s going on here? It is almost like 1933. They have their special prisons. There are police in the streets everywhere.

To which legitimate journalism rejoins heftily, “What they don’t know won’t hurt them.”

—Alan Franklin (special thanks to *Zero* and Liberation News Service)

*According to the official investigative report of the West German prosecution.

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