

reaffirming that what is so plain to see, is really happening. In Germany (where *Errant* is partly based) specifically, people who refer to what is happening in Gaza as a genocide, or generally speak up for Palestinian human rights, are faced with harsh backlash; people of all sorts – including Jewish people – are accused of antisemitism. Awards, exhibitions, and lectures are cancelled, and entire institutions are facing defunding and closure for even attempting to facilitate conversations about and between Israelis and Palestinians.<sup>2</sup> Although the actions of the Israeli state are condoned and excused by states the world over, it is Germany that seems to be particularly blinded by the ‘special responsibility’ they feel they have in defending the state of Israel, no matter the horrors or human rights violations this state commits.

Because of her extensive research into memory culture, citizenship, and religious difference as race in Germany, Sultan Doughan was asked to reflect on the relation between guilt and debt; terms that are expressed by the same word in the German language.<sup>3</sup> In fact, in all Indo-European languages the words for debt are synonym for sin and/or guilt, indicating the links between religion, morality and different mediations, financial and otherwise. In her text, Doughan explains how this sense of guilt in Germany translates to a denial of citizenship and basic human rights for Palestinians that stems from a way they in particular – and especially in Germany – challenge European perceptions about itself.

In a second text commissioned late and that responds to the ongoing war, Bahar Noorizadeh shows the entanglements of the continued occupation of Palestine with finance. It is unnerving how Gaza too can be viewed through the cold lens of finance and debt. ‘Should we read it with our everyday causal cognition,’ Noorizadeh writes at the start of her essay, ‘the market would be the ultimate medium of information.’ She ends her texts on the call for boycotts on Israel; another form of disobedience and tactic of non-violent resistance, which incidentally is also forbidden in Germany: ‘[i]t is in this sense that boycotts become a changing of the moral compass – a recalibration of our mutual indebtedness and a reconfiguration of the very liberal humanitarian paradigm as the telos of capital’s existent world.’

If anything, the process of making this issue of *Errant* showed that almost any relation can be framed in the language of debt, and that the associations with religion, morality, and culpability are endless. I am not sure what that really says about the kind of world we live in, or what we ultimately value most. Realistically, we’ll not see the end of the oppressive and harmful ways of capitalism anytime soon, but it is hopeful to see some glimpses of another kind of world that is possible.

<sup>2</sup> The latter example specifically refers to the cultural organisation Oyouun in Berlin whose funding has been cut after organising an evening of ‘mourning and hope’ in response to the 7 October attack and in collaboration with Jewish Voice for a Just Peace in the Middle East. Based on Oyouun’s refusal to cancel the event, the Berlin Senate accused the cultural centre of ‘acting in an antisemitic manner.’ For more on this go to <https://tr.ee/C-zlXWVcKW>, for other examples of silencing in Germany see [https://www.instagram.com/archive\\_of\\_silence/](https://www.instagram.com/archive_of_silence/)

<sup>3</sup> Graeber 2014: p. 59 (see note 1).

# ‘Free Palestine from German Guilt’?

## Responsibilization, Citizenship, and Social Death

Sultan Doughan

The slogan ‘Free Palestine from German Guilt’ has emerged in pro-Palestinian demonstrations in the last two years; circulating as stickers, posters, on protest signs, as a hashtag, and allegedly even projected onto the Brandenburg Gate. Coined by Palestinian activists and specifically the German-wide civil rights movement ‘Palestine Speaks,’ the slogan has come to express a rallying cry for a different relation between Germany and Palestine.<sup>1</sup> With this slogan, Palestine activists ask for a relation independent of the horrors of the Holocaust, as human beings on their own terms with their own inalienable right to their ancestral land and history.

The slogan is also a reminder of the political situation in Germany, where basic human rights of German citizens, residents, and even international visitors, Palestinian, Jewish or Others, and cultural institutions who speak up for Palestinian human rights are repressed, threatened with de-platforming, and defunding and hence effectively silenced by German state institutions.<sup>2</sup> German state institutions have renewed these measures after the Hamas attack on 7 October 2023 in the name of preventing antisemitism and defending liberal democracy. German memory culture has shaped up since the early 1990s to a universal role model of how to face a violent national past. But it has also given rise to disciplinary, regulatory, and repressive policies. These policies are underwritten by a conviction that the Holocaust is an exceptional ‘civilizational rupture’ and cannot be categorized or compared to any other genocide, as historian Dan Diner argued. Diner holds that the Holocaust carries no political motifs and was only driven by an irrational hatred against Jews.<sup>3</sup> Historian Dirk A. Moses has called this conviction and the way it operates a ‘catechism.’<sup>4</sup> The term catechism captures a politico-theological relationship with Germany’s national past as divorced from historical and ongoing political realities. As a catechism, it instructs political life and discourse with certain principles such

as the Holocaust’s de-historicized exceptionality. Besides the irrational hatred of Jews as the sole motif for the Holocaust, these principles include a special responsibility towards Israel that informs Germany’s reason of state, here antisemitism is described as a distinctly German prejudice, one that cannot be equated with racism, and finally anti-Zionism is regarded as a form of antisemitism.<sup>5</sup>

Moses elaborates on German political history and discourse, specifically the historians’ debate in the 1980s. He demonstrates how this conviction has been embraced as Germany’s moral foundation and how it replaced a previous practice of catechism. The earlier catechism pushed responsibility for the Holocaust onto the right-wing margins and purified the rest of the nation. In both instances, the catechism effected a rehabilitation of Germany’s international standing beneficial to German national interests. To question one of these principles or to relate the Holocaust to other genocides as historians and critical theorists such as Michael Rothberg and Juergen Zimmerer have done to create an understanding of the troubles of modernity, has caused defensive and polemical reactions in the German public.<sup>6</sup>

But how does one account for the affective forces and social practices that stabilize these convictions with wide-reaching legal, political, and social consequences? Some see these forces configured out of guilt. Social scientists have provided rich ethnographic and empirical case studies about guilt’s operative force. Sa’ed Atshan and Katharina Galor argued that ‘a pervasive sense of public guilt’ circumvents the criticism of Israeli state actions.<sup>7</sup> For Atshan and Galor once the barrier of guilt is lifted, a more open conversation about Israel-Palestine and a broader German responsibility could emerge. The authors build on the existing relationship between Germany and Israel as a model that could be extended to Palestine and Palestinians as part of a triangulated relationship.

Anthropologist Esra Özyürek argues that Germans have mobilized and ‘subcontracted guilt’ as the right kind of emotion to embody for reasons of belonging in Germany, especially for ‘Muslim-background Germans.’<sup>8</sup> She addresses the etymological and semantic similarity between *Schuld* (guilt) and *Schuld(en)* (debt) in the German language, explaining it as ‘a personal or national liability that can be handed down from generation to generation but also can be widely distributed or even cancelled.’<sup>9</sup> She notes that there is something questionable about ‘the nature of contractual relationship between the parties who exchange guilt and debt.’<sup>10</sup> The scholar Sarah El-Bulbeisi has rejected the notion of guilt and has accounted for structural racism in her scholarship. She accounted for how Palestinian subjectivity is based on a ‘taboo,’ whereby their existence challenges European perceptions about themselves and Israel. Palestinian biographies and claims onto the land become uncomfortable reminders for Europeans and forces Palestinians to hide their identity, as if they are not allowed to exist.<sup>11</sup>

I would like to further complicate the assumed existence and workings of guilt. I approach the notion of guilt as a shadow that attaches itself to the political discourse and practice of responsibilization and follows it in unofficial ways without ever becoming subject to direct address or regulation. The shadow is relevant for a repressed, hidden and guilt-laden aspect that one cannot reconcile with the ideal image one has created of oneself for others.<sup>12</sup> As a repressed element of oneself, the shadow lives in the (collective) unconscious and can be projected onto others.

The ideal image of the Global North, and specifically of Germany, assumes that we live in an age of liberal-democratic human rights *after* the Holocaust.<sup>13</sup> Yet I claim that citizenship carries the shadow of a catastrophic failure to include Jewish minorities as political equals with full access to individual and collective rights. This shadow becomes further visible and

tangible with Middle Eastern communities in Europe today and specifically Palestinians, who are failed by international law. In other words, the shadow is a reminder that we do not simply live *after* the Holocaust, but we live *with* the Holocaust and the dysfunctional structures and institutions that led to it in the first place.

In discussing the case of Germany, I would like to explore how basic human rights are suspended and threatened with punishment. This threat of punishment is produced after several political shifts since the 1990s and works through ‘responsibilization’ of citizenship. Distributed discursively, responsibilization works through policies and regulations, but also practically through disciplinary measures of Holocaust memory in civic education. As a strategy, responsibilization proliferates governmental power as described by social theorist Michel Foucault through institutions, procedures, analyses, and knowledge-production more broadly.<sup>14</sup> The main objective is to activate populations to co-govern themselves.<sup>15</sup> In the case of Germany, responsibilization has

<sup>1</sup> ‘Für palästinensische Rechte - wir werden nicht länger schweigen!’ *Palästina Spricht*. <<https://www.palaestinaspricht.de/ueber-uns>>.

<sup>2</sup> See the Archive of Silence for recording and archiving ongoing attempts to silence artists, activists and cultural and organization when they speak up for Palestine and Palestinian human rights: ‘Archive of Silence’ *The Left Berlin*. 6 December 2023 <<https://www.theleftberlin.com/archive-of-silence/>>.

<sup>3</sup> Diner, Dan. ‘Epistemics of the Holocaust Considering the Question of “Why?” and of “How?”’ *Naharaim*, Vol. 1, No. 2 (2007): pp. 195-213.

<sup>4</sup> Moses, Dirk. ‘German Catechism’ *Geschichte der Gegenwart*. 23 May 2021 <<https://geschichte.gegenwart.ch/the-german-catechism/>>.

<sup>5</sup> Anonymous. ‘Palestine Between German Memory Politics and (De-) Colonial Thought,’ *Journal of Genocide Research*, Vol. 23, No. 3 (2021): pp. 374-382.

<sup>6</sup> Rothberg, Michael. *Multidirectional Memory and the Universalization of the Holocaust*. Oxford: Oxford University Press, 2009; Zimmerer, Jürgen. *Von Windhuk nach Auschwitz?: Beiträge zum Verhältnis von Kolonialismus und Holocaust*. Vol. 15. LIT Verlag Münster, 2011.

<sup>7</sup> Atshan, Sa’ed, Katharina Galor. *The Moral Triangle: Germans, Israelis, Palestinians*. Durham: Duke University Press, 2020.

<sup>8</sup> Özyürek, Esra. *Subcontractors of guilt: Holocaust memory and Muslim belonging in postwar Germany*. Stanford: Stanford University Press, 2023.

<sup>9</sup> Ibid.: p. 3.

<sup>10</sup> Ibid.

<sup>11</sup> El Bulbeisi, Sarah. *Tabu, Trauma und Identität: Subjektkonstruktionen von PalästinenserInnen in Deutschland und der Schweiz, 1960-2015*. Vol. 174. transcript Verlag, 2020.

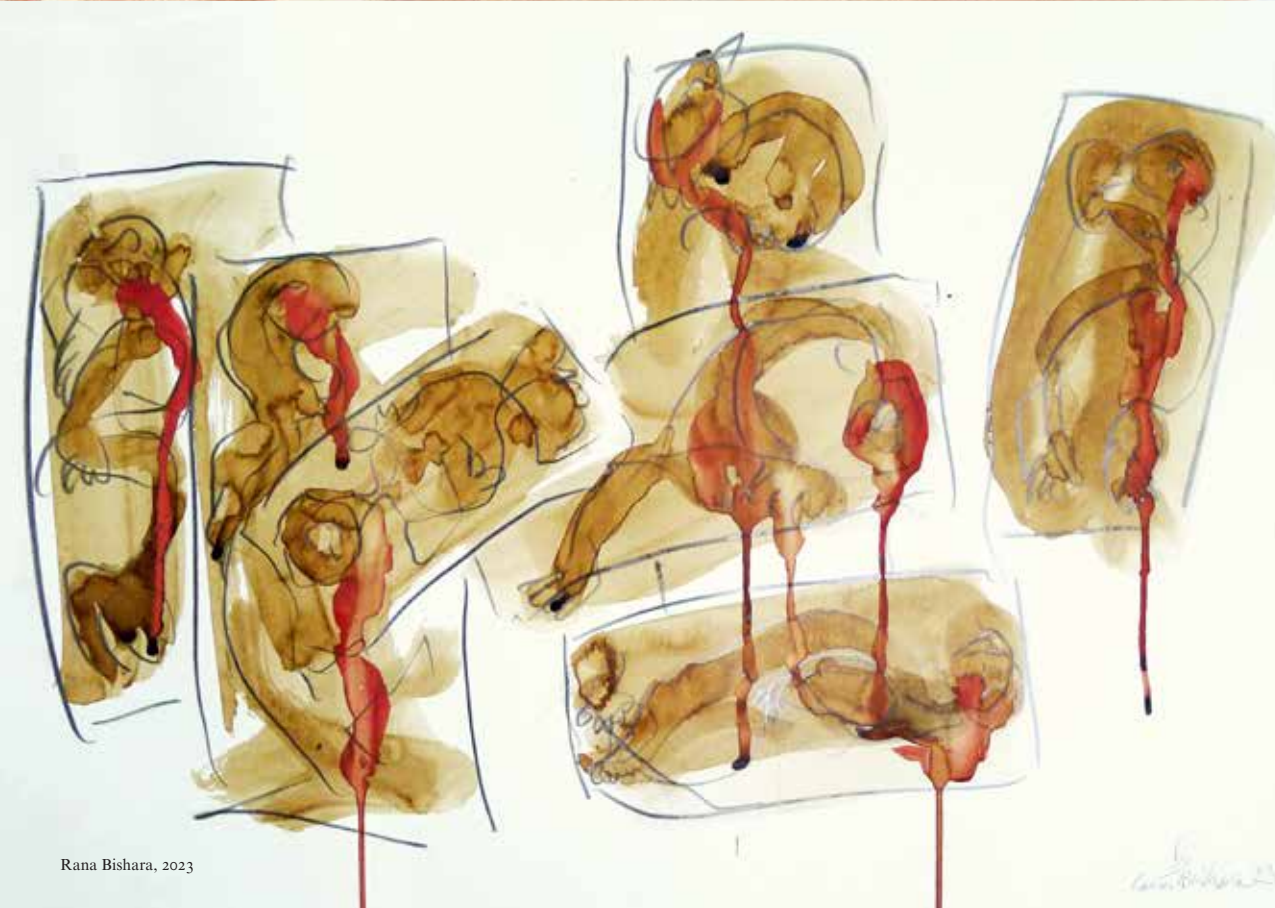
<sup>12</sup> Here I take inspiration from C.G. Jung’s notion of the shadow in analytic psychology. See: Casement, Ann. ‘The Shadow’. In: Papadopoulos, Renos K. (ed.). *The handbook of Jungian psychology: Theory, practice and applications*. London: Psychology Press, 2006.

<sup>13</sup> Meister, Robert. *After evil: A politics of human rights*. New York: Columbia University Press, 2010.

<sup>14</sup> See Foucault, Michel. *Security, territory, population: lectures at the Collège de France, 1977-78*. Springer, 2007.

<sup>15</sup> This is not limited to Germany and the securitization of Holocaust memory but is a feature of neoliberal and securitizing governments managing migration. See Van der Veer, Lieke. ‘Governing through responsibilization: managing unwanted migrants in the Netherlands.’ *Krisis*, Vol. 2 (2016): pp. 1-13.





been a key feature of mature and active citizenship rehearsed through disciplinary and commemorative practices that mobilize the Holocaust as an exceptional event in civic education. Hence, responsabilization also draws a line between rightful citizens and those who must be ostracized, cancelled, and socially banned from public, denied citizenship or revoked their basic human rights. These acts of repression are defended with recourse to having a 'responsibility' to protect liberal democracy after the Holocaust based on a personhood of historical perpetratorship.

Instead of delivering on the promise of political equality and human rights, I argue that citizenship is being emptied of its promise and morphed into a technology of 'social death'. I borrow the term social death from sociologist Orlando Patterson and his comparative study on slavery. As a form of domination, slavery was widespread because it promised an eventual and more permanent freedom. Beyond slavery, social death has been mobilized to describe the loss of community, personhood, and freedom in contexts of racial and gender inequality.<sup>16</sup> In taking citizenship into the space of social death, I aim to show that the promise of freedom and equality in a liberal democracy is not outside subjugation and the establishment of a racial hierarchy.

#### Guilt in what sense – as a feeling or an action?

Is it guilt that enables the German police to stomp out candles during vigils for killed Palestinian civilians?<sup>17</sup> Do they beat up protesters out of a sense of guilt? Is it guilt that makes police patrol through immigrant neighborhoods in Berlin and exercise racially profiled arrests? Is it guilt that allows for the banning of 'Palestinian symbols' including colors of the Palestinian flag from public spaces such as schools, while Israeli flags are hanging from official buildings in solidarity with the Israeli victims of October 7?<sup>18</sup> Is it guilt when a German teacher punches a student for bringing a Palestinian flag to

the school?<sup>19</sup> Is it guilt that represses basic human rights by banning protests that ask for a ceasefire or the right to be free of a decades-long occupation? Is it guilt that categorizes any pro-Palestinian political activity as potentially antisemitic? Who is guilty here, what for, and how does this shape civic action?

The practice of citizenship is shaped by the relationship to Germany's genocidal crimes and has given rise to a self-righteous perpetrator position, perhaps without ever feeling guilty. After all, many criminals of the Holocaust have accounted for their crimes, without understanding why they should be charged guilty. Consider the famous trial of Adolf Eichmann in 1963 in Jerusalem who pleaded not guilty, explaining that he was a mere instrument in the hands of the Nazi regime.<sup>20</sup> A similar case of perpetrators, who do not feel guilty is provided by the second Auschwitz Trials in Frankfurt between 1963-1965. Hundreds of concentration and death camp workers detailed and admitted how they chose between life and death for the inmates, just to say that they were only doing their job and following orders. Although the trials revealed gory details of industrialized mass killings, they failed to merge perpetratorship as a personhood and guilt as a feeling.<sup>21</sup>

I understand historical perpetratorship as an inclusive concept in Germany, but not because perpetrators of crimes admitted to being guilty, but because of their denial. The term 'collective guilt' emerged in the 1960s in response to these denials and was criticized by Hannah Arendt for hiding those responsible individuals

<sup>16</sup> See Patterson, Orlando. *Slavery and social death: A comparative study, with a new preface*. Harvard University Press, 2018. But also Claudia Card, who talked more broadly about the context of genocide: Card, Claudia. 'Genocide and social death.' *Hypatia*, Vol. 18, No. 1 (2003): pp. 63-79.

<sup>17</sup> Hauenstein, Hanno. 'Why is Germany Cracking Down on Pro-Palestine Protest?' *The Nation*. 30 October 2023 <<https://www.thenation.com/article/politics/germany-palestine-protest/>>.

<sup>18</sup> Brady, Kate, et al. 'European Bans on Pro-Palestinian Protests Prompt Claims of Bias' *The Washington Post*. 27 October 2023 <<https://www.washingtonpost.com/world/2023/10/26/palestine-protest-ban-france-germany/>>.

<sup>19</sup> 'Teacher in Germany assaults student who raises Palestinian flag' *MEMO*. 10 October 2023 <<https://www.middleeastmonitor.com/20231010-teacher-in-germany-assaults-student-who-raises-palestinian-flag/>>.

<sup>20</sup> Arendt, Hannah, Jens Kroh. *Eichmann in Jerusalem*. New York: Viking Press, 1964.

<sup>21</sup> Pendas, Devin O. *The Frankfurt Auschwitz Trial, 1963-1965: Genocide, History, and the Limits of the Law*. Germany: Cambridge University Press, 2006.



in a cloak of collective obfuscation. She famously formulated, that ‘where everyone is guilty, no one is. Guilt, unlike responsibility, excludes and is exclusively personal.’<sup>22</sup> Arendt argued for collective responsibility, which she differentiated from legal and moral categories of guilt. Collective responsibility meant precisely that one was not personally guilty, but that one lived with the consequences of certain deeds executed by others. For Arendt, this was the price one paid for the ability to act politically and for building a community with others.<sup>23</sup>

Responsibility then in this instance is an agentive political force. By taking responsibility, individuals in German institutions regain the agency to act and acknowledge those historical perpetrators who have shaped one’s own political conditions. Collective responsibility here positions oneself as a politically responsible citizen in a lineage of the perpetrator ancestors. What makes this position a historical one, is that it can enable new forms of violence by invoking and dominating an understanding of history as a teacher.<sup>24</sup> But historical perpetratorship extends responsibility beyond the Holocaust to the state of Israel.

Collective Responsibility & Citizenship

Collective responsibility as a political force has further penetrated and shaped citizenship in disciplinary practices. Relatedly, collective responsibility has expanded its purview from building a political community in Germany, to building a political community that would extend its responsibility towards the state of Israel, even if that state commits war crimes under international law against an occupied and stateless people.<sup>25</sup> More so, the commitment to the state of Israel is debated as conditional to achieving basic human rights in Germany. Just recently, the ministry of Interior of Saxony-Anhalt suggested that naturalization to German citizenship within the Federal Republic should include a ‘confession’ to Israel’s right to exist.<sup>26</sup> The ministry would further

search Facebook and social media posts to uncover ‘hidden antisemitism’ and deny naturalization, and even suggested a deportation to the Westbank in one case of a falsely accused applicant in 2018.<sup>27</sup> These measures effectively criminalize and punish immigrants and foreclose any pre-condition to political equality.

The term confession, although also used in secular practice, hints at the underlying Protestant and Western Christian theologization of the Holocaust. In contrast, to the political functionaries of the Nazi regime, individual members of the Protestant Church believed that the Nazi regime had committed a sin against God.<sup>28</sup> In this line of thought, the resurrection of Jewish life in the state of Israel is not accidental and grows out of post-Holocaust salvational theology that has developed into a robust Christian Zionism within the Protestant Church (EKD) and many other Pentecostal, Free and Lutheran branches.<sup>29</sup> These developments have fluctuated since the 1950s and were not necessarily aligned with Germany’s foreign policy towards Israel or the Middle East until 1998.

My point here is not to critique the German state as not fully secularized, but to point out how the secular state lives off and thrives on moral precepts that are theologically specific and yet become universally binding. What is further puzzling is that these precepts found their way into secular governance to combat ‘Islamic extremism’ among immigrant communities and specifically Palestinians, discrediting their claims as irrational hatred rooted in Islam. What has been often claimed as a conflation of antisemitism with anti-Zionism by human rights scholars is not so much a conflation, but the workings of secular powers. For Christian Zionists, the theological figure of the Jew is actualized in the state of Israel and provides a way of working towards a larger revelation for Western Christianity itself.

Collective responsibility in Germany has transformed and aligned with such a salvational vision of the figure of the

Jew. The claim to ‘special historical responsibility’ has only emerged in 2008. In a speech given by Angela Merkel in the Knesset, Merkel declared that Israel’s existence, if it was threatened by Iran’s nuclear program, was Germany’s reason of state.<sup>30</sup> Uttered as a promise to protect the state of Israel in an international arena, Germany’s special historical responsibility has taken the Holocaust as a justification to intervene and enact exceptional measures domestically against its own citizens and residents.

These reconceptualizations of collective responsibility work as a governmental technique and responsabilizes citizens in ways to internalize, to enact and practice this logic in social settings. By doing so, it positions citizens as contributors to the combat of antisemitism, which goes hand in hand with combatting radicalization as part of the larger war on terror and protecting liberal democracy against illiberal intruders.

The combat of political extremism is as old as the Federal Republic of Germany and has institutionalized civic education as a permanent pedagogical praxis for liberal democracy. The category of Islamic extremism was only added in 2006, the same year in which several German states introduced additional citizenship tests after the citizenship reform of 2000 that had allowed German-born immigrant children to become legally German. It is also the same year in which the German state initiated the German Islam Conference to select acceptable, mostly secularist, Muslim partners and enter a national dialogue to combat radical forms of Islam together. Islamic extremism in other words, has been inaugurated not just as a combat of a political ideology, but also as population management, as a racial technology and a regulatory device to manage migration.<sup>31</sup>

Social Death

Since 2011, civic educators and community organizers in Berlin have been tasked with learning and teaching about the

Holocaust and antisemitism to teenagers from secondary and high schools in mostly immigrant neighborhoods to combat ‘Islamic radicalization’ and ‘Muslim antisemitism.’ In my research with these civic educators, who were of Middle Eastern descent and in some cases Palestinian, I witnessed how their enthusiasm for teaching about the Holocaust stemmed from connecting their refugee experience as stateless Palestinians or minoritized Muslims. During my research between 2015-2017, I also witnessed how some of them feared for their job or loss of reputation, or in fact did lose their jobs, because a colleague reported them for comparing their own experience of statelessness to the Jewish experience. The loss of a civic educator job based on antisemitism, according to one interlocutor in Berlin, was a loss of social status and community. As many colleagues would be afraid of being associated with someone who was branded an antisemite, they would cut off any social ties.

In a recent meeting with this interlocutor, she shared with me that she is still melancholic about her years as a civic educator. She explained that it gave her the space to

22 ‘Wo alle schuldig sind, ist es keiner. Schuld, anders als Verantwortung, sondert immer aus; sie ist ausschließlich persönlich.’

23 Arendt, Hannah. ‘Kollektive Verantwortung’ *NAMENSgedächtnis*. 8 June 2023 <<https://jochenteuffel.com/2023/06/08/hannah-arendt-uber-kollektive-verantwortung-1968-die-stellvertretende-verantwortung-fur-dinge-die-wir-nicht-gehan-haben-das-auf-uns-nehmen-der-konsequenzen-von-dingen-an-denen-wir-vollkommen-u/>>.

24 The German foreign minister Joschka Fischer for example, backed the NATO-bombing of Kosovo in the name of Never Again in 1999.

25 Kiswanson, Nada. ‘Chapter 11 Palestine, Israel, and the International Criminal Court.’ In: *Prolonged Occupation and International Law*. Leiden: Brill|Nijhoff, 2023; Segal, Raz. ‘A Textbook Case of Genocide’ *Jewish Currents*. 13 October 2023 <<https://jewishcurrents.org/a-textbook-case-of-genocide>>.

26 Reimann, Jakob. ‘Repression gegen Palästina-Bewegung: »Die Entscheidung fördert einen Generalverdacht«’ *Die Tageszeitung junge Welt*. 18 December 2023 <<https://www.jungewelt.de/artikel/465428.repression-gegen-pal%C3%A4stina-bewegung-die-entscheidung-f%C3%B6rdert-einen-general-verdacht.html>>.

27 Ibid.

28 See for example Lothar Kreyssig and the Protestant Church in Germany: Doughan, Sultan. ‘A Secular Conversion of Protestant Morals?’ *Contending Modernities*. 17 February 2022 <<https://contendingmodernities.nd.edu/theorizing-modernities/a-secular-conversion-of-protestant-morals/>>.

29 See Sizer, Stephen. *Christian Zionism: Road-map to Armageddon?* Eugene, Oregon: Wipf and Stock Publishers, 2021 and Hornstra, Willem Laurens. ‘Christian Zionism Among Evangelicals in the Federal Republic of Germany.’ PhD diss., Oxford Centre for Mission Studies, 2007. Hornstra describes how the early 1990s also gave rise to additional groups mobilizing their Christian faith to forge a special bond with Israel as a theological project of salvation. For these groups, any Palestinian claim to historical existence in the same territory is a hindrance to their theological project.

30 Busch, Horst, German Army. *German-Israeli Relations: Security of Israel-Reason of State?* US Army War College, 2013. See also: Wittlinger, Ruth. ‘The Merkel government’s politics of the past.’ *German Politics and Society*, Vol. 26, No. 4 (2008): pp. 9-27.

31 Amir-Moazami, Schirin. *Interrogating Muslims: The Liberal-secular Matrix of Integration*. London: Bloomsbury Publishing, 2022.



Louis Joseph Mondhare, *Ville Capitale de la Palestine sous David et Salomon...* (an imaginary view), 1770

address and work through what it means to be Palestinian in a country that is based on historical perpetratorship, hoping that eventually one could also address Palestine.<sup>32</sup> But going back was not option, as she was told by her former boss that all civic education and Holocaust memorial sites were informed about her case. According to her, she had lost one part of herself that she could not live in public anymore.

A constituent element of social death in slavery is 'natal alienation'. According to Patterson, a slave is by birth alienated from certain rights, such as belonging to a legitimate social order. A slave is socially isolated from those he lives with and 'he also was culturally isolated from the social heritage of his ancestors.' The isolation stems from the restriction to integrate earlier experiences and inherited meaning into the social reality in which he lives within a conscious community of memory. Patterson describes this as a struggle for heritage: 'That they reached back for the past, as they

reached out for the related living, there can be no doubt. Unlike other persons, doing so meant struggling with and penetrating the iron curtain of the master, his community, his laws, his policemen or patrollers, and his heritage.'<sup>33</sup>

While this description of slavery and social death is intriguing, it needs further clarification for its relevance in a liberal democracy and citizenship. Palestinians in Germany are not simply separated from their immediate communities or told to deny the Palestinian experience of dispossession, displacement, and statelessness. Yet, in these civic education programs in which citizenship is inculcated through a responsabilization for the Holocaust, Palestinians can only struggle to integrate their own inherited meaning of their experiences into the subject of historical perpetratorship.

Palestinians experience themselves as a problem the moment they want to act within a political community. In contrast to the slave, who can live



Taring Padi, from the puppet series made during the workshop *Wayang Kardus - Struggle and Solidarity* at Framer Framed in March 2022.

through temporary social death until they are free again, the social death of citizenship is perhaps a more permanent experience, because it is tied to legal status. Inflicting social death is racially hierarchizing, because it is executed in the name of protecting liberal democracy and preventing antisemitism. Those who are brandished as Muslim antisemites, because they dared to claim their human rights as Palestinian, are often described as disappointments, who were allowed to pass until pro-Palestinian posts and statements were discovered.<sup>34</sup>

In the field of civic education, Muslim participants would be treated with additional antisemitism training, where they would be told that insisting on Palestine as a homeland was antisemitic because it denied Israel the right to exist as a Jewish homeland. While these programs outlined what could be considered antisemitic speech in Germany, they did not facilitate speaking about the Palestinian experience. This often led to self-censorship and distrust in state-funded organizations and the breakdown of personal communication altogether. This was particularly ironic, when they were lectured about Holocaust-survivor biographies, who had escaped to Palestine, a minor detail that would not be further commented on as to avoid punishment.

This punishment is more widely tangible since the German parliament has adopted the IHRA working definition of antisemitism in 2018 that has led to spectacular public scandals since. Although the IHRA working definition of antisemitism does not state that criticism of Israel is per se antisemitic, in the context of Germany, criticism, protest and boycott of Israel are treated as antisemitic with political and legal consequences.

Its first prominent target was political theorist Achille Mbembe in 2021, but cases have multiplied since the documenta in 2022 and ongoing.<sup>35</sup> Even Jewish protestors, such as artists and scholars Candice Breitz, Adam Broomberg or human rights activist

Iris Hefets in Berlin have been cancelled, arrested, and accused of antisemitism if they stood with Palestinian rights and/or condemned Israeli actions in Gaza. This shows that the special historical responsibility does not apply to Jewish individuals and their rights either but prioritizes the state-form over human rights. In contrast to Palestinians, Muslims, and other people of color, however, Jewish persons can claim historical victimhood vis-à-vis ethnic Germans and recover a speaker position, but often remain vulnerable to harassment as 'self-hating Jews'.

In 2019, the German parliament passed a motion that the BDS-movement is antisemitic and decided to defund cultural organizations and projects with ties to the movement or to deny public spaces in which BDS support and discussions could take place.<sup>36</sup> The motion does not mention terms like occupation or the political reasons for those who support boycott as a viable non-violent resistance. Instead, it is grounded in the IHRA definition whereby the state of Israel is considered a Jewish collective. More importantly, the motion is argumentatively built on German history, hatred of Jews and its murderous consequences in Europe. Further, it describes antisemitism to be 'the most devastating form of group-related misanthropy', avoiding the term racism as perhaps not to subsume or relate antisemitism to other forms of racial discrimination.<sup>37</sup> In addition, the

<sup>32</sup> Based on personal communication in April 2023 in Berlin.

<sup>33</sup> Patterson, Orlando. *Slavery and social death: A comparative study, with a new preface*. Harvard University Press, 2018: p. 6.

<sup>34</sup> The case of the Palestinian-German scientist and journalist Nemi El-Hassan is telling. She was about to become a TV anchor for a science show, until earlier posts discredited her for siding with Palestinian prison fugitives against the state of Israel. She was rapidly turned into a suspicious Islamist character by some major German print media. Sappir, Michael. 'The inquisition of Nemi El-Hassan' +972 Magazine. 6 October 2021 <<https://www.972mag.com/nemi-el-hassan-germany-anti-semitism/>>.

<sup>35</sup> Doughan, Sultan, Hanan Toukan. 'How Germany's Memory Culture Censors Palestinians' *Jacobin*. 16 July 2022 <<https://jacobin.com/2022/07/germany-israel-palestine-antisemitism-art-documenta>>.

<sup>36</sup> See Nasr, Joseph, Riham Alkousaa. 'Germany designates BDS Israel boycott movement as anti-Semitic' *Reuters*. 17 May 2019 <<https://www.reuters.com/article/idUSL5N2T40A/>>. The original motion in German can be found here: <https://dserver.bundestag.de/btd/19/101/1910191.pdf>

<sup>37</sup> This is my translation from the German original 'gruppenbezogene Menschenfeindlichkeit,' an analytic term coined by the sociologist Wilhelm Heitmeyer to account for individual bias and prejudice against certain groups without using the categories of race and racism. For a legal discussion of Germany's (mis-)conception of the term race, see Barskanmaz, Cengiz. *Recht und Rassismus. Das menschenrechtliche Verbot der Diskriminierung aufgrund der Rasse*. Berlin: Springer-Verlag, 2019.



motion states that antisemitism is a threat not just ‘to humans of Jewish faith’ but also to the liberal-democratic constitution.

The fact that non-violent protests and boycotts are an integral part of a functioning liberal democracy is not addressed. By equating a state-organized boycott against (Jewish) minority-owned shops during the Nazi regime with a (Palestinian) civil society that calls for the end of its occupation, this motion effectively erases the difference between statelessness and state violence. More so, the motion claims that such boycotts defame ‘humans because of their Jewish identity’ and undermine Israel’s right to exist ‘as a Jewish and democratic state.’ This statement circumscribes an otherwise conventional non-violent form of civic action as irrational hatred, in this case with Nazi-like fascist qualities. Further declaring that such boycott actions will be resisted because Germany has a ‘special historical responsibility.’<sup>38</sup>

The first pro-Palestinian protest banned in Berlin and standing as a precedent for a series of banned protests since, was dedicated to the slain journalist Shireen Abu Akleh in 2022. A couple of days later, any public commemoration of the Nakba was similarly banned. The police declared that these protests could incite antisemitism and banned any protest or assembly of more than three people in Neukölln, a visibly Palestinian and Middle Eastern neighborhood. This has de facto criminalized those who sought to break this ban by insisting on their basic constitutional rights as Germans and on their undeniable experience as Palestinians. Around one hundred protestors were arrested and fined by the police on that day. According to shared details with me by one of the protestors, some of them appealed the fine and had to appear in court. The judge agreed that they in principle have the right to assemble and protest and that the ban on Nakba day was disproportionate and endangered the right to opinion and assembly. Accordingly, the judge waived the fine of € 345. Still, the judge ruled

that the protest was banned and that the protestors had taken part in an illegal assembly and ruled that they have to pay the court € 827. The case was closed on that account.<sup>39</sup>

One of the protestors, Nour Al-Abed, penned a personal statement explaining that ‘the day of the Nakba, May 15th, is an important memorial day for me personally, since my family was expelled in 1948. Collective mourning is an important part of a democratic society. It is particularly important for the Palestinian community in Berlin/Germany to be able to hold collective mourning in public space.’<sup>40</sup> For Palestinians, it is obvious that their place within a larger political community in Germany has been denied. Historical perpetratorship built on the notion of collective responsibility has effectively disabled Palestinians from becoming full citizens with basic human rights in Germany. Instead, the figure of the Palestinian embodies the stateless non-European who unsettles the post-Holocaust social and political order by resembling the pre-Holocaust figure of the Jew. By threatening, punishing, and even socially killing Palestinian voices, in the name of protecting liberal democracy and Jewish life, the shadow of citizenship is safely repressed, the racial hierarchy is normalized, and the question of minority rights becomes unaskable, despite Holocaust memory. Far from enabling the access to rights, citizenship has become a technology of social death.<sup>41</sup> Ultimately, this begs the question if political freedom within liberal democracies is only reserved for the ethnic and racial majorities. As I write my last sentence, more than 20.000 people were killed in Gaza, 70 percent of them women and children. More than one million people are currently displaced, many thousands are buried under the rubble of entire neighborhoods and a generation of several thousand maimed and orphaned children has been produced. Who will bear the responsibility for these deeds, especially when no one will admit their guilt?

<sup>38</sup>  
The term guilt is not mentioned in this motion.

<sup>39</sup>  
<https://www.theleftberlin.com/mourning-the-nakba-in-public-space/>

<sup>40</sup>  
Ibid.

<sup>41</sup>  
<https://mondoweiss.net/2023/12/pro-palestinian-speech-is-now-effectively-banned-in-german-universities/>

# We Being Amongst Them as in a Foreign Country: The Making of Modern Debt

## Ian Beattie