Facing the Blue Wall

A Visit to Halle an der Saale

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We travelled to Halle, the university city on the river Saale and – as some people claim (not the people of Magdeburg) – the largest city in the state of Saxony-Anhalt. On Sunday, the state votes for a new parliament, and as everyone knows, the result could hand legislative and executive power in a German state to the far right for the first time in the country's post-war history. Their stated aim: to "liberate German scholarship and restore it to itself through fundamental reforms." How are the people who would be most directly affected by that? The people who live, work, study and do research in Halle? We met a few of them.

I.

Winfried Kluth meets us outside the Juridicum. He has held the chair of public law at the Martin Luther University of Halle-Wittenberg for more than a quarter of a century now. It looks like a vineyard, he says, pointing proudly at the architectural model of the sleek 1990s building with its stepped, terraced façade. Labourers in the vineyard of the law: this is where they're trained, at the state's only law faculty. How's the mood at the university right now? Pretty good, actually. Last year the university landed a Cluster of Excellence for the first time – a real triumph. Student numbers are stable, something many other universities in eastern Germany can only dream of. "As a university, we're in an incredibly privileged position here," Kluth says. "Compared to Cologne or Trier, we're living in paradise."

What can, should and may scholars do to resist this planned "liberation to itself"? His university has taken "a very clear stance", Kluth says: back in 2024 it committed itself explicitly to "democracy, diversity, tolerance and openness to the world." Last year, he co-founded an association that sends academics into schools under a "Rent a Prof" scheme to talk with pupils, and that has put up large posters urging people to "vote for democracy" on Sunday. The AfD's demand for political "neutrality" doesn't unsettle the professor of public law in the slightest: under existing higher education law, he says, a university professor is "not merely entitled but obliged to raise his voice." Since 2020, Saxony-Anhalt's state constitution has declared it "the duty of all state authority and the responsibility of every individual" to oppose racism, antisemitism, and the revival of National Socialist ideology. Though Kluth doesn't necessarily read it as a sign of a healthy democratic culture that "the constitution assumes people won't do this on their own and has to call on them to do it."

Kluth's own field, migration law, will most likely soon be in high demand, once the AfD tries to put its "remigration" programme into practice. Legal expertise won't be in short supply: Hans-Georg Maaßen, the former head of Germany's domestic intelligence agency and the man tipped as interior minister in a future AfD government, spent years in charge of asylum law at the Federal Interior Ministry. "He knows his way around migration law." But however much legal know-how the AfD brings to bear, Kluth expects its "remigration" plans to run into practical limits soon enough. Deportation numbers are already falling. "The easy cases have all been dealt with, and no country will take back people without a passport or replacement papers – no matter how determined you are, it won't help." Harassing migrants through administrative means to drive them out of the country is possible, in principle, but it takes a lot of work. The immigration offices are already chronically understaffed. "Nobody wants to work there."

II.

It's not just Germany – it seems as if the whole world wants to know what's happening on the ground in Saxony-Anhalt these days. How fortunate, one might think, that Halle happens to be home to a highly renowned Max Planck Institute for Social Anthropology. In a converted nineteenth-century villa alongside modern annexes, researchers from all over the world study the relationship between law and people – and people within the law. What do these field researchers make of what's unfolding right on their doorstep in Halle? Marie-Claire Foblets, head of the "Law and Anthropology" department, excuses herself: as a Belgian who was never socialised into the German academic system, she says, she's "not the right person for this conversation," and besides, she's about to leave for an extended stay abroad, so she won't "experience the mood before the state election" first-hand.

Instead, we're met by two doctoral researchers who are all the more willing and able to give us a personal, first-hand sense of the mood. Niklas Cuno is from Magdeburg, Lukas Bornschein from a village near Zwickau, just across the state border in Saxony. That sets them apart from many of their academic colleagues, who come from all over the world. Both are based at the Max Planck Institute but also teach at the university, where they both studied law. Even though the institute sits geographically at the heart of Halle, they say, the city and the world of scholarship often barely take note of each other. Part of the reason, they suspect, is that for many researchers Halle is just a stopover, which saps their interest in getting actively involved in city life – and that's not a Halle peculiarity, the two of them argue, but a structural problem facing university towns across eastern Germany.

The lack of interest runs in the other direction too, though. Back in April, Niklas and Lukas published a thorough analysis on our blog of the AfD's migration policy plans for Saxony-Anhalt. The piece, they tell us, generated substantial media coverage nationally – but not locally, in Saxony-Anhalt itself. The regional papers didn't even respond.

Still, they read the mood around them rather differently overall. He's never experienced an election that has electrified people so intensely, Niklas says – both negatively and positively. The university is hosting countless events on academic freedom, neighbourhood initiatives built around solidarity have sprung up, and people are throwing themselves into door-to-door campaigning, pouring enormous amounts of time and energy into it. That gives him hope. "For a lot of people, this election is what's politicising them in the first place – faced with this blue wall we're now standing in front of."

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III.

And the students? We've arranged to meet Lui on the Steintor campus – a 21-year-old geography student from Görlitz in eastern Saxony and active with *Studis gegen Rechts* (Students Against the Right). He has nothing but good things to say about the city and the university. "The university has actually always been fairly steadfast." When the AfD parliamentarian Hans-Thomas Tillschneider – a possible future science minister – demanded in January 2026 that the state's universities disclose information on courses taught over the past five years "with a colonial or postcolonial

focus", including student numbers and theses, the University of Halle refused to hand over the information after internal deliberation – unlike, for instance, Merseburg University of Applied Sciences.

For now, *Studis gegen Rechts* is still recognised as an official student group, which gives them access to rooms and materials. Lui doesn't much expect that to last past the election. "The university will come under enormous pressure."

We also tried, unsuccessfully, to talk to conservative students from the Ring of Christian Democratic Students (RCDS). After some back and forth, the board of RCDS Halle let us know that, if we sent our questions in writing beforehand, they would be "willing to consider whether and to what extent we can answer them in writing." What we'd wanted was to get a feel for the mood by talking to one of these young Christian Democrats – we weren't in the mood, in the end, for a written exchange.

IV.

In the courtyard of the Moritzburg – once the archbishop's seat, now a museum – there's a shaded café. That's where we meet, for lunch, the constitutional lawyer Dirk Hanschel and the political scientist Petra Dobner. Both have close ties to Verfassungsblog as co-initiators of our recent symposium "Bulwark or Gateway?" on Saxony-Anhalt, and both have spent months tirelessly working out scenarios and countermeasures – including, and especially, how the university where they teach and research should respond to an AfD election victory.

How's it going? Well, says Dirk. "A mix of brace-for-impact and positive energy." He recently joined the Greens and has been handing out leaflets at a campaign stand outside the Edeka supermarket – a strange experience, when students walk past and see him standing there. "The most important thing for me – and I keep telling myself this, because I'm not exactly the bravest person around – is that we need to get braver. That we need to link arms." He draws positive energy "from people who show up from everywhere and say: now it counts!" The latest polls – a slight rise for the SPD and the Greens, a slight dip for the AfD – have given him some hope. "I have this feeling that something's shifting."

Petra disagrees. The polls can't be trusted, she says. That's a "Paulusviertel feeling" – in Halle's bourgeois *Paulusviertel*, a Green stronghold, you'll barely spot an AfD poster – and it misreads the climate in the rest of the state. In the villages, she says, there's enormous social pressure to vote AfD. Whatever votes the AfD needs to reach a majority, she says, it will find among CDU renegades lured by the promise of ministerial office. "I'm worried that on Sunday evening a mob will be rampaging through the streets. That the racism that already exists anyway will break loose."

Is it the right strategy for outsiders to warn the people of Saxony-Anhalt about the economic and political trouble they'd be heading into by putting the AfD in government? Should people be urged to stay in the state if they can, or should those who want to leave be encouraged to go? The two of them argue about this, with each other and with us, with tremendous commitment – until, all of a sudden, the waitress interrupts. She turns out to be one of Petra's students, has overheard what we're discussing at the table, and wants to know from her professor: what's going to happen to her degree? What will she be taught in political science after the election?

Don't worry, Petra tells her. Nothing is going to happen. In her department, she's certain, everyone is standing firm.

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V.

A little later we ring the bell at Markus Leber's, a lawyer specialising in higher education law. He spent ten years as chancellor of the University of Halle, and when it comes to university administration and funding in Saxony-Anhalt, few people know more than he does. What happens if a future science minister Tillschneider, as promised in the AfD's election manifesto, tries to abolish gender studies and postcolonial studies in Saxony-Anhalt? What happens if he offers universities an additional permanent professorship, on condition that it researches, under the euphemism "population science", countermeasures against the alleged "dying out of our people"?

As for the gender studies and postcolonial studies programmes supposedly on the chopping block, Leber stays cool – mostly because Saxony-Anhalt doesn't actually have any. "I honestly don't know what they think they're going to shoot down." Universities in Saxony-Anhalt are, in places, still working through staff cuts dating back to the 1990s, he says: "every last drop of fat was squeezed out of the system long ago." He doesn't see Tillschneider's "population science" professorship materialising any time soon either: most universities would simply wave away the offer of structural funding for such a chair, because it wouldn't fit their academic profile. The one possible exception might be the University of Halle, given its social sciences departments. But as long as the faculty there refuses and resists the temptation to just take the money and try to outmanoeuvre the minister somehow, the plan won't work out.

How long the universities in Saxony-Anhalt can withstand the financial pressure the government puts on them, though, is another matter. Their funding is set through target agreements with the state government, running until 2029. Until then – and as long as the government doesn't unilaterally terminate these agreements, as happened in Berlin – the money is secure, for now. But negotiations over the next round of target agreements start a full year in advance. The current agreements have no enforcement mechanism, meaning that missed targets carry no immediate consequences. But whether targets were met becomes the benchmark once negotiations begin. And if the AfD minister goes looking for unmet targets, Leber reckons, he'll find some.

VI.

On our way back to the station, we pass the Steintor campus once more, completely deserted now during the lecture-free period. By October, when the university term starts again and the campus fills up again, the science minister might no longer be from the SPD, but might instead be named Hans-Thomas Tillschneider. Nobody yet knows what feelings and fears the students, research staff and professors will face once they return to campus. Perhaps they'll share the worries voiced by the people we spoke to. Or perhaps they'll turn out to be apolitical, just passing through on their way to the next career step, or they may even have voted AfD themselves, helped carry the far right into office, and be looking forward to an authoritarian overhaul of academia. Either way, the people we spoke to have not resigned themselves to watching the AfD march through unopposed and simply waiting for that overhaul to arrive. Some of them are unsettled, others cautiously optimistic – but everyone we spoke to is preparing for what might be coming, is already active, and committed to remain so after the election. Whatever the result.

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Editor's Pick

by MAXIM BÖNNEMANN



In recent years, our daily work as editors has changed radically. The volume of submissions has exploded, while their quality has declined; language, tone, and structure are becoming increasingly uniform. As we try to keep the (still) unmistakable singsong of language machines away from Verfassungsblog, we watch with a shudder as the ways scholars think and write are changing. What this transformation means for language and knowledge, authorship and morality, and political power and epistemic pluralism is the subject of Roberto Simanowski's brilliant and eye-opening book.

Roberto Simanowski, Sprachmaschinen. Eine Philosophie der künstlichen Intelligenz, Verlag C.H.Beck, 2025 (only available in German).

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The Summer on Verfassungsblog

summarised by EVA MARIA BREDLER

Here we are again: the skies are grey, the clouds are crying, the days are getting shorter. Personally, I think the best season of the year is now to come: golden leaves, crisp air, evenings you can happily spend at home instead of feeling obliged to catch the last rays of sunshine. Hopefully you built up a little stock of it over August (even if the moon briefly got in the way).



Photo: Pia Löffler

The election in Saxony-Anhalt cast its shadow ahead of time too, as you can see in our ten most-read pieces from August (*in no particular order*).

As we know, the AfD could win an absolute majority there. And then what? The newly elected state parliament will have to elect a new **Minister-President**. Exactly when, though, is unclear – or at least it is no longer (clearly) set out in Saxony-Anhalt's constitution. ROBERT BÖTTNER (GER) explains why that could work in the AfD's favour.

Anyone reading the AfD Saxony-Anhalt's governing programme quickly runs into the term "**remigration**". The word is not only Germany's "*Unwort*" of the Year 2023 – the idea behind it is also mostly unlawful. Yet many steps of a remigration policy could still draw on legal instruments. DANA SCHMALZ (GER) shows how an authoritarian-populist state government could push forward denaturalisation, expulsion and deportation – and where the limits lie.

Remigration was also at the heart of the ***Gesellschaft für Freiheitsrechte*'s expert opinion**, published at the end of June. It examines in detail the AfD's ethnic-cultural notion of *the people* and asks whether the AfD is unconstitutional under Article 21(2) of the Basic Law. This opinion was sharply criticised by criminal law scholars Elisa Hoven and Marco Vöhringer, and separately by Frauke Rostalski. BERNHARD STÜER (GER), in turn, argues that their pieces

harm factual and constructive discourse and calls for compliance with the ethical standards of debate.

In the spirit of that same factual and constructive discourse, ELISA HOVEN, FRAUKE ROSTALSKI and MARCO VÖHRINGER (GER) respond to Stüer: in their view, several points of his criticism rest on a misrepresentation of their arguments, which need to be corrected.

Ahead of the election in Saxony-Anhalt, the debate over a **ban on the AfD** is gathering momentum again, not least since Defence Minister Boris Pistorius and Baden-Württemberg's Minister-President Cem Özdemir came out in favour of it in the *Frankfurter Allgemeine Sonntagszeitung*. But are judges actually allowed to take such a public stance? That question was raised by an open letter in which hundreds of jurists call for an AfD ban. Weighing judicial restraint against the right to political engagement, ANTJE VON UNGERN-STERNBERG (GER) argues that a militant democracy permits precisely this kind of defence of the constitution.

Defending the constitution is a tricky business – depending on how you interpret it, that defence can demand almost opposite things. Berlin's population wants to expropriate "Deutsche Wohnen & Co." in order to give effect to Article 15 of the Basic Law, while the coalition committee is currently seeking to ban the **socialisation of housing** at state level by federal law. That would bury Berlin's expropriation initiative for good. QUENTIN HERBSTER (GER) considers such a ban unconstitutional: in his view, the federal government lacks the legislative competence for it.

While the coalition shields private housing construction, it is about to leave families out in the cold: no fewer than five **family-policy benefits** are set to be cut. SUSANNE DERN and CARA RÖHNER (GER) show how the plan would push women, children and low-income families further into precarity.

Once social benefits disappear, poverty can follow fast. The number of people affected by poverty is rising in Germany – yet its most visible form is being pushed out of the cityscape. Dortmund and Düren have introduced **begging-ban zones** around outdoor dining areas, banning even silent begging. But the mere sight of a person begging does not, in itself, endanger public safety and order, explains ADIL DEMIRKOL (GER).

Not to be missed, meanwhile, was the crisis on the streets of **Ceuta**: in late July, 60,000 migrants arrived in the Spanish enclave of Ceuta in North Africa within 24 hours – dozens died attempting the crossing. JONAS BORNEMANN (ENG) examines whether EU law offers real tools to respond, and what the political blame game reveals about solidarity between the Member States.

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The politically easy and established response to crisis and fear is: more security. The federal government has accordingly adopted a draft security-policy legislative package that massively expands the powers of the **intelligence services** and, in doing so, fundamentally overhauls their legal basis. The subject is technical, but ANNA HÖNING (GER) manages to give a clear overview of this "mega-reform" – and to track down its unconstitutional provisions.

That was also the idea behind our symposium "**Measuring Suspicion: Automated Data Analysis and the New Security Architecture**" (GER). Automated data analysis promises to turn scattered data into a coherent, consistent picture: systems like Palantir's Gotham link information from different sources for security agencies, detect patterns and make connections visible. But it is not only the promises that are considerable – so are the risks of automated data analysis. The symposium surveys Germany's newly emerging security architecture and its consequences for fundamental rights, democratic oversight, and the relationship between the state and Big Tech.

This week, we also launched our symposium "**Beyond Sovereignty: Rethinking International Law**" (ENG), inspired by a recent essay by Professor Monica Hakimi: *Thinking Constructively about International Law*. In what sense is international law "law"? How should we think about its existence, effectiveness, and justification? And must we necessarily answer these questions through the lens of a classical, sovereignty-centred conceptual framework?

Ahead of the election in Saxony-Anhalt, it is also worth browsing through our symposium "**Bulwark or Gateway?**" (GER), which explores the ambivalent role of federalism. The fact that Saxony-Anhalt could become the first German state governed by the far right is itself made possible by the federal order: it allows the states different terms of democratic legitimation than apply at the federal level. At the same time, all the states are bound into numerous federal cooperation and financing mechanisms that sharply constrain a state's freedom to reinvent itself politically and act with legal autonomy. The contributions explore whether federalism is a bulwark against right-wing extremism – or rather a gateway for it.

By Monday, we'll know more. Guard your sunshine stock well – we'll be needing it.

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That's it for this week. Take care and all the best!

Yours,

the Verfassungsblog Team

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