

GERMANY'S CONTINUED **COMPLICITY IN GENOCIDE: BETWEEN HISTORY AND PRESENT**



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Introduction

As the tide shifts against Israel, two states, Germany and the United States, have stood unconditional in their support for Tel Aviv. Germany and the United States which continues to be the primary beneficiary from Israel's existence in the region, have both contributed to deep systematic violence against Palestinians and the Palestinian cause as a whole. Both states have worked to safeguard Israel and its sovereignty through adapted domestic and foreign policies, often compromising their own perceived liberal democratic values for Israel's well-being.

While the United States' position is often easily attributed to securing its own interests in the region, the reasons and mechanisms behind Germany's position differ. This brief explores key constituents of German complicity in the genocide in Gaza, along with the political and legal ramifications on the domestic and global scale. As will be examined in the subsequent sections, the pretext for this support is attributed, by the German state and its people, to Germany's responsibility for the Holocaust. This responsibility, however, quickly evolved into a responsibility to a colonial state guilty of genocide¹ and ethnic cleansing from its creation to its present day, resulting in an intertwined economic and political stage where Germany appears to be in too deep.

This intertwinement is manifested in various ways. Domestically, in its safeguarding of Israeli interests, the German state has been exercising unprecedented repression against its people in their call for an end to the genocide and accountability for Israel. This crackdown on freedom of speech has contributed to a broader sentiment of disregard for public opinion, causing a disconnect between the demands of the public and the actions taken by the state. On the global level, Germany has provided military and financial backing for Israel, actively aiding in the genocide. This has caused it to appear before the International Court of Justice in a case brought forth by Nicaragua that argued that Germany should be held accountable for its failure to prevent genocide. The ICJ case did not proceed in Nicaragua's favor, and Germany continued to stand firmly on the side of Israel, supplying it with weapons and aid.

German-Israeli relations currently seem to be at a crossroads, however. In an unexpected turn of events, Germany has decided to halt weapons to Israel², specifically military equipment that could be used in Gaza, an unprecedented stance against one of its closest allies. While the bilateral ties between the two states have historically been embedded and unyielding, as will be explored in the following sections, Germany's latest stance may suggest a different trajectory.

German-Israeli Relations: Legal and Political Dimension

Germany has not shied away from its unconditional support for Israel. Even in its recent call for the entry of aid to Gaza in the midst of a brutal Israeli-orchestrated famine— where Israel intentionally has been starving over 2 million people, causing irreversible damage— it still vehemently affirmed³ its support for Israel first and foremost. This has been the epitome of German domestic and foreign policy. German state leaders have repeatedly voiced their unequivocal support for Israel as a necessary precondition to absolving the state from its plagued history. The relationship between the two countries is often officially labeled as "unique," seemingly beyond question.⁴ As appears in an official statement by Germany's Federal Foreign Office, "Germany's responsibility for the security of Israel, its citizens and the Jewish people is and will remain a cornerstone of German foreign policy."⁵ As the countries commemorate 73 years of economic, political, and civil friendship since the Luxembourg agreement of 1952, Germany's commitment to the existence of Israel stands stronger than ever.

Staatsräson, a term most notably used by Angela Merkel in 2008 as German Chancellor, translates to reason of state, which is the political concept behind Germany's position regarding Israel. The concept, in line with realist thought, permits the state to act above or contrary to the law in matters pertaining to state interests. It is invoked in the context of Israel, where Germany views Israel's security as integral to German national security, therefore necessitating breaches of legal norms in pursuit of Israeli interests. As former Chancellor Olaf Scholz proclaimed, "Israel's security is German Staatsräson"; in that sense, Israel's security has been institutionalized as a moral and political imperative to the policies of the state. Within the domestic sphere, this has been materialized in the erosion of fundamental freedoms promised to the citizens of a liberal democracy like Germany. Since October 7, Germany has been taking additional measures to criminalize support of Palestine, the government has sanctioned attacks on protesters, threatened nationals with citizenship withdrawals⁷, and residents with deportations⁸ in the name of Staatsräson and Germany's responsibility for the Holocaust.

The Luxembourg Agreement

The Genesis of Israeli-German relations represents a unique instance of perceived attempted restorative justice. In the aftermath of the Second World War and at the height of widespread decolonial insurgencies, European states lost their grip on their colonies, and decolonized states continued to suffer the aftermath of colonial oppression for decades to come. Against

the backdrop of this decolonial struggle, Germany signed the Luxembourg Agreement of 1952,9 committing to paying reparations to Israel, a colonial state guilty of massacring and ethnically cleansing an indigenous population. Prior to the signing of the agreement, Israeli-German relations were nonexistent; the Israeli passport even stated that it was not to be used for entry into Germany.

However, facing existential challenges as a newly formed state, Israel met with representatives from West Germany to discuss moral and financial reparations for the "unspeakable crimes" against European Jews as a means to salvage its struggling economy.¹º These discussions resulted in the Luxembourg agreements, which set Germany to pay reparations amounting to 82 billion euros as of 2022¹¹, a turning point in Israeli-German relations. These reparations were essential to nation-building; a nation, however, built on the mass graves of Palestinians. At the time of signing the agreement, Israel had just formed its state as a result of massacres, like the Deir Yassin massacre that took place four years prior, resulting in the wiping out of entire villages, the forcible displacement of 750,000 Palestinians, and the murder of an estimated 15,000.¹²

The survival of Israel at the time was contingent on financial and political support, which it was able to garner from Germany. The means by which Germany chose to redress its historical grievances, whether in financing the establishment of an early Israeli colonial state or its continued support of its genocidal crimes, put it under moral and legal responsibility. In that sense, the concept of "reparations" meant to grant justice and relief to an oppressed group but became an instrument of oppression for Palestinians. This has further resulted not only in the oppression of Palestinians but also of those who dare to advocate for them in Western states like Germany.

As years pass, Germany continues to fund Israel, and in criticizing its actions, one becomes rendered antisemitic, facing legal and civil repercussions. In that sense, questions surrounding what constitutes antisemitism in the current political climate arise.

Germany's decision to pay reparations to Israel sharply contrasts with its response to Namibia's request for reparations. Under German colonial rule, formally starting in 1884, the people of Namibia witnessed atrocities and genocidal violence that continue to play a role in the trajectory of the country today.¹³ From 1904 to 1908, the German military forces in German South West Africa, now known as Namibia, embarked on massacres that ended the lives of an estimated 65,000 Hereros and 10,000 Namas, killing most of the Herero population and half of the Namas – indigenous Namibian tribes.¹⁴ Recognized as the first

genocide¹⁵ of the 20th century, Germany's colonial atrocities in Namibia continue to shape the lives of its citizens in the form of trauma and poverty, culminating in negotiations officially commencing in 2015, where Germany agreed to pay 1.1 billion euros dedicated to aid and development programs over a span of 30 years as "reconciliation", not reparations.¹⁶ To this day, Namibians are not satisfied with the outcome of the negotiations, groups that were directly affected by the genocide were not included in the negotiations,¹⁷ and the proposed payments do not represent accurate reparative means.¹⁸

There then appears to be a discrepancy in the concept of reparative justice in relation to German logic. Countries victim of Germany's colonial oppression, like Namibia, are unable to get appropriate reparations for the unspeakable crimes committed against their people. At the same time, Germany simultaneously funds a colonial state that continues to perpetuate the same crimes against a different ethnic group. The idea, then, is not justice or reparations, but a strategic political goal that benefits both states at the expense of the people, both domestically and abroad.

Antisemitism and Democracy

In the name of antisemitism and under the pretext of German responsibility for the Holocaust, Germany has encroached on a number of fundamental freedoms, an unprecedented escalation against its cherished liberal democratic values. Manifested in protest outlaws, police raids, harassment, and censored speech, repression of pro-Palestinian sentiments has become systemic, legitimized, and normalized, especially in the wake of October 7th. Those who are vocal about Palestine have faced intimidation and have often been subject to legal questioning. Earlier this year, in April, the government sent out deportation letters to four individuals, two Irish, one American, and one Polish, for their alleged association with the Palestinian movement. The letter ties the individuals to terrorism and antisemitism for their participation in pro-Palestine protests and their association with the movement, as it threatens national security. And while the letter details accusations pertaining to the endangerment of a police officer or the trespassing of a university building, it also details specific chants like "Free Gaza" and "From the river to the sea, Palestine will be free" to justify its reasoning.

It becomes evident that, especially after October 7th, in the eyes of the German government, any association with the Palestinian movement — the movement dedicated to advocating for Palestinian human rights against Israel's atrocities — necessitates suppression on grounds of national security. The ban on phrases like "from the river to the sea, Palestine will be free" — although not a definitive ban, as it depends on a judge's discretion to

determine if associated with the events on October 7th, but they often find it is²²— creates a tense political climate closely aligned with authoritarianism, whereby suppression of speech is institutionalized and legitimized. Thus, it appears that advocacy for Palestinian human rights has been intentionally misconstrued as antisemitic by the German government to justify extrajudicial actions by the state's executive force. The German police have been acting with increased impunity to eliminate and criminalize protesters. A recent report finds that the police have lied about the assault of an officer in an attempt to defame Palestinian protesters.²³ Protestors were promptly labelled "gang murderers" and a danger to German police as a means to justify their repression and key to manufacturing consent. Again, this is all done under the guise of antisemitism — an accusation even often reaching Jews — as it has been weaponized and invoked as grounds for more violations against those expressing support for Palestine.

Antisemitism, while widely acknowledged as prejudice or hatred towards Jews, in Germany, encompasses a much broader scope. Under the International Holocaust Remembrance Alliance (IHRA) definition of antisemitism that Germany has adopted,²⁴ antisemitism extends to the "targeting of the state of Israel" or the "claiming that the existence of a State of Israel is a racist endeavor".²⁵ And while the definition claims to make the distinction that "criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic," the conclusion remains that criticism of Israel represents an isolated targeting of Jews and their "self-determination" on occupied lands; therefore, questioning the Israeli state becomes antisemitic by nature. This definition has elicited substantial criticism, even by Jewish Germans, on its weaponized classification of antisemitism that works to uphold the security of Israel by defaming those critical of it as antisemites, facing grave legal and social consequences. The IHRA definition has become a legislative tool to not only suppress speech critical of Israel but also to criminalize pro-Palestine speech in all forms.

Ample examples illustrate this approach, like the ban on Palestinian Keffiyehs in German schools.²⁶ Or the ban imposed by Germany on Ghassan Abu-Sittah, the Palestinian-British surgeon and genocide survivor, from entering the EU.²⁷ Dr. Abu-Sittah was meant to speak before the French Senate about the situation in Gaza, exposing Israel's atrocities based on his first-hand account as a surgeon during the beginning months of the genocide. He became primarily known after holding a chilling press conference surrounded by corpses in the yard of Al-Shifa hospital after an Israeli massacre at Al-Ahli Baptist hospital that resulted in the killing of 500 people.²⁸ The press conference was meant as a plea to the international community to raise awareness about the situation unfolding and to hold Israel accountable for its war crimes. In it, Dr. Abu Sittah especially highlighted Western states' complicity with the genocide and

their unconditional support for Israel.²⁹ Since then, Dr. Abu Sittah — who has now fled Gaza — has made it his mission to expose Israeli war crimes to the world.³⁰ Germany's decision to block Dr. Abu Sittah from entering the EU presents an apparent attempt to suppress the truth, protecting Israel and allowing it to advance its genocide on Palestinians.

BDS: Making Genocide Costly

Israel, along with its staunchest allies, has utilized all means to garner global support, especially the continued financial and political support from powerful Western states, as a necessary precondition for the survival of the state. Confronting this necessity is the Boycott, Divestment, Sanctions (BDS) movement that aims to push states, corporations, individuals, and groups to sever politically, financially, and culturally from Israel on the basis of its war crimes. Since its launch in 2005, the BDS movement has come under severe delegitimizing campaigns from Western allies, especially Germany.

Most recently, the Bundestag, Germany's lower parliament, passed an antisemitism resolution a year ago titled Never Again is Now: Protecting, Preserving and Strengthening Jewish Life in Germany.³¹ The resolution outlaws funding to organizations that "question Israel's right to exist," or advocate for the boycott of Israel, or endorse the BDS movement. It also reaffirms explicitly a 2019 resolution that calls on the Federal Government to intensify legal activities against the BDS movement. The contentious resolution, criticized by legal experts, gives the state increasing executive powers to criminalize and crack down on pro-Palestine sentiments that call for accountability, not only for Israel, but for states complicit in aiding its actions.

Germany is currently Israel's second-highest trading partner, behind the United States. The countries maintain extensive economic ties, robust and historically grounded. Israel benefits from Germany's vast market, and over the years, the countries have seen an increase in economic ties, with total trade amounting to around \$ 8.1 billion by 2024.³² Therefore, an accountability movement like BDS, while directed at Israel, simultaneously implicates Germany by exerting economic pressure on different economic sectors involved with Israel. In that sense, it follows logically that Germany will continue to fight the BDS movement to protect its economic and political standing.

Where are Israeli-German Relations Heading?

After almost two years of unconditional backing of Israel in its genocide, Germany has finally taken a stance against Israel. Chancellor Friedrich Merz announced that Germany had decided to halt military exports that could be used in the war in Gaza.³³ This starkly contrasts with

Germany's report, which outlined that from 2020 to 2024, Germany was the second-largest importer of weapons to Israel after the United States.³⁴ Reaffirming its commitment, between 7 October 2023 and 13 May 2025, at the height of the genocide, Germany reported arms exports worth €485m to Israel. This was made evident a year after the ICJ case against Germany, where it falsely claimed that military aid to Israel "decreased substantially." ³⁵

Germany's unexpected decision could be attributed to a combination of factors, primarily the growing rift between public opinion and policy. A DeutschlandTrend survey finds that an estimated 66% of Germans believe that the country should take a tougher stance on Israel.³⁶ This comes at a time when people are witnessing the most horrific stages of genocide with growing Israeli impunity, and therefore, are growing dissatisfied with their nation's complicity in it. While this seems to be merely a political decision that came after almost two years of unwavering genocide funding, it is a positive step that should lead to further action against Israel.

Conclusion

The German government must acknowledge its complicity in the ongoing genocide in Gaza and work towards rectifying the situation by putting appropriate measures and sanctions on Israel for its war crimes. As Aimé Césaire brilliantly links, Nazism "was a natural consequence of Western barbarity with the colonized." To this day, Germany continues to perpetuate this violence under the guise of coming to terms with its history. Germany's contribution to violence against Palestinians and its failure to provide appropriate reparations to its former colonies prove that it has failed to learn from its past.

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