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Society

The Virus of Freedom's Oblivion

Freedom?

Where Does the Corona Crisis Lead Us?

By Roland Rottenfußer

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It looks like an apple with thorns on it. In truth however, the Corona Virus could enter into history as the wrecking ball of our democracy and of our rights and freedoms. **Roland Rottenfußer** about the beginnings of a new dictatorship.

Almost all fundamental rights that were considered self-evident up to now are a façade in the course of the Corona crisis. The authorities lock us up in our apartments and punish us if they catch us in groups of three on the streets. Do they really only want to protect us here from a virulent infection danger or is it about something else?



We would gladly like to believe that the government respects our civil rights and will return them to normalcy after a short episode "of democratic imposition" (Angela Merkel). Why then doesn't the Corona-Regime even try to pretend as if the Constitution is worth a little bit to them? There would have been the possibility of compromise between life-protection and civil rights and freedoms. With that the wind would have been taken out of the sails of those who see the preparatory phase of a new dictatorship in the current government actions. Consequently, they could have left the right to demonstrate, the freedom to worship and the freedom of movement untouched at the core.

They could have more strongly placed self-responsibility on citizens. Everything is a question of proportionality. Otherwise, why doesn't the state install a surveillance camera in every private dwelling – in every bedroom, every toilet? In the end, it is undeniable that domestic violence could thereby be curtailed. Those who are aware that they are observed at anytime are afraid before taking criminal actions. Nevertheless, our society decided against this Orwellian solution. Still.

More and more Germany and many other countries currently mutate to a preventive security state, to a health dictatorship. However, such a state system was not intended within our Constitution. It also does not correspond with the majority will of the citizens, even in surveys when those under the continuous bombardment of the loyal-to-the-party-line media at present still support the Corona measures.

Dignity and freedom are considered rather like a tiresome corset.

No Absolute Life Protection

Incidentally, the Constitution also does not recognize an absolute priority for life protection. Wolfgang Schäuble* – a man who is not otherwise known for "alternative" world interpretations – drew the attention of the public to a self-evident truth: "However if I hear that all others have to withdraw for the protection of lives, then I must say: That is not correct in this totality. [...] If there is an absolute value in our Constitution at all, then it is the dignity of the person. That is untouchable. But it does not rule out that we must die." (1)

At present dignity and freedom are considered rather like a tiresome corset which it is valid to throw off at the first opportunity. Perhaps freedom costs lives; dictatorship however protects lives – hence freedom must go away. Almost all public statements of politicians, mainstream media and embedded scientists are implicitly based on this simple "calculation". At the same time, it falls by the wayside that without freedom only a very restricted life is possible. And also, the fact that the Corona Shutdown, because of the considerable social, psychic and financial burdens it brings with it, will cost lives.

* Wolfgang Schäuble is a German lawyer and politician of the Christian Democratic Union (CDU) party whose political career has spanned more than four decades. He is one of the most experienced and longest serving politicians in German history and since 2017 has been the president of the Bundestag.

Media

This extreme form of "Expert-ocracy" now carried out is just very little intended in the Constitution. During these days the frightened people stare fascinated at everything that VIP-virologists like *Prof. Christian Drosten** say. The "weal and woe" [well being and needs] of millions of people can hang on his vote. A tersely expressed sentence like: "We should be careful to loosen the restrictions rashly" can destroy existences. Virologists and epidemiologists always only see a certain sector of the problems. That is legitimate, they are trained for it. Nevertheless, the politicians – and also the press – should always keep an eye on the big picture.

Reason Questioned

The fact that as a layman you cannot know how dangerous the virus is, does not mean that you cannot form a sound opinion about that. You can be comprehensively informed, compare contradictory information with each other and draw your own conclusions on the basis of "healthy common sense". In such a way you could compare the infection and death rates of Corona 2020 and preceding epidemics. You could ask how many of the Corona dead were old aged and had pre-illnesses. Whether all these people have died "because of Corona" or "with Corona". What role in the spread of the virus has air pollution and the condition of the local hospitals played? Also, to be questioned is whether the increased infected numbers do not have to do with the greater increase of related tests. And whether the number of infected was always neatly subtracted by the number of again recovered.

Information divergent from the mainstream can only permit one conclusion: There is a concealed agenda for the Corona staging. We know: Politicians protect lives only very selectively. While almost all of the establishment wear the mask of the Good Samaritan, the defense budget was increased and the Afghanistan operation was extended by the German parliament. The fact is also new that parties who have admitted old age poverty for decades are suddenly worried about the wellbeing of older and ill people. Such politicians are not trustworthy, if they profess to strive for every life.

In the development since March 2020 was not only the alarmingly overt surprise coup-like attempt by the executive to expand their powers at the expense of civil freedoms, [but] no less alarming was to observe how little resistance stirred. On that occasion, the so-called left camp, especially the Green and SPD left parties, proved themselves a complete failure. Just like the completely predominant part of the media scene. And also, the majority of citizens did not even take part in the hour of highest threat for their freedom. You may even make allowances for the majority population, that especially on them it depended on holding the number of "Corona Dead" as low as possible. However, it remains unclear whether generally among the people there is a sort of love of liberty that could have stepped in opposition to the enacted security thinking.

* Christian Heinrich Maria Drosten is a German virologist whose research focus is on novel viruses (emergent viruses). During the COVID-19 pandemic, Drosten came to national prominence as an expert on the implications and actions required to combat the outbreak in Germany.



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Side Effects

Instead, under the long-term fire of opportunistic media reports spying and denunciation blossomed in the country. I know about several cases in which somebody would have gladly welcomed people into their apartment – also to heal and to help – however they refrained because of fear that overeager neighbors could inform against him. It is understandable that not everyone dares open resistance and accepts high punishments. However, the first five months of 2020 could enter as that phase in history in which the majority of the establishment as well as the press and the citizens have surrendered their freedom with a shrug. And this in a situation (Status end of April 2020) in which only about one in 2,000 Germans is infected, from which again only one fraction generally develops symptoms, or even hovers in mortal danger.

But there are also some pockets of resistance, "small Gallic villages" who defy the Corona Empire. Thus the journalist *Anselm Lenz** established a communication place of democratic resistance (KDW)⁽²⁾. The initiative condemns the Corona-conditioned fundamental rights interferences and since March 28 organizes small demonstrations on the *Berliner-Luxemburg-Platz* under the slogan "Hygiene-Demos". Activists who kept to the hygiene and distance orders, distributed copies of the Constitution to passersby there. Actually however, strange scenes came with this event. Policemen carried a stack of [copies] of the Constitution from the plaza and anyway a short time later asked a few participants to exit the plaza. There were 17 criminal investigations imposed among other things because of offences against the Infection Prevention Act and resistance against enforcement officials. Virtually overnight the fundamental right of demonstrating became a criminal offence.

Although the Federal Constitutional Court established on April 16 that a blanket meeting ban "because of Corona" is unconstitutional, life into the future was thus made difficult for the willing demonstrators. There were further rallies – in Dresden, Cologne, Hamburg, Munich and other cities**. However, everywhere a similar picture appeared. A ridiculously lower number of participants – great "theater" on the part of the police. The democratic resistance was and is suppressed almost completely up until the present time.

- * **Anselm Lenz** is a German dramaturgist, writer and journalist. He is co-founder of the *House Bartelby*. Lenz is a co-organizer of protest against state corona protection measures.
- ** At the end of August 2020 a huge protest was organized in Berlin. Robert Kennedy, Jr. participated and was interviewed on German TV. The protest was eventually cleared by police.

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Infection Prevention Act

Legal Expert Warnings

As a result, the legal bases of such an approach are argumentative even today. Thus, in respect to the Frankfurter Rundschau the legal expert and university professor Andrea Edenharter* said: "Nevertheless, in spite of the crisis, the civil rights and liberties may not be intervened in an unconstitutional manner. Rather it must be attempted to achieve the acceptance of the population through a Constitutional law compliant action." (3) The reproach, for acting unconstitutionally, concerns the politicians who are obligated to protect the legal system in special measures. For the basis of their measures Corona hardliners especially cite the Infection Prevention Act. Moreover, Edenharter says: "Actually, governments and authorities always appeal to Paragraph 28 of these laws. It permits that special preventive measures can be seized towards infected or suspected cases. But this cannot be valid for 82 million people who – in spite of rising case figures in Germany – at the moment the majority are still healthy." The lawyer also draws attention to the menacing damage for solitary and psychically unstable people through "solitary confinement": "Threatening here are injurious unintended side effects like social isolation or increase of suicide danger."

Edenharter's colleague, the attorney *Niko Härting*, pushes above all against the fact that on short notice the Federal Health Ministry has amended the Infection Prevention Act in March. This points to a previously not quite watertight legal basis. "*Nevertheless, it is evidently a matter of the Federal Health Ministry afterwards legalizing illegal measures*", according to Niko Harting ⁽⁴⁾.

The Bahner Case

The case of *Beate Bahner*** (5) also attained great publicity. The attorney, who was indicated to have been completely apolitical before, shortly before Easter sent a press release which attempted to explain "why the Shutdown is unconstitutional and why this is the greatest legal scandal that the Federal Republic of Germany has ever experienced." In an emergency [Constitutional] appeal, the lawyer demanded the immediate abolition of all up until then imposed Corona measures. The isolation of healthy people enacted by the government violates the right to freedom of action and movement, the inviolable freedom of the person, the right to undisturbed freedom of religion and others – not the least Article 1 of the Constitution. Hence, the instructions are void, with their execution the Federal State and their executing bodies even made themselves liable for persecution. Therefore, on the part of the population there is a right to resistance against the Corona Regime.

- * Andrea Edenharter holds the chair for constitutional and administrative law, European law, religious constitutional law and comparative law at the Fern Universität, Hagen.
- ** **Beate Bahner**: Here's one of several website descriptions of the incidents with this well-known medical attorney: http://www.albiladdailyeng.com/german-lawyer-criticized-lockdown-arrested-taken-psych-ward/

The emergency [Constitutional] appeal had hardly gone into the court, there the [German] State Protection Office tried to intimidate Beate Bahner and filed a complaint because of a proclamation of a criminal offence. However, it got even worse. Bahner was transferred into a psychiatric institution under not fully clarified circumstances even now. Although she was again soon set free, Bahner subsequently seemed broken. In rather confused words or simply only a more sarcastic form, she revoked parts of her previous reproaches against the state, and meanwhile indicated she had known nothing about the changed rules because of her vacation. Thus a nascent "Icon of Resistance" on which many had placed their hopes was virtually deactivated. Possible "imitation culprits" were warned.

Petitions

Another attorney, *Viviane Fischer* submitted a petition demanding a "Baseline Study". ⁽⁶⁾ As regards content, it concerns how the figures about Corona infections and deaths are to be evaluated by the government. In particular in comparison with the statistical normal case ("Baseline") and the infection events from previous years. "*Every day 2,500 people die in Germany*", writes Fischer in her petition. "*This is our normal death rate. An excess death rate is absolutely not given with under 200 statistical Corona deaths in 18 days.*" Fischer's complaint suggested that government and media stirred up panic by its careless handling of the numbers. With reference to these numbers this is all the more dubious as the fundamental rights were annulled. "What is wrong here? Is this a Corona catastrophe at all? And what price do we pay with the lockdown? Emergency laws, forced recruitment, even still compulsory vaccinations? All this has no good sound in Germany. I want to protect our elderly and weak people, but the sacrifices that everybody now performs must also still make SENSE!" Up to the present the petition has reached more than 81,000 supporters. However, it has received no media echo.

Likewise, the venture of *Helene and Ansgar Klein* who appear to be fighting a losing battle demanded: "The complete abolition of the enacted restrictions to civil freedoms in connection with the Corona crisis." (7) With the appeal the married couple especially argued with the "collateral damages" of the Corona ordered civil rights restrictions. "There are no persuasive arguments that justify the current restrictions. On the contrary, the ordered restrictions endanger the social and economic status of the population." Just with older people who are in the center of the national welfare service, it can come to "serious psychic problems and therefore to a weakened resilience. ... By now the economic consequences are serious and the total suspension of the freedom of assembly to a large extent endangers democracy." So far the petition was signed by 77,000 people. Meanwhile, there are luckily so many "rebellious" actions in connection with the Corona measures that we threaten to lose the overview. Christoph Pfluger from the Swiss traditional magazine "Der Zeitpunkt" founded for example a database "Corona Update" in a handy format with alternative news and facts. (8)

^{*} **Viviane Fischer:** Here's another website concerning the petition of Ms. Fischer: https://www.openpetition.de/petition/online/conduct-a-base-line-study-we-finally-need-reliable-corona-data

Jens Wernicke from the web magazine "Rubikon" (9) submitted a legal test case against the imposed measures by the Land Rheinland-Pfalz. "End the Emergency Regime!" demanded Wernicke. And he accuses: "Under the veil of fear we are all incapacitated, are robbed of our dignity and fundament rights and are collectively traumatized." The statement of claim can serve Resistance as a stimulation for our own judicial initiatives (10).

Freedom Over Everything!

Meanwhile even a "Corona Sceptics Party" has been founded: Resistance 2020* (11). One of its founders is Bodo Schiffmann, ear, nose and throat physician and director of the Vertigo Outpatient Clinic in Sinsheim. According to its Board of Directors, the party was established "out of the intention not to feel powerless anymore". Why a party and not just an association? "Unfortunately, our system developed in such a way that we can really only work together in decisions as a party with a large number of members." Resistance 2020 is supposed to be a "participation party" whose program is first developed bit by bit by the members. Only one program point already seems to be certain: "Freedom stands over everything!" A slogan almost like from another time.

For decades the politicians and media looked at the [former] East Germany with horror: "They have locked up the whole nation." And what status do we have now in the "free world"? Travel bans, spying on each of our signs of life (already before Corona as became known through the NSA scandal) and unfiltered state propaganda on all channels. Police patrol on the streets and pester citizens because of trifles, impose penalties because of crimes, which are not. The Constitution [fundamental law] is bent, opposing views are stigmatized.

What has become of this Europe, the supposedly free world? There are two opinions about whether the correct human rights – Articles 1 to 20 of the Constitution – should still be valid in our country, or not. Even worse: Those who see no problem in this massive dismantling of our rights and freedoms seem to be in the majority. Perhaps freedom will perish less from the greed for power of politicians than from the lacking love of the people, who have lived so long under its protection. If nothing happens now, we go toward dark times. Let us rise up! Let us win back our democracy!

* Widerstand2020: "Thinking differently is not a mistake, but a freedom! Let's be different so that something can finally change!" https://widerstand2020.de/



Author

After [completing] German philology studies, Roland Rottenfußer was active with different publishing houses as a book lecturer and journalist. From 2001 to 2005 he was editor with a spiritual magazine "connection" and later for "Zeitpunkt". Currently he is active as an editor and author for the "Rubikon". Since 2006 he is the editor-in-chief for "Hinter den Schlagzeilen".

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Footnotes:

- 1. https://www.tagesspiegel.de/politik/ tritt-vor-dem-schutz-des-lebens-alles-zurueck-wolfgang-schaeuble-meint-das-richtige-sagt-aber-das-falsche/25777154. html
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- 11. https://widerstand2020.de

^{*} Items notated with asterisks are Translator Notes!