

Between Us Germans

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I'm sorry if this question makes you uncomfortable, but which group do you belong to? Why do I even want to know? You keep asking me these kinds of things all the time. If you are reading this text, I assume you are white, have a university degree, are well educated, earn an above-average wage and probably have a wealth that has been passed down for generations. I assume you are Christian, whether out of belief or because you were just born into it, or are non-denominational. I know from our user data that almost two thirds of you are German or at least read this while in Germany. I apologize again, this is getting really awkward, but I have to ask you this: Are you antisemitic? No? Then would you mind telling me what your grandparents did? Do you find that question impertinent? Well, I understand, that was a long time ago. But are you racist? Again, no? That seems a bit strange. After all, a [study has just been published](#) showing that racially labeled people in Germany often experience discrimination and racism. So where is that supposed to come from then? But fine, I don't want to accuse anyone of anything, and if you say that you have nothing to do with it, then that's probably the case.

I know, what I just did is unfair and cynical. But I also know, not being cynical at all: You can handle it. As part of the majority society, you can decide how – and if – you deal with it when someone who belongs to a minority group makes assumptions about your attitude towards jewish, black or Muslim people just because you belong to that majority society. I does not call into question your belonging to this state or this society. You can feel secure in that. I myself have always considered myself as part of this majority society, even though I have often been made to understand that I'm not. However, compared to what, for example, black or Muslim people experience on a daily basis this has not played a significant role and none of this has called my status as a German citizen into question. I felt at least secure in this bureaucratic recognition of my belonging. That is changing.

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**Staatsbibliothek
zu Berlin**
Preußischer Kulturbesitz

Rechtsradikale Netzwerke in Sicherheitsbehörden

Menschenverachtende Chatgruppen in der Polizei, Umsturzpläne von ehemaligen Elitesoldaten, rechtsextreme Richter:innen und fragwürdig assoziierte Mitarbeitende des Verfassungsschutzes. **Am 23. November um 19 Uhr** sprechen Stephan Anpalagan, Heike Kleffner, Sebastian Leber und Matthias Meisner **in der Staatsbibliothek** zu Berlin Unter den Linden über die Bedrohung der Demokratie von rechts.

Weitere Infos und Anmeldung [hier](#).

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The German Chancellor is prominently quoted on the cover of *Der Spiegel* as saying: "[We must finally deport on a grand scale.](#)" A member of the *Bundestag* from Germany's Free Democratic Party wants us to think about denying non-EU foreigners [equal participation in parties and other bodies as well as freedom of assembly](#). And then Wolfgang Kubicki, Vice President of the *Bundestag* and member of the Free Democratic Party, demands that there should be no more than 25% foreigners in cities and [considers it worth discussing](#) to use obligations through social law to ensure that those foreigners accept a "reasonable" place of residence. Positions that have so far barely made it beyond the right-wing fringe now seem to be gaining a foothold in the political center. We need to talk about this, otherwise more and more people outside the majority society will be left with fear.

I'm not claiming to be awfully underprivileged or marginalized. If I were, I wouldn't be writing this text or at least you wouldn't get to read it. Some of the traits I have attributed to you apply to myself. In this respect, this is a balancing act for me: I am writing about perceived vulnerabilities from a position of strength and, in doing so, I am also placing myself in a role that I don't even want to play. Why am I still doing it? Because I have the impression that there is something happening here that – while I think it is wrong fundamentally – may affect me more personally than most of you.

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BUCERIUS LAW SCHOOL
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Die **Bucerius Law School** schreibt zum **01.04.2024** zwei Juniorprofessuren mit Tenure Track aus. **Bewerbungsfrist: 30.11.2023.**

[Juniorprofessur für Bürgerliches Recht, insbesondere Familien- und Erbrecht \(tenure track\)](#)

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Anyone who doesn't want to will not take this fear seriously anyway, I am aware of that. Those who belong to a minority and speak of their own experiences of discrimination are often enough [not taken seriously](#). Someone who belongs to a minority and [expresses](#) that they do not feel accepted, understood or represented by the majority society in this country is accused of painting themselves as a victim. When a white man who belongs to the majority society [draws attention](#) to the fact that the public debate is shifting in a way that must alarm people who belong to a minority, this is called [shrill](#).

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The Chair of European and International Law (Prof. Dr. Wolfgang Weiss) at the **German University of Administrative Sciences Speyer** is looking to fill a vacancy from 1st February 2024 or by agreement for a **Research Assistant (m/f/d)**. Employment will be on a 0.5 FTE basis, initially limited to a three years contract. Recruitment requirements:

- Master or comparable degree in Law, with a focus on European law and/or public international law
- Proficiency in English language, both orally and in writing

Responsibilities: Participation in the chair's research. Main focus on own PhD research. [Please find further information here.](#)

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I am not even naturalized, I am German by birth, I have no other citizenship. My name and my appearance make some people question this and I'm currently wondering when that alone will be enough to completely deny me my belonging to this state and this society. This doesn't seem even thinkable, but I believed a lot of things that have happened in the past few weeks to be unthinkable. This includes

the fact that I am sensing a mood in this country that makes me publicly affirm my being German. I don't even want to imagine how it feels for all those who are even less perceived as German or who lack the bureaucratic recognition.

The week on Verfassungsblog

... summarised by PAULA SCHMIETA:

Is **public opinion** a suitable yardstick on which to base **interference in judicial independence**? What is right in principle can be susceptible to abuse if no boundaries are drawn, writes [JONATHAN SCHRAMM](#), who comments on the reasoning of the BGH in the Jens Maier case.

Acquittal means acquittal: this week, the Federal Constitutional Court handed down its judgement in the 'Frederike von M' case. [JOHANNES KASPAR](#) explains why the decision, which is no doubt difficult for relatives to bear, is nevertheless the right one.

The recruitment practices of the Thuringian government have been criticised. According to [ARMIN STEINBACH](#), however, Thuringia is not an isolated case – thus he sheds light on the **role of 'political civil servants'** (*politische Beamte*) at the interface between politics and ministerial bureaucracy.

A constitutional complaint has recently been lodged against the **5% electoral threshold** in federal elections. [HALINA WAWZYNIAK](#) is in favour of a '**capping rule**' (*Abdeckungsregel*) – a solution which according to her would be more in line with constitutional electoral principles.

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Umriss eines Politischen Europa: Bestandsaufnahme von Verfassungsprozessen in Bewegung

Symposium des Dimitris-Tsatsos-Instituts für Europäische Verfassungswissenschaften der FernUniversität in Hagen

am 24.11.2023 und 25.11.2023

FernUniversität in Hagen und online über Zoom

Die zutreffende Beschreibung und kritische Auseinandersetzung mit der gelebten **Wirklichkeit von Verfassungen** hat für die Verfassungswissenschaften nicht weniger Bedeutung als die Beschäftigung mit deren normativen Aspekten. Wie steht es um die Wirklichkeit der mit den Grundlagentexten der **Europäischen Union** in Gang gesetzten Prozesse? [Näheres hier](#).

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Around 15% of **stateless people in Germany** were born in this country. On the occasion of the planned modernisation of the Nationality Act, [PATRICK R. HOFFMANN](#) argues for a subsidiary *ius soli* right to combat statelessness.

A draft bill of the Federal Cabinet plans to further criminalise assisted flight. [DAVID WERDERMANN](#) examines what this means for **sea rescue** and the right to asylum.

Training **AI** systems is a tricky business. But the way of training AIs is crucial for it influences their performances – e.g. the extent to which chatbots veer from the truth – impacting on our all lives. [WOLFGANG SCHULZ & CHRISTIAN OLLIG](#) argue that “**Hybrid Speech Governance**” is key to tackling this challenge.

The **EU’s** proposed **AI Act** is in the final stages of trilogue negotiations. [MARTIN KRETSCHMER, TOBIAS KRETSCHMER, ALEXANDER PEUKERT & CHRISTIAN PEUKERT](#) explain its complex risk hierarchy and argue that (ex post) liability rules could provide the right incentives to improve data quality and AI safety.

To [NOAM KOZLOV](#) the war in Gaza seems to be the final nail the coffin of **Israel’s judicial reform**. But Kozlov warns that populists will try again to undermine Israel’s constitutional structure – which is why he calls for ‘an entrenched and complete constitutional text’.

On December 3, a **referendum** is to be held in **Venezuela** on the annexation of an area called Esequibo. This is not only constitutionally questionable, but also questionable under international law, argues [ERICK GUAPIZACA](#). Since there is a long-standing territorial dispute over the Esequibo area between Venezuela and the neighboring state of Guyana, the dispute can only be resolved at the level of international law. This, in turn, also has implications for the constitutionality of the process.

Lastly: In June we compiled articles on whether the last generation is a criminal organisation in the [blog debate](#) **Kleben und Hafteln: Ziviler Ungehorsam in der Klimakrise**. Another contribution written by [PHILIPP SCHÖNBERGER & KATHARINA NAUJOKS](#) was added this week.

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That’s it for this week. In the meantime, all the best to you!

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